

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

KHADIDAH STONE, *et al.*,

*Plaintiffs,*

vs.

CHRIS REP. PRINGLE, *et al.*,

*Defendants.*

Case No.: 2:21-cv-1531-AMM

**EXHIBIT 30**

**KHADIDAH STONE, et al.**

**VS**

**WES ALLEN, et al.**

**30(b)(6)**


**SCOTT DOUGLAS**

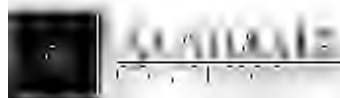
**April 23, 2024**



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<p style="text-align: right;">Page 1</p> <p>1        IN THE UNITED STATES DISTRICT COURT 2        FOR THE NORTHERN DISTRICT OF ALABAMA 3        SOUTHERN DIVISION 4        CIVIL ACTION NO. 2:21-cv-1531-AMM 5        KHADIDAH STONE, et al., 6        Plaintiffs, 7        v.  8        WES ALLEN, et al., 9        Defendants. 10 11        30(b)(6) DEPOSITION 12        OF 13        SCOTT DOUGLAS 14        April 23, 2024 15        1:15 p.m. 16 17 18        The deposition of SCOTT DOUGLAS was 19        taken before Sabrina Lewis, CCR, on April 23, 20        2024, commencing at 1:15 p.m., at Wiggins, Childs, 21        Pantazis, Fisher &amp; Goldfarb, 301 19th Street 22        North, Birmingham, Alabama, pursuant to the 23        stipulations set forth herein.</p>	<p style="text-align: right;">Page 3</p> <p>1    the parties may make objections and assign grounds 2    at the time of trial, or at the time said 3    deposition is offered in evidence, or prior 4    thereto. 5 6        IT IS FURTHER STIPULATED AND AGREED that 7    notice of filing of the deposition by the 8    Commissioner is waived. 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23</p>
<p style="text-align: right;">Page 2</p> <p>1        S T I P U L A T I O N S 2 3        IT IS STIPULATED AND AGREED by and 4    between the parties through their respective 5    counsel that the deposition of SCOTT DOUGLAS may 6    be taken before Sabrina Lewis, Certified Court 7    Reporter, Notary Public, State of Alabama at 8    Large, at Wiggins, Childs, Pantazis, Fisher &amp; 9    Goldfarb, 301 19th Street North, Birmingham, 10    Alabama, on April 23, 2024, commencing at 11    1:15 p.m. 12 13        IT IS FURTHER STIPULATED AND AGREED that 14    the signature to and reading of the deposition by 15    the witness is not waived, the deposition to have 16    the same force and effect as if full compliance 17    had been had with all laws and rules of court 18    relating to the taking of depositions. 19 20        IT IS FURTHER STIPULATED AND AGREED that 21    it shall not be necessary for any objections to be 22    made by counsel to any questions, except as to 23    form or leading questions, and that counsel for</p>	<p style="text-align: right;">Page 4</p> <p>1        A P P E A R A N C E S 2 3    APPEARING ON BEHALF OF THE PLAINTIFFS, LAQUISHA 4    CHANDLER, KHADIDAH STONE, EVAN MILLIGAN, GREATER 5    BIRMINGHAM MINISTRIES, AND ALABAMA STATE 6    CONFERENCE OF THE NAACP: 7        Davin M. Rosborough, Esq. 8        Dayton Campbell-Harris, Esq. 9        American Civil Liberties Union Foundation 10       125 Broad Street, 18th Floor 11       New York, New York 10004 12       212-549-2500 13       drosborough@aclu.org 14       dcampbell-harris@aclu.org 15 16 17 18 19 20 21 22 23</p>

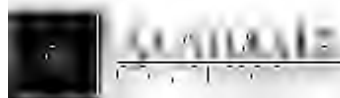


	Page 5
1 APPEARANCES (continued)	
2	
3 APPEARING ON BEHALF OF THE PLAINTIFF, MARCUS	
4 CASTER: (via videoconference)	
5 Jyoti Jasrasaria, Esq.	
6 Makeba Rutahindurwa, Esq.	
7 Elias Law Group	
8 250 Massachusetts Avenue NW, Suite 400	
9 Washington, DC 20001	
10 202-968-4490	
11 jjasrasaria@elias.law	
12 mrutahindurwa@elias.law	
13	
14 APPEARING ON BEHALF OF THE PLAINTIFFS, BOBBY	
15 SINGLETON, RODGER SMITHERMAN, EDDIE BILLINGSLEY,	
16 LEONETTE W. SLAY, DARRYL ANDREWS, AND ANDREW	
17 WALKER: (via videoconference)	
18 Eli J. Hare, Esq.	
19 DiCello Levitt Gutzler, LLC	
20 420 20th Street North, Suite 2525	
21 Birmingham, Alabama 35203	
22 205-855-5700	
23 ehare@dicellolevitt.com	

	Page 6
1 APPEARANCES (continued)	
2	
3 APPEARING ON BEHALF OF THE DEFENDANTS, STEVE	
4 LIVINGSTON AND CHRIS PRINGLE:	
5 Michael P. Taunton, Esq.	
6 Riley Kate Lancaster, Esq.	
7 Balch & Bingham LLP	
8 P.O. Box 306	
9 Birmingham, Alabama 35201	
10 205-251-8100	
11 mtaunton@balch.com	
12 rlancaster@balch.com	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	

	Page 7
1 APPEARANCES (continued)	
2	
3 APPEARING ON BEHALF OF THE DEFENDANT, WES ALLEN:	
4 (via videoconference)	
5 Misty S. Fairbanks Messick, Esq.	
6 Richard Dwayde Mink, Esq.	
7 James W. Davis, Esq.	
8 Assistant Attorneys General	
9 Office of the Attorney General	
10 State of Alabama	
11 501 Washington Avenue	
12 P.O. Box 300152	
13 Montgomery, Alabama 36130-0152	
14 334-242-7300	
15 misty.messick@alabamaag.gov	
16 richard.mink@alabamaag.gov	
17 jim.davis@alabamaag.gov	
18	
19	
20	
21	
22	
23	

	Page 8
1 INDEX	
2	
3 EXAMINATION INDEX	
4	
5 WITNESS: SCOTT DOUGLAS	PAGE
6 BY MR. TAUNTON	10
7 BY MR. ROSBOROUGH	155
8 BY MR. TAUNTON	157
9 BY MS. MESSICK	159
10	
11 EXHIBIT INDEX	
12 1 Notice of Rule 30(b)(6) Deposition	24
13 of Greater Birmingham Ministries	
14 in Case 2:21-cv-01531	
15 2 Notice of Rule 30(b)(6) Deposition	30
16 of Greater Birmingham Ministries	
17 in Case 2:21-cv-01531	
18 3 Notice of Rule 30(b)(6) Deposition	30
19 of Greater Birmingham Ministries	
20 in Case 2:21-cv-01291,	
21 2:21-cv-01530, and 2:21-cv-01536	
22	
23 4 By-Laws of Greater Birmingham	40
Ministries, Inc.	
5 GBM Individual Member By-Laws	54
Amendment	
6 Plaintiffs' Responses to	63
Defendant Allen's Discovery	
Requests	
7 McClendon Senate Plan 1 map	132
22	
23	



Page 9

1 I, Sabrina Lewis, a Certified Court  
2 Reporter and a Notary Public for the State of  
3 Alabama at Large, acting as Commissioner, certify  
4 that, pursuant to the Alabama Rules of Civil  
5 Procedure and the foregoing stipulation of  
6 counsel, there came before me at Wiggins, Childs,  
7 Pantazis, Fisher & Goldfarb, 301 19th Street  
8 North, Birmingham, Alabama, on April 23, 2024,  
9 commencing at 1:15 p.m., SCOTT DOUGLAS, witness in  
10 the above cause, for oral examination, whereupon  
11 the following proceedings were had:  
12 THE COURT REPORTER: Are there any  
13 stipulations for the record?  
14 MR. TAUNTON: Usual stipulations except  
15 for we'd ask that he read and sign.  
16 MR. ROSBOROUGH: Agreed.  
17 And do we also want to -- Misty, for your  
18 benefit, we can agree that an objection for one  
19 defendant is an objection for all to the extent  
20 that I ask any questions of Mr. Douglas later?  
21 MS. MESSICK: Thank you so much.  
22 MR. ROSBOROUGH: You're welcome.  
23 (Witness sworn.)

Page 10

1 SCOTT DOUGLAS,  
2 duly sworn, was examined and testified as follows:  
3 EXAMINATION  
4 BY MR. TAUNTON:  
5 Q. Mr. Douglas, it hasn't been that long.  
6 Good to see you again.  
7 A. Good to be back in this room.  
8 Q. Now, you're under oath, now. We both  
9 know that you don't want to be in this room.  
10 A. Sorry. I get one error.  
11 Q. Can you please state your name for the  
12 record.  
13 A. Scott Douglas.  
14 Q. And, again, we just referenced this, but  
15 have you given a deposition before?  
16 A. Yes.  
17 Q. You gave a deposition recently in the  
18 McClure case; is that correct?  
19 A. That's correct.  
20 Q. Have you given a deposition in any other  
21 cases?  
22 A. Two or three.  
23 Q. What are those cases?

Page 11

1 A. Evan Milligan. I can't remember the  
2 other two.  
3 Q. You understand that you are here today  
4 testifying on behalf of Greater Birmingham  
5 Ministries?  
6 A. I do.  
7 Q. Do you understand that this deposition is  
8 for the Stone v. Allen case?  
9 A. Yes, I do.  
10 Q. You understand that this is also for the  
11 Milligan v. Allen case?  
12 A. Yes, I do now.  
13 Q. Other than the Milligan case you just  
14 referenced and the McClure case that we just  
15 referenced, are there any other cases you've given  
16 depositions in?  
17 A. There may be one, but I can't remember --  
18 recall.  
19 Q. Do you remember when it might have been?  
20 A. I can't recall. Pre-pandemic for sure.  
21 Q. Was it on behalf of Greater Birmingham  
22 Ministries?  
23 A. Yes.

Page 12

1 Q. Do you remember what issues may have been  
2 involved?  
3 A. I can't recall that.  
4 Q. Okay. Have you ever given a -- you think  
5 it might have been the Thompson case?  
6 A. Give me the content.  
7 Q. Might have been a felon voting case?  
8 A. Yes.  
9 Q. Are there any others that you can recall?  
10 A. What year was that, the Thompson case?  
11 Q. I don't know.  
12 A. I don't know. Thank you.  
13 Q. So you're an old hand at this, but just  
14 very, very briefly, I'll remind you of the rules.  
15 One is we can get conversational, right? But for  
16 her purposes, can we agree to try not to talk over  
17 one another?  
18 A. Yes.  
19 Q. Can we also agree that you will answer my  
20 questions audibly rather than saying uh-huh or  
21 nodding your head?  
22 A. Yes.  
23 Q. Is there any reason you can't testify

Page 13

1 truthfully here today?

2 A. No.

3 Q. Any medical reason or any other reason?

4 A. No.

5 Q. And, again, I just like to remind  
6 witnesses you know the game. You've been through  
7 this. But I may ask some obvious questions,  
8 questions that you know the answers to, questions  
9 that I know the answers to, but I may ask them  
10 just to put them on the record. You understand?

11 A. Yes.

12 Q. I may also ask seemingly obscure  
13 questions, questions that you don't understand  
14 maybe what their relevance is. But this is part  
15 of the discovery process, and I get to ask  
16 questions that I think are relevant to the topics  
17 at issue today. You understand that?

18 A. Yes.

19 Q. If you need a break for any reason, just  
20 let me know. The only thing I would ask is that  
21 you answer any question that is pending before we  
22 take a break. Is that okay?

23 A. That's okay.

Page 14

1 Q. And, again, I suspect you know this, but  
2 during the deposition, you'll probably hear your  
3 lawyer raise an objection to the form of my  
4 question. That's a technical legal objection. It  
5 is not an instruction for you to not answer a  
6 question. If at any point your lawyer feels that  
7 you should not answer a question, he will tell you  
8 not to answer the question. Do you understand  
9 that?

10 A. Yes.

11 Q. Have you ever given a deposition in a  
12 case in your personal capacity?

13 A. No, not in my personal capacity.

14 Q. Have you ever been involved in a lawsuit  
15 in your personal capacity?

16 A. Once.

17 Q. Once? When was that?

18 A. 1972.

19 Q. Good while ago. Do you remember what the  
20 issue was?

21 A. Yes.

22 Q. What? Just real generally, what was the  
23 issue?

Page 15

1 A. The home -- the house I was renting was  
2 invaded by Nashville Police Department.

3 Q. By the Nashville Police Department?

4 A. Police Department, yeah.

5 Q. How did that happen?

6 A. The police said it was neighbors had  
7 complained of noise and there were a lot of cars  
8 on the street in front of it. But when they came  
9 in, they overturned beds, bookcases, just took  
10 books, took down posters. This was the Vietnam  
11 War period.

12 Q. What was the resolution of that case?

13 A. The resolution of the case was that we  
14 sued in federal court and we lost the case. We  
15 were the plaintiffs. I was one of the plaintiffs.

16 Q. What were your claims in the case?

17 A. That the Nashville -- Metropolitan Police  
18 Department, without cause -- I forgot what the law  
19 was, but broke into our -- no, not -- yeah.  
20 Pushed the door open. Opened the lock. And took  
21 away items that belonged to us and didn't return  
22 them.

23 Q. And that's Nashville, Tennessee?

Page 16

1 A. Nashville, Tennessee.

2 Q. So you were living in Tennessee at the  
3 time?

4 A. Yes.

5 Q. Just some real general background here.  
6 What's your date of birth?

7 A. December the 4th, 1946.

8 Q. And where were you born?

9 A. Nashville, Tennessee.

10 Q. How long did you live in Nashville?

11 A. I lived in Nashville all my life except  
12 for the years I went to UT Knoxville from '64 to  
13 '69 and then back to Nashville. And I came to  
14 Alabama in 1976.

15 Q. Have you been in Alabama since then?

16 A. Yes.

17 Q. Where in Alabama have you lived?

18 A. I've lived in Birmingham the entire time.

19 Q. Since moving to Birmingham, how have you  
20 been employed?

21 A. Say that again.

22 Q. When you first moved to Birmingham, what  
23 was your job? How were you employed?



Page 17

1 A. When I first moved to Birmingham, I was  
2 unemployed.  
3 **Q. Okay. When did you become employed?**  
4 A. I became employed '74 or '75. '74.  
5 **Q. And what were you doing --**  
6 A. Not '74. '76. Two years after I got  
7 here.  
8 **Q. And what were you doing at the time?**  
9 A. I was working for a group called the  
10 Southern Organizing Committee for Economic and  
11 Social Justice.  
12 **Q. How long did you work there?**  
13 A. I worked there from '76 until '89, 1989.  
14 **Q. When did you first begin working for**  
15 **Greater Birmingham Ministries?**  
16 A. I first began being employed by Greater  
17 Birmingham Ministries in February 1993.  
18 **Q. Did you volunteer for Greater Birmingham**  
19 **Ministries prior to being employed by Greater**  
20 **Birmingham Ministries?**  
21 A. Yes, I did.  
22 **Q. When did you begin volunteering for**  
23 **Greater Birmingham Ministries?**

Page 18

1 A. I began volunteering in 1982.  
2 **Q. What did you do as a volunteer?**  
3 A. As a volunteer, I served on what they  
4 call a -- a work group, which is like a policy  
5 committee. Yeah.  
6 **Q. And what did that work group or policy**  
7 **committee do?**  
8 A. Not immediately but over the years,  
9 between '82 and '85, we -- GBM was the core of the  
10 coalition that created the Firehouse Shelter for  
11 the first time, which is a homeless shelter for  
12 men.  
13 **Q. And was that the primary thing that your**  
14 **work group or committee was working on?**  
15 A. It worked -- no. It worked on several  
16 different issues.  
17 **Q. Real quick, let's back up.**  
18 **So you said you spent time at University**  
19 **of Tennessee?**  
20 A. Yes.  
21 **Q. Did you graduate from the University of**  
22 **Tennessee?**  
23 A. No.

Page 19

1 **Q. How long were you there?**  
2 A. I was there four and a half years.  
3 **Q. What were you studying while you were**  
4 **there?**  
5 A. Engineering physics, economics -- as a  
6 major. Engineering physics as a major. Then  
7 urban studies as a major.  
8 **Q. Where did you graduate high school from?**  
9 A. Nashville, Tennessee.  
10 **Q. Do you have any other post-high school**  
11 **study?**  
12 A. Other than University of Tennessee? I  
13 took additional courses at the UT Extension,  
14 university extension in Nashville, at night.  
15 **Q. When was that?**  
16 A. Back in '69... Between '71 and '73.  
17 **Q. Is that the same time you were at the**  
18 **University of Tennessee?**  
19 A. Following.  
20 **Q. Oh, following?**  
21 A. Yeah. It's just a Nashville Extension.  
22 **Q. Did you receive a degree from there?**  
23 A. No, I did not.

Page 20

1 **Q. What were you studying there?**  
2 A. Actually, courses I remember were world  
3 geography, history, and economics. Three, yeah.  
4 **Q. Just backing up real quick, do you think**  
5 **you may have also given testimony in the People**  
6 **First case?**  
7 A. Remind me of that case.  
8 **Q. People First v. -- was it Merrill? Is**  
9 **that right? It's a voter ID case.**  
10 A. Oh, voter ID. Yes.  
11 **Q. Do you remember when that was?**  
12 A. 2014 or so, if I recall.  
13 **Q. Did you give a deposition in that case or**  
14 **just trial testimony?**  
15 A. I can't recall.  
16 **Q. When you first became employed by Greater**  
17 **Birmingham Ministries in 1993, what was your**  
18 **position?**  
19 A. My position was executive director.  
20 **Q. Is that the position you hold now?**  
21 A. That is correct.  
22 **Q. Have you held that position continuously**  
23 **since 1993?**

Page 21

1 A. Correct.  
2 **Q. Have you held any other employment since**  
3 **1993?**  
4 A. No other employment, no.  
5 **Q. And that's a paid position; right?**  
6 A. That is a paid position.  
7 **Q. What did you do to prepare for today's**  
8 **deposition?**  
9 A. To prepare for today's deposition --  
10 **Q. Yes, sir.**  
11 A. I read over -- reread the complaint and  
12 also read over the interrogatories.  
13 **Q. Do you remember which complaint you read?**  
14 A. I can't recall if it was original or  
15 amended.  
16 **Q. Was it the complaint in Stone v. Allen?**  
17 A. Yes.  
18 **Q. Did you look at all of the complaint in**  
19 **Milligan v. Allen to prepare for today's**  
20 **deposition?**  
21 A. Milligan v. Allen? Yes.  
22 **Q. Did you read the first amended complaint**  
23 **in Stone v. Allen?**

Page 22

1 A. I can't recall, but I think I did.  
2 **Q. That's fair.**  
3 A. Amended.  
4 **Q. Did you review any other documents in**  
5 **preparation for today's deposition?**  
6 A. I mentioned the interrogatories and other  
7 documents.  
8 **Q. Yes, sir. Besides the complaint and the**  
9 **interrogatory responses, did you read any other**  
10 **documents or look at any other documents?**  
11 A. I can't recall the others. I'm assuming  
12 the interrogatories are the ones where counsel  
13 says "object."  
14 **Q. There are objections in the interrogatory**  
15 **responses.**  
16 A. Okay. Okay.  
17 **Q. That's right.**  
18 A. I can't recall any others.  
19 **Q. You can't recall any others. Okay.**  
20 **Did you have any meetings to prepare for**  
21 **today's deposition?**  
22 A. Yes.  
23 **Q. Were some of those meetings with counsel?**

Page 23

1 A. Yes.  
2 **Q. Without telling me anything your counsel**  
3 **said at those meetings, when did you first meet**  
4 **with counsel to prepare for today's deposition?**  
5 A. Recently.  
6 **Q. Do you recall when? Okay. Let me ask**  
7 **this question.**  
8 **How many times did you meet with counsel**  
9 **to prepare for today's deposition?**  
10 A. At least three.  
11 **Q. Could it have been more than three?**  
12 A. Maybe it wasn't more than three.  
13 **Q. When did you first meet with counsel to**  
14 **prepare for today's deposition?**  
15 A. What month is this? April. Okay.  
16 Early March.  
17 **Q. Did you look at a deposition notice in**  
18 **early March?**  
19 A. No. Later than early March.  
20 **Q. Maybe mid-March?**  
21 A. Mid-March would be a good estimate, yes.  
22 **Q. And did you look at a deposition notice**  
23 **at that time?**

Page 24

1 A. Yes.  
2 MR. TAUNTON: I'm going to mark this as  
3 Defendants' Exhibit 1. Counsel, this is the  
4 Deposition Notice that was attached to Jim's  
5 March 13th email.  
6 (Defendants' Exhibit 1 was marked  
7 for identification and copy of  
8 same is attached hereto.)  
9 **Q. I show that to you. Have you seen that**  
10 **document before?**  
11 A. Yes.  
12 **Q. And do you think that's the document you**  
13 **may have reviewed in mid-March?**  
14 A. Yes.  
15 **Q. Who was present at that meeting?**  
16 A. Which meeting?  
17 **Q. The one in mid-March.**  
18 A. Oh. I know I was. And our counsel.  
19 Yeah.  
20 **Q. What counsel was that?**  
21 A. Counsel in our case. Oh, which counsel?  
22 **Q. Yes, sir.**  
23 A. Davin. I can't recall any others, so.



Page 25

1 Q. Were there others?  
2 A. Yes.  
3 Q. You believe they were all lawyers?  
4 A. I do believe they were all lawyers.  
5 Q. Were there any nonlawyers other than  
6 yourself at that meeting?  
7 A. Not that I can recall.  
8 Q. Did you look at any documents other than  
9 that deposition notice at that meeting?  
10 A. At that meeting, I don't recall if this  
11 was the document we looked at.  
12 Q. When was your next meeting in preparation  
13 for this deposition with counsel?  
14 A. I don't recall.  
15 Q. Could it have been last week?  
16 A. The next meeting after this one?  
17 Q. After your meeting to prepare for this  
18 deposition in mid-March, when was the next time  
19 you met with counsel to prepare for this  
20 deposition?  
21 A. I don't recall, but it was further than  
22 last week, further back than last week, yeah.  
23 Q. Okay. Do you recall who was present at

Page 26

1 that meeting?  
2 A. Excuse me. It was Davin. There were  
3 others on there on Zoom who I have not met  
4 personally. Yeah. And individually.  
5 Q. Do you know who they were?  
6 A. I don't recall.  
7 Q. Do you believe that they were attorneys?  
8 A. I do believe they were attorneys.  
9 Q. Were there any non-attorneys other than  
10 yourself present at that meeting?  
11 A. To my knowledge, no one -- no  
12 non-attorneys other than myself was present.  
13 Q. How long did that meeting last, do you  
14 recall?  
15 A. I recall it lasted about an hour and a  
16 couple minutes. It was supposed to last an hour.  
17 Q. For billing purposes, right?  
18 MR. ROSBOROUGH: The tremendous billing  
19 rates of the pro bono counsel.  
20 Q. (BY MR. TAUNTON:) Did you look at any  
21 documents at that meeting?  
22 A. At the second meeting?  
23 Q. At the second meeting, yes.

Page 27

1 A. Yes.  
2 Q. What documents did you review?  
3 A. This is one of them, this Notice of  
4 Rule 360.  
5 Q. Were there any others?  
6 A. I don't recall.  
7 Q. When was your third meeting with counsel  
8 to prepare for this deposition?  
9 A. Late March or early April. To my  
10 recollection.  
11 Q. Was that by Zoom?  
12 A. Yes.  
13 Q. And who was on the call for that meeting?  
14 A. At that meeting, it was -- I can't  
15 remember last names. Davin, and I also believe  
16 Jake.  
17 Q. Is Jake a lawyer as well?  
18 A. To my knowledge, he is.  
19 Q. Was anybody else on the call?  
20 A. There may have been one other attorney on  
21 the call, but I can't recall the name.  
22 Q. Were there any other non-attorneys on the  
23 call other than yourself?

Page 28

1 A. No.  
2 Q. How long did that meeting last?  
3 A. About an hour.  
4 Q. Did you review any documents at that  
5 meeting?  
6 A. I believe that was the meeting -- I said  
7 late March, early April. I believe that was the  
8 meeting with the interrogatories, documents.  
9 Q. Any others other than looking at  
10 interrogatories?  
11 A. Not that I recall.  
12 Q. All right. When did you have your fourth  
13 meeting with counsel to prepare for this  
14 deposition?  
15 A. Yesterday.  
16 Q. Did you meet with counsel last week at  
17 all?  
18 A. Oh, yes.  
19 Q. When did you meet last week, do you  
20 recall?  
21 A. Either Thursday or Friday.  
22 Q. And was that also by Zoom? Or was  
23 that --

Page 29

1 A. Yes. Zoom.  
2 **Q. And who was present for that meeting?**  
3 A. I believe Davin and Dayton.  
4 **Q. Anybody else?**  
5 A. Not that I recall.  
6 **Q. Do you know if Ms. Williams was present**  
7 **for that meeting?**  
8 A. Yes, she was.  
9 **Q. Had Ms. Williams been present for any**  
10 **other meetings?**  
11 A. Yes.  
12 **Q. Do you recall reviewing any documents at**  
13 **that meeting last week?**  
14 A. Yes.  
15 **Q. What did you review?**  
16 A. The title of the documents were -- I  
17 believe it was the -- the interrogatories. Yes.  
18 **Q. Anything else?**  
19 A. I believe, as you said, it was attached  
20 to the complaints.  
21 **Q. Yes, sir.**  
22 (Defendants' Exhibits 2 and 3 were  
23 marked for identification and

Page 30

1 copies of same attached hereto.)  
2 **Q. I'm going to show you what I am marking**  
3 **here as Defendants' Exhibit 2 and 3.**  
4 MR. TAUNTON: I've got a copy for you,  
5 Davin.  
6 MR. ROSBOROUGH: Thank you.  
7 **Q. (BY MR. TAUNTON:) At any point did you**  
8 **review those documents?**  
9 MR. ROSBOROUGH: Michael, can I just  
10 clarify? Is Exhibit 2 the same as Exhibit 1?  
11 MR. TAUNTON: They're not identical.  
12 MR. ROSBOROUGH: Okay.  
13 MR. TAUNTON: The only difference, I  
14 believe, is that the signature and the -- the  
15 location and such is missing.  
16 MR. ROSBOROUGH: Thank you.  
17 MR. TAUNTON: But you're anticipating my  
18 question.  
19 **Q. Have you seen these documents?**  
20 A. Yes.  
21 **Q. Are those your deposition notices for**  
22 **today's deposition?**  
23 A. Yes.

Page 31

1 **Q. Are you aware of any significant**  
2 **differences between the deposition notice you were**  
3 **shown -- the draft deposition notice you were**  
4 **shown in mid-March and those deposition notices?**  
5 A. I still can't tell the difference between  
6 those. The cover is different.  
7 **Q. Do you understand that one of those**  
8 **deposition notices might be in the Milligan case**  
9 **and the other one might be in the Stone case?**  
10 A. Oh. Okay.  
11 Yes.  
12 **Q. Did you meet with counsel last night?**  
13 MR. ROSBOROUGH: Objection to form.  
14 You can answer.  
15 A. I didn't hear the question.  
16 **Q. (BY MR. TAUNTON:) Did you meet with**  
17 **counsel yesterday evening?**  
18 A. Yes. Afternoon.  
19 **Q. Who was present at that meeting?**  
20 A. I was present. Ms. Tari Williams was  
21 present. No -- yeah, Ms. Tari Williams was  
22 present. Dayton was present and Davin was  
23 present.

Page 32

1 **Q. Was anybody else present?**  
2 A. Jake was present.  
3 **Q. Was anybody else present?**  
4 A. No one that I recall.  
5 **Q. Did you review any documents?**  
6 A. Yes. One of these. Particularly the  
7 Stone.  
8 **Q. And you're referring to the Stone**  
9 **deposition notice?**  
10 A. Yeah, Stone deposition notice.  
11 **Q. Just so it's clear on the record -- it**  
12 **may not have been -- you have seen each -- all**  
13 **three of those deposition notices; correct?**  
14 A. Yes, in some form or another.  
15 **Q. Did you see any significant difference**  
16 **between them?**  
17 MR. ROSBOROUGH: I object to the form.  
18 You can answer.  
19 A. I have not noticed any significant  
20 differences between them.  
21 **Q. (BY MR. TAUNTON:) Other than maybe the**  
22 **date and the signature, have you noticed really**  
23 **any differences between them?**

Page 33

1       **You don't have to answer that. We**  
2 **can...**  
3       **Did you do anything different to prepare**  
4 **for your deposition today in Stone than you did to**  
5 **prepare for your deposition in Milligan?**  
6       A. No.  
7       **Q. Did you review any other documents last**  
8 **night other than the deposition notice?**  
9       A. Last night? I reviewed -- I forget the  
10 official title of it. The original complaint in  
11 Stone.  
12       **Q. Did you look at any other documents?**  
13       A. No.  
14       **Q. Just generally, what do you understand**  
15 **the claims in the Stone complaint to be?**  
16       A. Generally, I understand the claims in  
17 Stone to be the result being, if successful, two  
18 more majority black opportunity districts in the  
19 Alabama Senate.  
20       **Q. Where would those be?**  
21       A. One would be north central Alabama in the  
22 Huntsville area. The other would be in central  
23 Alabama, Montgomery area.

Page 34

1       **Q. Why does Greater Birmingham Ministries**  
2 **believe that there should be another opportunity**  
3 **district drawn in the Huntsville area?**  
4       MR. ROSBOROUGH: I object to the form.  
5       **Q. (BY MR. TAUNTON:) You can answer.**  
6       A. GBM believes in full civic participation  
7 by those who have been excluded from full civic  
8 participation historically in Alabama since its  
9 founding. And one of those ways to achieve full  
10 participation is to be reliably and effectively  
11 have their voices represented in the Alabama  
12 legislature.  
13       **Q. Who does Greater Birmingham Ministries**  
14 **believe has been denied full participation in the**  
15 **Huntsville area?**  
16       MR. ROSBOROUGH: I object to the form of  
17 the question.  
18       You can answer.  
19       A. I believe in the Huntsville area, African  
20 Americans in particular have been denied full  
21 participation.  
22       **Q. (BY MR. TAUNTON:) How have they been**  
23 **denied full participation?**

Page 35

1       A. I believe they have been denied full  
2 participation by minimizing their access to the  
3 Alabama Senate by packing them into as few as  
4 possible senate districts.  
5       **Q. Why does Greater Birmingham Ministries**  
6 **believe another opportunity district should be**  
7 **drawn in the Montgomery area?**  
8       MR. ROSBOROUGH: I object to the form.  
9       A. GBM believes another black opportunity  
10 district should be drawn in the Montgomery area  
11 because of the -- there are two senate districts  
12 in which, in one district, blacks were packed into  
13 it. In another district, whites were vacuumed  
14 out.  
15       **Q. (BY MR. TAUNTON:) Your current position**  
16 **with Greater Birmingham Ministries is executive**  
17 **director?**  
18       A. That's correct.  
19       **Q. What are your responsibilities as**  
20 **executive director?**  
21       A. My responsibilities as executive director  
22 is to administer GBM under the directions of our  
23 board of directors. That means the business of

Page 36

1       GBM, the programs of GBM, and supervising staff of  
2 GBM.  
3       **Q. What are some of the programs of GBM?**  
4       A. GBM has three major program areas.  
5 Three. First is Direct Services. That is  
6 providing emergency assistance to low-income  
7 families such as food assistance, financial  
8 assistance like rent and utilities, free clothing,  
9 and also referrals to other helping agencies in  
10 the Birmingham area.  
11       The second is Faith in Community. And  
12 that is our interfaith collaboration program of  
13 increasing dialogue among the different faith  
14 editions in Alabama. While there are many  
15 disagreements in faith communities, we focus on  
16 what we agree on, which is love your neighbor as  
17 yourself and as we search for collaboration in  
18 areas of direct services and social justice  
19 through that connection.  
20       And the third one is we call Systems  
21 Change. And that's the program of addressing  
22 systems that intentionally or unintentionally  
23 produce policies that impact the poor negatively.

Page 37

1 Q. How many paid staff does Greater  
2 Birmingham Ministries have?

3 A. Currently, GBM has seven paid staff.

4 Q. Does Greater Birmingham Ministries rely  
5 on volunteers at all?

6 A. Yes, we do.

7 Q. Can you estimate how many volunteers you  
8 had involved in Greater Birmingham Ministries  
9 programs in 2023?

10 A. Okay. Just a second. This is volunteers  
11 from all of our programs. So easily 200.

12 Q. How did you come to occupy your position  
13 as executive director? How were you selected?

14 A. I was -- in '92, the executive director  
15 at that time resigned, and GBM launched a search  
16 committee. I did not apply for the job. Some of  
17 my friends on the board in January asked me to  
18 apply. And I was working at the Sierra Club at  
19 the time, and I applied on the last day eligible  
20 to be -- for your application to be accepted. And  
21 I was hired on February 15th.

22 Q. Who hired you?

23 A. I was hired by -- GBM hires through a

Page 38

1 search committee of the executive committee.

2 Q. Is your position in any way elected?  
3 Does that election have to be renewed? Is there  
4 anything like that?

5 MR. ROSBOROUGH: Object to the form of  
6 the question.

7 A. It's a straight up and down hiring  
8 process.

9 Q. (BY MR. TAUNTON:) Yeah.

10 A. And you can be fired for cause.

11 Q. Generally speaking, how is Greater  
12 Birmingham Ministries organized?

13 Let me ask this. Is Greater Birmingham  
14 Ministries a nonprofit?

15 A. Yes.

16 Q. Is it a 501(c)(3)?

17 A. Yes.

18 Q. Does Greater Birmingham Ministries have a  
19 board?

20 A. Yes, it does.

21 Q. How many members does that board have?

22 A. Currently, GBM has 52 members on its  
23 board of directors.

Page 39

1 Q. How are board members selected?

2 A. Board members are selected by -- on our  
3 structure. Board members are selected by our  
4 participating denominations and congregations.

5 Q. What is the term of a board member? How  
6 long is their term?

7 A. The term of individual board members does  
8 not have a term limit. It's determined by their  
9 sponsoring denominations.

10 Q. Does each sponsoring denomination get to  
11 choose a board member?

12 A. Yes.

13 Q. How many board members do they get to  
14 choose?

15 A. According to our bylaws, denominations,  
16 think of faith communities, have, say, a bishop  
17 or -- get to choose up to six. Individual  
18 congregations like 16th Street Baptist Church,  
19 like Unitarian Universalist Church, get to choose  
20 two.

21 Q. And is the difference because some  
22 churches might not belong to a denomination?

23 A. Yes, also a reason.

Page 40

1 Q. If a denomination also had individual  
2 churches who were sponsors, would they get to  
3 choose more than six?

4 A. No denomination gets to choose more than  
5 six. That's the cap.

6 Q. So if a denomination has five  
7 participating churches, let's say, they still only  
8 get to choose collectively six?

9 A. We have never had that experience.

10 Q. It's just my lawyer brain thinking of  
11 ways to mess things up, huh?

12 A. There are some self-made bishops.

13 Q. So we've talked a little bit about the  
14 board. What is the governing structure, the  
15 governing body of Greater Birmingham Ministries?

16 A. The governing body of Greater Birmingham  
17 Ministries is its board of directors.

18 Q. Do you answer to the board of directors?

19 A. Yes, I do.

20 (Defendants' Exhibit 4 was marked  
21 for identification and copy of  
22 same is attached hereto.)

23 Q. I'm going to show you what I'm marking as



Page 41

1 **Exhibit 4. Have you seen this document before?**  
2 A. Yes, I have.  
3 **Q. What is this?**  
4 A. These are the bylaws of Greater  
5 Birmingham Ministries, Incorporated.  
6 **Q. Are these bylaws currently in place?**  
7 A. Yes, they are.  
8 **Q. When were these bylaws adopted?**  
9 A. They were originally adopted in 1979 and  
10 last amended in 2015.  
11 **Q. How many times have they been amended**  
12 **since 1979, do you know?**  
13 A. Before 1993, I don't recall any prior in  
14 our -- these are our original bylaws. '91 may  
15 have been the first time they were amended to my  
16 knowledge. But that was before I was the  
17 executive director.  
18 **Q. So you think there was an amendment in**  
19 **1991 and another amendment in 2015?**  
20 A. Correct.  
21 **Q. Are you aware of any other amendments?**  
22 A. No, I'm not.  
23 **Q. Do you think these might -- this might be**

Page 42

1 **the amendment for 1991?**  
2 A. Well -- oh, yes. The '91 amendment  
3 was -- I haven't looked at that one in a long  
4 time. It was an amendment to -- GBM was started  
5 as a Christian organization. And we used  
6 "Christian," "Christian," all the way through the  
7 bylaws. This amendment was to allow the  
8 membership of Jews and Muslims in the Greater  
9 Birmingham Ministries because you can't ask Jews  
10 and Muslims to join a Christian organization.  
11 **Q. You may have just answered my question,**  
12 **but what is the highlighting in this? Why is the**  
13 **Section 1.2 in this document highlighted? Do you**  
14 **know?**  
15 A. Because other than going to the  
16 "denominations, congregations, synagogues,  
17 temples, and mosques," it also describes  
18 organizational members and individual members.  
19 **Q. What is the difference between an**  
20 **organizational member and an individual member?**  
21 A. An organizational member is the term we  
22 referred to as a congregation or denomination.  
23 **Q. How does an organizational member become**

Page 43

1 **a member of Greater Birmingham Ministries?**  
2 A. Organizational members are voted on to  
3 GBM's sponsoring organizations by vote of the  
4 board of directors.  
5 **Q. Is there an application process or**  
6 **anything like that that would trigger a vote of**  
7 **the board of directors?**  
8 A. The -- to my knowledge, there is no  
9 application process. GBM does not recruit faith  
10 communities or congregations. They ask to start  
11 discussions with GBM about membership. And to my  
12 experience, nobody's ever turned down.  
13 There's no formal application. There  
14 are discussions involving understanding what the  
15 bylaws are, what you're getting into, those kind  
16 of things, orientation pieces. And, you know, you  
17 don't have to go all the way through it, but so  
18 far, yes.  
19 **Q. So a church would just reach out and ask,**  
20 **"Can we be a member?"**  
21 A. Yes. We have had individual churches'  
22 congregations ask. And if they're a member of an  
23 existing denomination, then we say, "Your

Page 44

1 denomination is already, you know, represented."  
2 With some exceptions, yeah, yeah.  
3 **Q. And you don't know of anybody that's ever**  
4 **been turned down?**  
5 A. No.  
6 **Q. Now, you mentioned a discussion with them**  
7 **about what they're getting into. What would that**  
8 **discussion entail?**  
9 A. What are the values of -- the discussion  
10 in terms of understanding all of what GBM is.  
11 Many groups see GBM only through one program,  
12 Direct Services, for instance, or Faith in  
13 Community in terms of interfaith dialogue, or  
14 Systems Change and our work on public policies.  
15 And so we want to let them know all these three  
16 programs are core to GBM being GBM.  
17 **Q. Is there anything else that would be**  
18 **discussed as part of that process?**  
19 A. The ask of GBM for new organizational  
20 members is for volunteers and financial support.  
21 Both and, not either/or.  
22 **Q. Are either of those required to remain a**  
23 **member, an organizational member, of GBM?**

Page 45

1 A. On the financial assistance, the  
 2 denominations, for instance, they will change  
 3 their own policies on how they affiliate with  
 4 other groups. And so we'll be in different  
 5 discussions. For instance, on the pandemic,  
 6 contributions were down. After the pandemic, most  
 7 of them came back up. But yes.  
 8 **Q. You say that denominations would change**  
 9 **their own policies about how to affiliate with**  
 10 **other groups?**  
 11 A. Organizations.  
 12 **Q. Explain to me what you mean by that. I'm**  
 13 **not sure I follow that.**  
 14 A. It depends on the denomination because  
 15 only three denominations were present at GBM in  
 16 its first three or four years. And I wasn't there  
 17 then. But -- I'm trying to think.  
 18 **Q. Let me ask this. Are you saying that**  
 19 **some organizations that may have associated with**  
 20 **Greater Birmingham Ministries, something changes**  
 21 **internally and they don't want to be associated**  
 22 **with Greater Birmingham Ministries anymore? Or**  
 23 **are you saying something else?**

Page 46

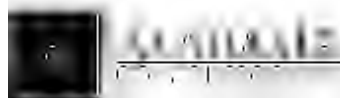
1 A. No, I'm saying something else.  
 2 **Q. Okay.**  
 3 A. Yeah, yeah, yeah, yeah.  
 4 **Q. Well, help me -- help me there --**  
 5 A. We have, for instance, not been asked  
 6 to -- people -- have people leaving but ask us  
 7 questions like why GBM took a certain policy.  
 8 Right. Even though the board members voted for  
 9 it, the higher-ups back --  
 10 THE COURT REPORTER: I'm sorry. The  
 11 higher --  
 12 A. I'm sorry. The denomination's leaders,  
 13 the higher-ups, would ask us to have a  
 14 conversation with us. And we've had two or three  
 15 of those over like 20 years, yeah.  
 16 **Q. (BY MR. TAUNTON:) And would**  
 17 **organizations change their affiliation with**  
 18 **Greater Birmingham Ministries as a result of that?**  
 19 MR. ROSBOROUGH: Object to the form.  
 20 A. No. No, no one has changed their  
 21 affiliation. We have discussions. Like marriage.  
 22 **Q. (BY MR. TAUNTON:) Does a denomination**  
 23 **have to provide a certain number of volunteers to**

Page 47

1 **remain a member of Greater Birmingham Ministries?**  
 2 A. No.  
 3 **Q. Does a denomination have to provide a**  
 4 **certain level of financial support to Greater**  
 5 **Birmingham Ministries to remain a member?**  
 6 A. There is no bottom line for financial  
 7 support. But if -- but no one has stopped  
 8 financial support.  
 9 **Q. Does a denomination have to provide some**  
 10 **financial support to Greater Birmingham Ministries**  
 11 **to remain a member?**  
 12 A. Yes, but it's not immediate. As I say,  
 13 there's always discussions. At one time -- that's  
 14 too much. But anyway, they sent the check to the  
 15 wrong place.  
 16 **Q. That's got to be frustrating.**  
 17 **Has Greater Birmingham Ministries ever**  
 18 **terminated the membership of an organization?**  
 19 A. No.  
 20 **Q. I think this was clear and implied, but**  
 21 **let me just ask it so there's no question.**  
 22 **Has Greater Birmingham Ministries ever**  
 23 **terminated the membership of a denomination or**

Page 48

1 **other organization?**  
 2 A. No.  
 3 **Q. Now, you mentioned, I believe, individual**  
 4 **members?**  
 5 A. Correct. I did.  
 6 **Q. Who are individual members of Greater**  
 7 **Birmingham Ministries?**  
 8 A. Individual members are people who wish to  
 9 support the mission of GBM and our program work as  
 10 well as make a financial contribution.  
 11 **Q. Is there an application process for**  
 12 **individual members?**  
 13 A. There is no application process, no.  
 14 **Q. So how would a person become an**  
 15 **individual member of Greater Birmingham**  
 16 **Ministries?**  
 17 A. We publicize individual membership  
 18 through print and on our website and Facebook,  
 19 social media. "Become a member of GBM."  
 20 **Q. And what is required to become a member?**  
 21 A. Agree to support GBM's mission, is what  
 22 we use, and to provide a financial contribution.  
 23 **Q. What financial contribution is required**





Page 49

1 to become a member?

2 A. We don't have a hard number. We use \$5  
3 when people ask. The minimum, yeah.

4 Q. Are members expected to contribute on any  
5 kind of a regular timeline?

6 A. At least annually.

7 Q. If a person did not contribute annually,  
8 would their membership with Greater Birmingham  
9 Ministries be terminated?

10 A. Not immediately. They get an email or  
11 text.

12 Q. If the person did not respond to that  
13 email, would their membership be terminated?

14 A. Yeah.

15 Q. How long would it take for that to  
16 happen?

17 A. Several months.

18 Q. How frequently does Greater Birmingham  
19 Ministries check to see whether its members have  
20 contributed financially in the last year?

21 A. At least quarterly is routinely. And  
22 sometimes more often for other reasons than  
23 financial. For instance, we may hear someone's

Page 50

1 died who's been a long-time contributor but we  
2 didn't notice the obituary. Somebody tells us and  
3 we'll check.

4 Q. Has Greater Birmingham Ministries ever  
5 terminated the membership of one of its individual  
6 members?

7 A. No.

8 Q. Does a member have to in any kind of way  
9 affirmatively acknowledge their agreement with  
10 Greater Birmingham Ministries's mission or  
11 statement of values?

12 MR. ROSBOROUGH: I object to the form.

13 Answer.

14 Q. (BY MR. TAUNTON:) Am I using the correct  
15 vocabulary? Would you call it something else?

16 A. The closest thing to it is there is no --  
17 on social media, there is no checkbox to be filled  
18 for disaffiliation. How people have handled that,  
19 though, is they leave town and they will be  
20 supporting organizations and ministries where  
21 they're going, and they will text us or email us.

22 Q. When you say leave town, you mean leave  
23 Birmingham?

Page 51

1 A. Leave the state, yeah, yeah, yeah.

2 Mostly leave the state, yeah. Sometimes --

3 Q. So when a person wants to become an  
4 individual member, is there some way that Greater  
5 Birmingham Ministries requires them to assent to  
6 Greater Birmingham Ministries's mission?

7 A. Yeah. On our media pieces, they'll agree  
8 with the mission, always say.

9 Q. And that's a checkbox?

10 A. Yeah.

11 Q. And if they don't check the box, they  
12 can't be a member?

13 A. I have -- I don't have any knowledge of  
14 people not checking and just sending money.

15 Q. Is Greater Birmingham Ministries  
16 organized, if you know, as a membership  
17 organization?

18 MR. ROSBOROUGH: I object to the form.

19 A. I don't understand the question.

20 Q. (BY MR. TAUNTON:) If you don't  
21 understand my question, I'll probably just move on  
22 because I'm not sure how else to ask it.

23 Do the individual members of Greater

Page 52

1 Birmingham Ministries have the power to override a  
2 vote of the board of directors?

3 MR. ROSBOROUGH: I object to the form.

4 A. The simple question is no, because  
5 there's so few individual members on the board.

6 Q. (BY MR. TAUNTON:) How many individual  
7 members does Greater Birmingham Ministries have?

8 A. Oh, individual members. I'm thinking  
9 about the board. I'm sorry. How many individual  
10 members?

11 Q. Yes, sir.

12 A. 2,700 or so.

13 Q. 2,700. And that's apart from the  
14 denominational organizational members?

15 A. Yes, apart from organizational members.

16 Q. Have all of the members contributed  
17 financially to Greater Birmingham Ministries in  
18 the last year?

19 A. Which one?

20 Q. The 2,700 individual members you  
21 mentioned?

22 A. Yes.

23 Q. Where do Greater Birmingham Ministries's

Page 53

1 **members primarily reside?**

2 MR. ROSBOROUGH: I object to the form.

3 You can answer.

4 A. It's -- think of a concentric circle with  
5 Birmingham in the middle. It's most densely in  
6 the Birmingham -- I want to say Birmingham city  
7 proper. In the Birmingham metropolitan area the  
8 densest. All the way in Alabama to the Tennessee  
9 border and to the Gulf of Mexico and Mobile.

10 **Q. (BY MR. TAUNTON:) Does Greater**  
11 **Birmingham Ministries count any individual members**  
12 **in the Huntsville area?**

13 A. Yes.

14 **Q. Does it count any individual members in**  
15 **the Montgomery area?**

16 A. Yes, it does.

17 **Q. Do you know where they reside?**

18 A. In the Huntsville area or Montgomery  
19 area.

20 **Q. Would you have a way of figuring out**  
21 **where they reside?**

22 A. I could have -- figure out a way from  
23 their -- not application. From their contact

Page 54

1 data.

2 **Q. Well, we'll move on here.**

3 **We talked a little bit about Exhibit 4.**

4 **Let me ask you a few additional questions about**  
5 **these bylaws.**

6 **Do you know when these bylaws were**  
7 **adopted?**

8 A. The last amendment was in November 2015.  
9 It was originally adopted in either 1974 or '79.

10 **Q. Let me ask you about these together.**

11 (Defendants' Exhibit 5 was marked  
12 for identification and copy of  
13 same is attached hereto.)

14 **Q. I'm showing you what I'm marking as**  
15 **Defendants' Exhibit 5. Can you tell me what this**  
16 **document is?**

17 A. This is the -- this document is the  
18 individual membership amendment to our bylaws.

19 **Q. And as I understand it, what's in red is**  
20 **what is being added?**

21 A. Correct.

22 **Q. When was this amendment drafted?**

23 A. Drafted? This amendment was actually

Page 55

1 made in November the 15th of -- November of 2015,  
2 but discussions began in -- draft discussions  
3 began in the summer of 2015.

4 **Q. What was the purpose of this amendment?**

5 MR. ROSBOROUGH: I object to the form.

6 A. The purpose of this amendment was two  
7 sources. One is that every -- not every. A large  
8 number of volunteers at GBM who came from  
9 congregations before GBM in sum just came from the  
10 neighborhood, considered themselves members of  
11 GBM, defined themselves, "I'm a member of GBM."  
12 And we had no individual membership.

13 Yeah. And it -- I don't know what was  
14 significant about 2015, but after 2014, we got a  
15 lot more active with low-income communities and  
16 neighborhoods on everything from immigration  
17 policies in Alabama to worker rights issues and  
18 stuff. But for a long time culturally -- and we  
19 got tired of telling people, "We don't have  
20 individual memberships." But they did the work,  
21 volunteer work.

22 **Q. (BY MR. TAUNTON:) Was this amendment**  
23 **adopted in 2015?**

Page 56

1 A. Yes.

2 MR. ROSBOROUGH: Michael, whenever you  
3 hit a point to take a break, let me know.

4 MR. TAUNTON: We're probably right now  
5 about ready to take a break. Yeah, now is an okay  
6 time. Let's go ahead and take a quick break.  
7 (Recess.)

8 **Q. All right, Mr. Douglas. Just a few**  
9 **follow-up questions here.**

10 **Can you distinguish for me what is the**  
11 **difference between a donor to Greater Birmingham**  
12 **Ministries and a member of Greater Birmingham**  
13 **Ministries?**

14 MR. ROSBOROUGH: I object to the form.  
15 You can answer.

16 A. We -- one of the things that you brought  
17 to my attention is we didn't make that distinction  
18 in the -- in the amendment, the difference from a  
19 donor to a member. We went from a donor to a  
20 member and informed the public we went from a  
21 donor to a member. Everybody gets a membership  
22 card, and that's their opportunity to say, "I  
23 didn't mean to do that."

Page 57

1 **Q. (BY MR. TAUNTON:) Got you. So --**  
2 A. That's for individuals, I mean. Yeah.  
3 We do have other donors other than individuals,  
4 yeah.  
5 **Q. Right. Right. So if you were an**  
6 **individual donor to Greater Birmingham Ministries,**  
7 **Greater Birmingham Ministries would also consider**  
8 **you a member?**  
9 A. Correct.  
10 **Q. Okay. Going back real quick to**  
11 **Exhibits 4 and 5, do you see in the bottom --**  
12 **let's look at Exhibit 4 first. Do you see in the**  
13 **bottom right-hand corner where it says**  
14 **August 27th, 1991?**  
15 A. Correct.  
16 **Q. Is it your understanding that that is**  
17 **when these bylaws were originally adopted?**  
18 A. No.  
19 **Q. Okay. Or were last amended maybe?**  
20 A. Last amended until November.  
21 **Q. Until November 5th of 2015?**  
22 A. Correct.  
23 **Q. And forgive me. You, I believe, answered**

Page 58

1 **this question. I just can't remember your answer**  
2 **at this moment.**  
3 **The yellow highlighted text in**  
4 **Section 1.2, was that the amendment added on**  
5 **November 5th, 2015?**  
6 A. Yes, that's correct.  
7 **Q. Okay. And that's why it says**  
8 **November 5th, 2015, down at the bottom right-hand**  
9 **corner of Exhibit 4?**  
10 A. Say that again? I'm sorry. The  
11 question?  
12 **Q. Is that why it says November 5th, 2015,**  
13 **in the bottom right-hand corner of Defendants'**  
14 **Exhibit 4?**  
15 A. That's correct.  
16 **Q. Now, I don't see -- if you flip to the**  
17 **last page, I don't see a signature or execution by**  
18 **anybody on the final page. You notice that?**  
19 **Would there be minutes from this meeting**  
20 **on November 5th, 2015, where these bylaws, the**  
21 **amendment to these bylaws was adopted?**  
22 A. Yes, that should be in the minutes.  
23 **Q. Does Greater Birmingham Ministries keep**

Page 59

1 **minutes from all of its executive board meetings?**  
2 A. Yeah, just as a general board --  
3 executive committee, smaller group. The board.  
4 The question is in November 27th, 2023, GBM's  
5 water pipes burst on both floors. Servpro came in  
6 and didn't finish until late February.  
7 **Q. What year was that? I'm sorry.**  
8 A. Last year, 2023.  
9 **Q. Okay.**  
10 A. So for one, two, three, four -- almost  
11 four months, the building was in disarray. They  
12 took pictures of where they put filing cabinets,  
13 so they put them right back where they supposed to  
14 be, but the laborers emptied the filing cabinets  
15 before they moved them and before they put them  
16 back. So the drawers don't contain the same  
17 information. But I'm quite sure we -- minutes  
18 were definitely taken for that board meeting.  
19 **Q. How hard do you think it would be to**  
20 **locate those minutes?**  
21 A. This is 2015. In addition to paper, it  
22 would probably take a dedicated, doing nothing  
23 else, couple days. I mean, there's only so many

Page 60

1 choices.  
2 But the minute-taker who was our  
3 electronic -- we weren't doing Zoom at that time  
4 but -- electronic depository had a stroke and an  
5 amputation, and she's been replaced and stuff.  
6 But she won't be much help helping us find it on  
7 her drives where we were kept --  
8 **Q. Understood.**  
9 **So Defendants' Exhibit 4, these bylaws,**  
10 **are these the current bylaws of Greater Birmingham**  
11 **Ministries?**  
12 A. Yes, these are current bylaws in the  
13 sense that it hasn't been amended since. Yeah.  
14 **Q. So let me now ask you about Defendants'**  
15 **Exhibit 5, a few follow-up questions here.**  
16 **I'm having a hard time correlating**  
17 **Defendants' Exhibit 5 with Defendants' Exhibit 4.**  
18 **So can you explain to me what Defendants'**  
19 **Exhibit 5 is?**  
20 A. Exhibit 5 is -- the highlight is in red  
21 so it stands out. But Exhibit 5 is the draft  
22 amendments for the meeting that happened in  
23 November.

Page 61

1 Q. Of 2015?

2 A. 2015. We voted on one amendment.

3 Oh. If you look over --

4 Q. Is the language of Defendants' Exhibit 5  
5 reflected anywhere in Defendants' Exhibit 4? I'll  
6 tell you I couldn't find it, but I want to make  
7 sure I didn't miss something.

8 A. Yes. It looks like the amendment as  
9 passed, as voted on, was added to the -- I'm  
10 sorry.

11 In Exhibit 5, the amendment that was  
12 proposed for the meeting is incorporated, one, in  
13 the wrong section.

14 Q. Okay. So you think the amendment as  
15 passed is the highlighted portion of Defendants'  
16 Exhibit 4?

17 A. Yes.

18 Q. Have there been any amendments to Greater  
19 Birmingham Ministries's bylaws since November 5th,  
20 2015?

21 A. No.

22 Q. How many committees does Greater  
23 Birmingham Ministries have?

Page 62

1 A. How many committees?

2 Q. Yes, sir.

3 A. Oh. Administrative committees --  
4 administrative committee -- administratively,  
5 there are three. And there's a separate committee  
6 for each program area for another three. So  
7 that's six.

8 Q. What are the administrative committees?

9 A. Finance committee -- the administrative  
10 committees are Finance Committee, Personnel  
11 Committee, I'm sorry. Finance Committee,  
12 Personnel Committee, Building and Grounds  
13 Committee.

14 Q. And what are the -- task force? Is that  
15 what you call it?

16 A. Task forces or work groups.

17 Q. What are those committees?

18 A. The work groups are -- mimic our program  
19 areas: Faith in Community Work Group, Systems  
20 Change Work Group, Direct Services Work Group.  
21 Those are functionally the committees of those  
22 three program areas.

23 Q. And just real quick, I could look back,

Page 63

1 but what was the last one you said, remind me?

2 A. Building and Grounds.

3 Q. No, I'm sorry. Of the work groups?

4 A. Oh, work groups? Systems Change Work  
5 Group, Faith in Community Work Group, Direct  
6 Services Work Group.

7 Q. Direct Services.

8 A. Not in the same order.

9 Q. All right. Before I completely move on  
10 here, let me see. Hang on.

11 (Defendants' Exhibit 6 was marked  
12 for identification and copy of  
13 same is attached hereto.)

14 Q. I'm going to hand you what I have marked  
15 as Defendants' Exhibit 6. This is the same  
16 document, but it's printed double sided.

17 Have you seen this document before?

18 A. Yes.

19 Q. And for those on Zoom, what is that  
20 document?

21 A. This document is titled Plaintiffs'  
22 Responses to Defendant Allen's Discovery Requests.

23 Q. Is that one of the documents you reviewed

Page 64

1 in preparation for your deposition?

2 A. Yes.

3 Q. Do you mind flipping with me over to  
4 page 4 and taking a look at -- well, let's  
5 actually start on page 3, I'm sorry. Let's take a  
6 look at Interrogatory Number 2.

7 Interrogatory Number 2 is Greater  
8 Birmingham Ministries and the Alabama Conference  
9 of the NAACP only; is that right?

10 A. Correct.

11 Q. And that interrogatory asks Greater  
12 Birmingham Ministries to "State with specificity  
13 the facts supporting your assertion of standing to  
14 bring the claims you press in the fourth amended  
15 complaint." Do you see that?

16 A. Yes.

17 Q. If we flip over to page 4, under response  
18 to Interrogatory Number 2, there's a section  
19 titled Greater Birmingham Ministries. Do you see  
20 that?

21 A. Yes.

22 Q. Is it your understanding that that's  
23 Greater Birmingham Ministries's response to that



Page 65

1 interrogatory?

2 A. Yes.

3 Q. And beginning of that says "Greater  
4 Birmingham Ministries has individual members who  
5 live in the City of Huntsville and Montgomery  
6 County who identify as black and are registered to  
7 vote." Do you see that?

8 A. Correct.

9 Q. Does it list any of those individuals in  
10 this response? Are any individuals listed in this  
11 response by Greater Birmingham Ministries?

12 A. It does not list any individual members.

13 Q. The last sentence says "Greater  
14 Birmingham Ministries reserves the right to amend  
15 their response to provide additional information  
16 about members who consent to having their identity  
17 disclosed." Do you see that?

18 A. Correct.

19 Q. Are you prepared to provide additional  
20 information about individual members here today?

21 A. I can send them -- we could talk to  
22 people.

23 Q. But sitting here today, do you have any

Page 66

1 additional -- do you have any names or information  
2 to provide about that?

3 A. Yeah, one.

4 Q. Okay. Who would that be?

5 A. Montgomery County.

6 Q. Okay.

7 A. But I can't remember her address.

8 Q. What's the name?

9 A. Presdelane, P-R-E-S-D-E-L-A-N-E, Harris,  
10 H-A-R-R-I-S.

11 Q. Can you spell that first name for me  
12 again, I'm sorry.

13 A. P-R-E-S-D-E-L-A-N-E.

14 Q. And you don't have an address?

15 A. I don't have it with me.

16 Q. But you believe she resides in Montgomery  
17 County?

18 A. Yes.

19 Q. Any others?

20 A. That's one.

21 Q. Thank you.

22 What does the -- I think you called it  
23 Faith in Community Task Force?

Page 67

1 A. Yes.

2 Q. What does the Faith in Community Task  
3 Force do?

4 A. The Faith in Community Task Force is  
5 responsible for nourishing and maintaining GBM's  
6 relationships with its constituent faith  
7 communities, congregations, and denominations.

8 Q. How do they do that?

9 A. They do that through working on shared  
10 programs offered by the partner groups, the  
11 sponsoring groups, or initiated by GBM.

12 Q. What would be an example of a program  
13 that they might do?

14 A. A program? The name escapes me. It was  
15 very popular before the pandemic and revived  
16 itself now. It's called the Poverty Game. And it  
17 is an exercise, kind of like Monopoly, except you  
18 are dealt with bail money and -- or education  
19 tuition, those things. And it's a game in which  
20 people really learn how difficult navigating  
21 poverty is. Yeah. And it's kind of -- what can I  
22 say? It de -- it de-idolizes views about poverty  
23 in a participatory way. Yeah.

Page 68

1 Q. What are some other examples of events  
2 that might be hosted?

3 A. Another example is, once again, a -- this  
4 was during online season as well. A civic  
5 education course called the Power of  
6 Participation. Instead of talking to somebody  
7 about voting and voter registration and voter  
8 restoration, we talk about civic participation  
9 from participating in public hearings up to and  
10 including what level of government is responsible  
11 for what in your life, you know.

12 Q. And what is the goal of that event?

13 A. It comes out of people asking us  
14 questions, because sometimes they think we know,  
15 what agency is responsible for this problem or for  
16 addressing this problem. And many times, because  
17 of lack of transparency, it's hard to figure out.

18 Q. What does the Direct Services Task Force  
19 do?

20 A. Direct Services Task Force or Work Group  
21 is responsible for also working with the  
22 sponsoring faith communities as well as with other  
23 agencies in providing free food to qualified

Page 69

1 families as well as free clothing as well as  
 2 utility assistance or financial assistance. It's  
 3 a constant resource raising not just money but  
 4 in-kind goods. For instance, summer food drives,  
 5 Christmas food drives, Mother's Day food drives,  
 6 lots of food drives. And most of our in-kind  
 7 comes from congregations and schools.

**8 Q. And what about the Systems Change Task  
 9 Force? What does it do?**

10 A. The Systems Change Task Force of GBM is  
 11 the public policy arm of GBM in addressing public  
 12 policies that intentionally or unintentionally  
 13 cause harm to low-income people and people of  
 14 color.

**15 Q. What would some examples of the  
 16 programming for the Systems Change Task Force be?**

17 A. It's wide ranging. It ranges from  
 18 establishing Birmingham's first homeless shelter  
 19 for men and Birmingham's first homeless shelter  
 20 for women; the first Birmingham affordable housing  
 21 center that was -- became part of the city  
 22 government; the support for Cooper Green Hospital;  
 23 maintaining adequate funding -- well, more than --

Page 70

1 less than adequate funding for Birmingham's public  
 2 transportation system; to work with voter  
 3 restoration; even for people who are, you know,  
 4 like doing voter restoration in Jefferson County  
 5 Jail and Birmingham city courts and Bessemer city  
 6 courts; even providing online instruction to  
 7 people serving misdemeanors on how to register to  
 8 vote and the -- that's the research part. The lab  
 9 work is going to register to vote. And, in  
 10 exchange for that, you get your fees and fines  
 11 forgiven. It's alternative community service.

**12 Q. So does Greater Birmingham Ministries  
 13 then host voter registration drives?**

14 A. Yes, we do.

**15 Q. And is that underneath the Systems Change  
 16 Task Force?**

17 A. Yes, it is.

**18 Q. Does Greater Birmingham Ministries  
 19 promote political participation in any other ways  
 20 than voter registration drives?**

21 MR. ROSBOROUGH: Object to the form.  
 22 A. Yes. In other ways than voter  
 23 registration drive and voter restoration, which is

Page 71

1 so complicated it's not really a drive. But also  
 2 in terms of attending public hearings, if we know  
 3 about them in advance, and preparing people to  
 4 address -- answer questions about how to address  
 5 public hearings with the right information, right  
 6 questions to get the right answers that you -- the  
 7 accurate answers that you want.

**8 Q. (BY MR. TAUNTON:) What are some examples  
 9 of public hearings that Greater Birmingham  
 10 Ministries has either participated in or prepared  
 11 somebody else to participate in?**

12 A. In our past, we have participated at  
 13 public hearings around the Jefferson County -- it  
 14 was called -- nickname was Super Sewer Project,  
 15 which we worked with in alliance with the  
 16 environmental community. They were going to build  
 17 a super sewer to cross under the Cahaba River some  
 18 14 times without doing adequate research about the  
 19 safety of that vast construction.

**20 Q. I remember all the controversy about that  
 21 project.**

22 A. There was a bit of controversy. As a  
 23 matter of fact, the tunneling drill is still

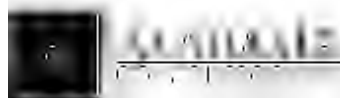
Page 72

1 underground. It was too expensive to pull it out.  
 2 And it was stopped. And GBM not just for  
 3 environmental reasons opposed it because it would  
 4 build the sewer mechanisms to the north in  
 5 particular, north -- well, east, I guess, so that  
 6 new subdivisions can be built. And the people who  
 7 pay for that, the rate payers, are the people on  
 8 the fixed water system, not a -- what do you call?  
 9 Septic tanks. So people on the fixed water system  
 10 would be really paying for -- and there were a lot  
 11 of people, now mind, paying for development of  
 12 suburbs they could never live in, couldn't afford  
 13 to shop in, and couldn't get there by bus.

**14 Q. Are there other public hearings that  
 15 Greater Birmingham Ministries has participated in  
 16 that you can recall?**

17 A. Some national ones were around the census  
 18 before it came. There were public hearings about  
 19 getting involved with the census and answering  
 20 people's questions. There were some public  
 21 hearings around -- I'm losing track of public  
 22 hearings.

23 There were some -- I can't recall





Page 73

1 additional public hearings.  
2 **Q. So the census. And that's as part of the**  
3 **2020 census?**  
4 A. Yeah, in preparation for the 2020 census.  
5 **Q. And tell me a little bit about that.**  
6 **What was Greater Birmingham's role in**  
7 **participating in those public hearings?**  
8 A. We were approached by the Census Bureau  
9 and asked to -- because we helped participate in  
10 2010 -- to try to think of some creative ways to  
11 reach the what they call hard to count: people  
12 who don't go to the door when there are strangers  
13 at the door. So we had developed some tools and  
14 techniques to identify what's called informal  
15 leaders in neighborhoods that knew GBM and trusted  
16 us and to have them have small house parties and  
17 we provide the food and refreshments and stuff.  
18 Then neighbors would come, and we would make a  
19 presentation about the census. And the name of  
20 our program was Come to Your Census.  
21 **Q. That's clever.**  
22 A. We were talking about the hardships of  
23 not being counted: funds for daycares, funds for

Page 74

1 schools, funds for transportation, those kind of  
2 things. And Don't Count Yourself Out.  
3 And so we were prepping up and  
4 practicing in January of 2020. In March, the  
5 COVID hit. So all of our in-house activities for  
6 these small apartments in public housing got  
7 trashed.  
8 **Q. So was the goal of Greater Birmingham**  
9 **Ministries in those events to promote greater**  
10 **participation in the census?**  
11 A. Yes.  
12 **Q. Did Greater Birmingham Ministries have**  
13 **any other goals in those events regarding the**  
14 **census?**  
15 A. Oh, yes. One of the outcomes of the  
16 census was that it's the -- what? -- decennial?  
17 What do you call that? Effort to prepare for  
18 redistricting.  
19 **Q. And --**  
20 A. And we mentioned that as one of the  
21 things to make you Come to Your Census, yeah.  
22 **Q. And what was stated about redistricting**  
23 **as part of the events regarding the census?**

Page 75

1 A. One of the things that was stated about  
2 redistricting was its importance in particular to  
3 low-income people, black Alabamians in getting the  
4 maximum population that exist counted in those  
5 districts. And how it applied through  
6 redistricting was in hopes that the economy of  
7 redistricting efforts would better reflect where  
8 people actually live and who they are.  
9 **Q. And what was the hope regarding the 2020**  
10 **redistricting process following the census?**  
11 A. The hope -- our hope for the 2020  
12 redistricting process would be that it would  
13 amplify -- strengthen the diluted voices of  
14 African Americans in Alabama across Alabama  
15 where -- and also figure out where African  
16 Americans had been unfairly packed or unfairly  
17 cracked in terms of diluting their electoral  
18 voices.  
19 **Q. And what did Greater Birmingham**  
20 **Ministries say about the dilution or the packing**  
21 **of African American voices in Alabama when it was**  
22 **talking about the census?**  
23 MR. ROSBOROUGH: I object to the form.

Page 76

1 You can answer.  
2 A. When we were talking about the census, we  
3 talked about it in terms of on the basis of those  
4 census numbers. On an accurate basis of those  
5 census numbers, it is possible to increase the  
6 amplitude of black voices inside the Alabama state  
7 legislature in particular.  
8 **Q. (BY MR. TAUNTON:) And did Greater**  
9 **Birmingham Ministries identify any specific places**  
10 **where it thought that the census data would**  
11 **reflect that?**  
12 MR. ROSBOROUGH: I object to the form.  
13 A. Two in particular. And some others I  
14 can't recall were -- well, the other ones had  
15 different -- two in particular. One was a  
16 district in Madison County, mostly Huntsville.  
17 And another was a couple of senate districts in  
18 Montgomery.  
19 **Q. (BY MR. TAUNTON:) Why did Greater**  
20 **Birmingham Ministries believe that the census data**  
21 **would create opportunities to draw additional**  
22 **minority districts in those areas?**  
23 MR. ROSBOROUGH: I object to the form.

Page 77

1 You can answer.

2 A. The most obvious reason we believed it is  
3 that's the latest data. And old data is not good.  
4 Don't make good maps.

5 The second one is it's the most  
6 proximate time to draw new lines based on new  
7 realities as to where people actually live over a  
8 period of 10 years but also to more accurately  
9 identify where African Americans have been  
10 overpopulating some districts and underpopulating  
11 others to achieve minimum impact on the Alabama  
12 legislature.

13 **Q. (BY MR. TAUNTON:) What led Greater**  
14 **Birmingham Ministries to believe that there had**  
15 **been population shifts in those areas in**  
16 **particular that would lead to those outcomes?**

17 MR. ROSBOROUGH: I object to the form.

18 A. Repeat the question.

19 **Q. (BY MR. TAUNTON:) What led Greater**  
20 **Birmingham Ministries to believe that there had**  
21 **been population shifts in the Huntsville and**  
22 **Montgomery areas in particular that would be**  
23 **reflected in new census data such that new**

Page 78

1 districts could be drawn --

2 MR. ROSBOROUGH: Same objection.

3 A. Number one was that -- I can't quote the  
4 source. It was important in the 2010 census to  
5 make some changes but not as many as we wanted.  
6 And so we were looking forward to the 2020 session  
7 in the context of the error. It's already been  
8 impacted by the voter ID law and other laws  
9 affecting low-income people's capacity to vote and  
10 stuff. And so we were looking for ways to thwart  
11 that.

12 **Q. (BY MR. TAUNTON:) What did Greater**  
13 **Birmingham Ministries believe was the relationship**  
14 **between Alabama's voter ID law and the census?**

15 MR. ROSBOROUGH: I object to the form.

16 A. Based on the State of Alabama's defense  
17 of the voter ID law, we think it had other motives  
18 than voter integrity. It had a motive of voter  
19 suppression.

20 **Q. (BY MR. TAUNTON:) How did that relate to**  
21 **Greater Birmingham Ministries's view of the census**  
22 **data?**

23 MR. ROSBOROUGH: I object to the form.

Page 79

1 A. Accurate census data, especially the most  
2 current census data, is very important if you're  
3 going to retain experts or rely on experts to draw  
4 lines that better reflect the population of the  
5 state of Alabama and their distribution according  
6 to the constitution.

7 **Q. (BY MR. TAUNTON:) When did Greater**  
8 **Birmingham Ministries first retain experts to look**  
9 **at the district lines related to the 2020 census?**

10 MR. ROSBOROUGH: I object to the form.

11 A. I can't recall. It was after the 2020  
12 census. And it was on several different efforts.  
13 I mean -- yeah, several different initiatives.

14 **Q. (BY MR. TAUNTON:) Where does Greater**  
15 **Birmingham Ministries have offices?**

16 A. Our office is in Birmingham, Alabama.

17 **Q. Does Greater Birmingham Ministries have**  
18 **any other offices?**

19 A. We have no other offices.

20 **Q. We talked about the work of the Faith in**  
21 **Community Task Force, the Systems Change Task**  
22 **Force, and the Direct Services Task Force. And I**  
23 **guess we could -- we could go by each, but I'll**

Page 80

1 ask you broadly and see if we need to break it  
2 down.

3 **Where is Greater Birmingham Ministries's**  
4 **programming focused by county?**

5 A. By county? Direct Services is primarily  
6 focused -- our clients come from -- mainly from  
7 Jefferson, Shelby, and Walker counties. In that  
8 order.

9 **Q. What about the Faith in Community Task**  
10 **Force and their events? Where do they conduct**  
11 **those events?**

12 A. Faith in Community work -- we'll get to  
13 that later -- is conducted statewide.

14 **Q. What about Systems Change Task Force?**  
15 **Where do they conduct their events?**

16 A. Systems Change Task Force is increasingly  
17 statewide.

18 **Q. I think we discussed that this morning.**

19 **I'll ask you this. Do you know the**  
20 **demographic breakdown of Greater Birmingham**  
21 **Ministries's donors?**

22 A. I do not know.

23 **Q. Do you have a general sense?**

Page 81

1 A. I have a -- I have a general sense that  
 2 it's majority white, second African American,  
 3 third is Latino.  
 4 **Q. Do you have a general sense for the**  
 5 **average income of Greater Birmingham Ministries's**  
 6 **donors?**  
 7 A. I have no knowledge. Unless they leave  
 8 us in their will.  
 9 **Q. How does Greater Birmingham Ministries**  
 10 **choose to participate in a lawsuit? What's the**  
 11 **process for that?**  
 12 A. It depends on what the lawsuit is about.  
 13 But our process is we look for what angles can we  
 14 work to achieve a successful outcome for our --  
 15 the people we care about. And it's been  
 16 legislation and working with, for instance, the  
 17 nonprofit, we can't actively lobby, but we can  
 18 educate. And we can educate legislators.  
 19 Particularly through public hearings.  
 20 **Q. So, well, I want to actually jump around**  
 21 **a little bit here. But that reminds me.**  
 22 **So you mentioned that Greater Birmingham**  
 23 **Ministries participated in public hearings related**

Page 82

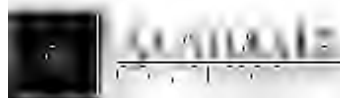
1 **to the 2020 census.**  
 2 A. Yes.  
 3 **Q. What public hearings did it participate**  
 4 **in, do you recall?**  
 5 A. I do recall one at Jefferson State Junior  
 6 College and one at -- we went to the one at  
 7 Jefferson State. There was also one at Lawson  
 8 State Junior College.  
 9 **Q. Who participated on Greater Birmingham**  
 10 **Ministries's behalf?**  
 11 A. I participated and several board members  
 12 participated and a couple staff at that time who  
 13 are no longer with us.  
 14 **Q. Did anyone from Greater Birmingham**  
 15 **Ministries speak at those events?**  
 16 A. At the one at Jefferson State --  
 17 speaking? I mean, speaking was pretty much asking  
 18 questions. And I spoke there.  
 19 **Q. Do you recall what you or anybody else**  
 20 **from Greater Birmingham Ministries said regarding**  
 21 **the 2020 census?**  
 22 A. We emphasized at the hearing the  
 23 importance of new ways of communicating with

Page 83

1 people to encourage them to actually come to the  
 2 census or participate in the census. And, too,  
 3 and make sure they clarify the difference between  
 4 the census and the annual survey that the Census  
 5 Bureau does as well, which is a big problem here  
 6 in Alabama, in Birmingham in particular. People  
 7 tell us, "I already did that," and they're talking  
 8 about the survey, not the census.  
 9 **Q. Did anybody from Greater Birmingham**  
 10 **Ministries make any statements regarding whether**  
 11 **or not citizenship should be counted as part of**  
 12 **the census? Do you recall?**  
 13 MR. ROSBOROUGH: I object to the form.  
 14 A. Citizenship should be part of what?  
 15 **Q. (BY MR. TAUNTON:) As part of the census?**  
 16 A. Yes, I did. Yes, we -- I didn't, you  
 17 know, but some of our allies did.  
 18 **Q. Did anybody from Greater Birmingham**  
 19 **Ministries?**  
 20 A. I don't recall anyone from Greater  
 21 Birmingham Ministries. I was present. Because  
 22 the question was the goal of the census is to  
 23 count every head. In the country.

Page 84

1 **Q. But Greater Birmingham Ministries didn't**  
 2 **have a position on that?**  
 3 A. We were opposed --  
 4 MR. ROSBOROUGH: Object to the form.  
 5 A. We were opposed to it. But we weren't  
 6 the best advocates for those it was directed  
 7 against.  
 8 **Q. (BY MR. TAUNTON:) Did it make any**  
 9 **statements about that? Did Greater Birmingham**  
 10 **Ministries make any kind of statements, either at**  
 11 **public hearings or press releases in any way?**  
 12 A. I recall that I and some others were part  
 13 of a joint statement from several immigrant  
 14 justice groups along with their allies, yeah. We  
 15 joined them in it.  
 16 **Q. Were there any other statements made?**  
 17 A. Not that I recall.  
 18 **Q. How did Greater Birmingham Ministries**  
 19 **choose to become a plaintiff in the Stone lawsuit?**  
 20 MR. ROSBOROUGH: I object to the form of  
 21 the question and instruct you not to answer to the  
 22 extent that it involves conversations with  
 23 counsel.



Page 85

1 MR. TAUNTON: I was about to go there.  
2 **Q. Don't tell me about any conversations you**  
3 **had with any of your attorneys. But without doing**  
4 **that, how did Greater Birmingham Ministries choose**  
5 **to become a plaintiff in the Stone lawsuit?**  
6 A. We decided to become a plaintiff in the  
7 Stone lawsuit when it was being initiated by --  
8 and some of our allies had talked to us about it.  
9 **Q. Other than attorneys, what allies are you**  
10 **speaking of?**  
11 A. Alabama Arise, NAACP, Alabama NAACP.  
12 League of Women Voters.  
13 **Q. When were those conversations taking**  
14 **place?**  
15 A. On the Stone lawsuit? As part of a  
16 post-census conversation about upcoming  
17 redistricting.  
18 **Q. And what was -- sorry. You didn't**  
19 **finish.**  
20 A. Of the legislature as well as congress.  
21 **Q. And what was the substance of those**  
22 **conversations regarding what became the Stone**  
23 **lawsuit?**

Page 86

1 MR. ROSBOROUGH: I object to the form.  
2 A. Discussions? Early discussions was who's  
3 doing research. What research organizations can  
4 we look to to help give us accurate information,  
5 at the earliest.  
6 **Q. (BY MR. TAUNTON:) What kind of**  
7 **information were you looking for?**  
8 A. One was the fastest census data we could  
9 get ahold of statewide by current Alabama  
10 legislative districts. The second was -- the  
11 earliest was, was who's -- who does pro bono  
12 mapmaking. Yeah. Or could support us in  
13 mapmaking.  
14 **Q. And once you got the census data, what**  
15 **was the goal? What was the analysis? Do you**  
16 **recall?**  
17 MR. ROSBOROUGH: I object to the form.  
18 A. Let me understand you. None of this GBM  
19 was doing by itself. We don't have the research  
20 capacity.  
21 **Q. (BY MR. TAUNTON:) I understand.**  
22 A. But we were working with others to --  
23 I've forgot the question now.

Page 87

1 **Q. Once you received the census data, what**  
2 **was the analysis? What was the goal? What did**  
3 **you look at? Without revealing your conversation**  
4 **with attorneys.**  
5 MR. ROSBOROUGH: I'm going to object to  
6 the form and I'm also going to object to the  
7 extent that any of these conversations with  
8 partners were as part of a common interest  
9 considering litigation.  
10 THE WITNESS: Oh, okay.  
11 MR. ROSBOROUGH: If you can answer  
12 without any of that, go ahead and answer.  
13 MR. TAUNTON: If attorneys were involved,  
14 I think their common interests still requires an  
15 underlying privilege and so would still require an  
16 attorney to be present. But if attorneys were  
17 present, then I think the assertion is valid. If  
18 attorneys were not present, I think my question  
19 stands.  
20 MR. ROSBOROUGH: And I think I'd like  
21 just to clarify that the privilege can be invoked  
22 on conversations without attorneys present if  
23 those conversations happened on the advice or at

Page 88

1 the direction of attorneys.  
2 So if you can --  
3 MR. TAUNTON: I accept that.  
4 MR. ROSBOROUGH: If you can answer  
5 subject to those caveats, go ahead.  
6 A. That's a maze of a caveat.  
7 **Q. (BY MR. TAUNTON:) Let me see if I can**  
8 **narrow the question. Why don't we try that?**  
9 **Without revealing your conversation with**  
10 **counsel or things your counsel told you to do,**  
11 **what was Greater Birmingham Ministries interested**  
12 **in seeing -- what analysis was it doing or**  
13 **interested in regarding the census data?**  
14 A. Our interest in the census data was to  
15 achieve a more responsive state legislature when  
16 it came to legislative redistricting; that it  
17 would help increase -- it had the possibility of  
18 helping increase and amplify the voices of African  
19 Americans in the Alabama state legislature in both  
20 houses.  
21 **Q. So when you say more responsive**  
22 **legislature, what do you mean?**  
23 A. When I say more responsive legislature, I



Page 89

1 mean a legislature -- hmm.  
 2 My analysis is that the Alabama  
 3 legislature for decades has been broad in power  
 4 and narrow in its responsibilities in a sense that  
 5 policies had been put in place in a state with  
 6 27 percent African American population to reduce  
 7 their influence in the legislature to less than  
 8 half of that 27 percent population.  
 9 **Q. What policies are you referring to?**  
 10 A. Past redistricting efforts -- I'm  
 11 referring to past redistricting efforts in the  
 12 state of Alabama for decades that are ongoing.  
 13 **Q. So you're referring specifically to**  
 14 **redistricting efforts. Are there any other**  
 15 **policies that you're referencing?**  
 16 A. Oh, yeah. We mentioned a few of the  
 17 other policies I mentioned like voter ID, the  
 18 Secretary of State refusing to release the names  
 19 of people recently released from prison so that  
 20 they could be informed about their status in  
 21 getting their voting rights restored. He said its  
 22 not his job to tell them. We said why don't you  
 23 give us the list. We had to fight for that.

Page 90

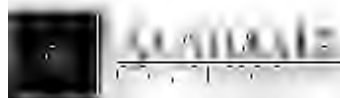
1 Methods of both policy and practice of  
 2 agencies of the State of Alabama. Even when the  
 3 policy is decent, the practice ignores the poor,  
 4 the incarcerated, the soon to be freed.  
 5 **Q. Let me just ask a couple things here.**  
 6 **Greater Birmingham Ministries's efforts**  
 7 **as it relates to voter IDs, would those largely be**  
 8 **handled by the Systems Change Task Force?**  
 9 A. That's correct.  
 10 **Q. Would that fall under the**  
 11 **responsibilities of Ms. Tari Williams?**  
 12 A. Well, her and her work group, the  
 13 Volunteer Work Group.  
 14 **Q. Would there be anybody else whose**  
 15 **responsibilities that included? Other than those**  
 16 **underneath her?**  
 17 A. Mine.  
 18 **Q. So what do you do separate from what she**  
 19 **does related to voter identification in Alabama?**  
 20 A. I started in Systems Change work when I  
 21 was on the board of directors of GBM, and I  
 22 continued to support it, of course, as executive  
 23 director. My job is to provide the resources and

Page 91

1 help guide the strategies, help conduct  
 2 discussions among our board members on how we're  
 3 going to receive -- to address -- allow the tools  
 4 we have to address any issue we're trying to  
 5 address.  
 6 **Q. I guess part of what I'm asking is this.**  
 7 **Do you have responsibility -- okay. So you talked**  
 8 **about providing resources and strategy. Are you**  
 9 **involved in events or programming related to**  
 10 **voter IDs in Alabama that Ms. Tari Williams would**  
 11 **not be involved with?**  
 12 Wait. Let me back up and ask. If I  
 13 already asked her these questions this morning, do  
 14 I need to be asking you anything about this too?  
 15 A. No.  
 16 **Q. Okay. Would she be the one to ask about**  
 17 **Greater Birmingham Ministries's programming**  
 18 **related to voter identification in Alabama?**  
 19 A. Actually, I'm not sure she was there  
 20 then. Started with the census team about 2014,  
 21 voter ID -- yeah, she was around with voter ID  
 22 later.  
 23 **Q. And is she also very involved with voting**

Page 92

1 **restoration?**  
 2 A. Yeah. She's much more involved in voter  
 3 restoration than I am, yeah. Because it requires  
 4 special training.  
 5 **Q. Was part of the discussion related to the**  
 6 **2020 census whether or not an additional**  
 7 **democratic district could be drawn in Huntsville?**  
 8 MR. ROSBOROUGH: I object to the form.  
 9 A. The question was whether a district could  
 10 be formed that had a realistic amplified voice of  
 11 African Americans.  
 12 **Q. (BY MR. TAUNTON:) Was party affiliation**  
 13 **part of that?**  
 14 A. Party affiliation was a part of the  
 15 discussions we had.  
 16 **Q. Was party affiliation also part of your**  
 17 **discussions for Montgomery?**  
 18 A. No.  
 19 **Q. How was party affiliation part of your**  
 20 **discussions in Huntsville but not in Montgomery?**  
 21 A. I didn't say it was part of the  
 22 discussions in Huntsville. I said it was not part  
 23 of the Huntsville discussions.



Page 93

1 Q. It was not?

2 A. It was not part of Huntsville's.

3 Q. Okay. I heard something different.

4 A. Well, correct the transcript. I meant to  
5 say not.

6 Q. Party affiliation was not a part of the  
7 discussion?

8 A. I said it was not, yeah.

9 Q. Okay.

10 A. Yeah. Put the not before the verb after.

11 Q. I don't -- I think we've already covered  
12 a lot of this, but I will just ask from a broad  
13 sense, what is Greater Birmingham Ministries's  
14 organizational purpose?

15 A. GBM's organizational purpose is three  
16 part: serve people, build community, and pursue  
17 justice.

18 Q. And that then is carried out through the  
19 three task forces we've discussed?

20 A. Correct.

21 Q. Now, specifically -- I don't want to  
22 spend a lot of time on this, but specifically how  
23 did Greater Birmingham Ministries decide it wanted

Page 94

1 to be a plaintiff in the Stone lawsuit?

2 MR. ROSBOROUGH: I object to the form.

3 And, again, you can answer to the extent  
4 this doesn't involve conversations with counsel or  
5 conversations with any co-plaintiffs about  
6 discussions with counsel.

7 Q. (BY MR. TAUNTON:) Let me do it this way.

8 A. Okay.

9 Q. Is that a decision that you made -- is  
10 the decision to be involved as a plaintiff in the  
11 Stone lawsuit, is that a decision you made or is  
12 that a decision that was made by the board of  
13 directors? Who made that decision?

14 A. It was made -- in 2014, we had a -- we  
15 call it a board of education on GBM's civic -- we  
16 call it civic engagement work and that we would  
17 not do -- I'm entrusted to say no or go on GBM's  
18 litigation. I apprise the executive committee if  
19 the board's not in session first.

20 The reason was that we had gotten -- in  
21 the early 2000s and afterwards, when we have our  
22 board discussions of all 50 members or 48 to 60  
23 we've had about pending litigation, we've had

Page 95

1 lawyers on our board who knew a lot that had to  
2 recuse themselves and stuff. So the idea is if it  
3 fits our long-term vision and we think it's worth  
4 it, then there's not a vote on each one. The last  
5 one we voted on -- I forgot -- was 2014 or  
6 something.

7 Q. So you since 2014 have been empowered to  
8 determine what litigation --

9 A. Yes.

10 Q. -- Greater Birmingham Ministries would  
11 participate in?

12 A. Yes. Yes. Yes. With informing, yeah.

13 Q. What was your goal in participating in  
14 the Stone lawsuit?

15 A. Our goal in participating in the Stone  
16 lawsuit was -- began with looking at how Alabama's  
17 legislature had been redistricted and where we  
18 felt we could find some impact on the most glaring  
19 cases knowing that -- well, not believing that we  
20 can do all 35 senators and, you know, 105  
21 representatives. We had other goals in mind as  
22 well, but they weren't reasonable.

23 Q. Did you also make the decision to

Page 96

1 participate in the Milligan lawsuit as a  
2 plaintiff?

3 A. Yes.

4 Q. What was your goal in participating in  
5 the Milligan lawsuit?

6 A. The Milligan lawsuit was particularly of  
7 interest in creating a second black opportunity  
8 district and a state -- congressional district in  
9 the state of Alabama.

10 Q. And why did you believe a second  
11 opportunity district could or needed to be created  
12 in Alabama?

13 MR. ROSBOROUGH: Object to the form.  
14 You can answer.

15 A. I feel a second opportunity district  
16 needed to be created in order to better amplify  
17 the voices of African Americans in Alabama and,  
18 through them, most poor people in Alabama in the  
19 halls of congress.

20 Q. (BY MR. TAUNTON:) Did Ms. Williams have  
21 any role in choosing to participate in the Stone  
22 or Milligan lawsuits?

23 A. No.



Page 97

1 Q. I meant to ask her that earlier and I  
2 forgot.  
3 So real quick, I'll just say this is  
4 another one of those areas where the division  
5 wasn't necessarily superclean, so I'm going to ask  
6 you some questions that I asked this morning and  
7 we'll see what you know.  
8 A. Is that a caveat?  
9 Q. Yeah. No.  
10 A. Okay.  
11 Q. More for counsel than for you.  
12 A. Oh, okay.  
13 Q. Are you a registered voter in Alabama?  
14 A. Yes.  
15 Q. Does Greater Birmingham Ministries  
16 encourage its members to register to vote?  
17 A. Yes.  
18 Q. And does it encourage its clients to  
19 register to vote?  
20 A. Yes.  
21 Q. Is Ms. Williams the person largely tasked  
22 with implementing that policy?  
23 A. On staff, yes.

Page 98

1 Q. So if I wanted to ask how Greater  
2 Birmingham Ministries encourages members and  
3 clients to register to vote, would she be the  
4 person I would ask about that?  
5 A. Correct, yes.  
6 Q. To your knowledge, does Greater  
7 Birmingham Ministries keep records of how many  
8 people it has helped register to vote?  
9 A. To my knowledge, no.  
10 Q. Would Ms. Williams know if there were  
11 records like that?  
12 A. The question was do I know how many  
13 people GBM has helped register to vote?  
14 Q. Right.  
15 A. Define help. It goes from education to  
16 pointing out -- just pointing out where the latest  
17 polling place is if you moved.  
18 Q. Well, let me ask this. If records like  
19 that existed, would Ms. Williams know about them?  
20 A. If they existed, yes.  
21 Q. Okay. So if I asked her about them, then  
22 I wouldn't need to ask you about them?  
23 A. Well, they don't exist, but yeah.

Page 99

1 Q. But if they did, she would know?  
2 A. Yeah. If we had that, she would know.  
3 Q. And would Ms. Williams be in a position  
4 to describe who Greater Birmingham Ministries had  
5 helped register to vote?  
6 MR. ROSBOROUGH: Object to the form.  
7 You can answer.  
8 A. To some degree, because she directs  
9 volunteers. And so she would not know what -- the  
10 who -- each of those individuals she came in  
11 contact with.  
12 Q. (BY MR. TAUNTON:) She may not know the  
13 specific names --  
14 A. That's right.  
15 Q. -- but she's in charge of the programming  
16 for voter registration?  
17 A. Correct.  
18 Q. Does Greater Birmingham Ministries track  
19 the registration of its donors?  
20 A. No.  
21 Q. To the degree they are different, does  
22 Greater Birmingham Ministries track the  
23 registration of its members?

Page 100

1 A. No.  
2 Q. Do you have a general sense of what  
3 percentage of Greater Birmingham Ministries donors  
4 are registered to vote?  
5 A. No.  
6 Q. Are you aware of any donors to Greater  
7 Birmingham Ministries who are not registered to  
8 vote?  
9 A. No.  
10 Q. Well, does Greater Birmingham Ministries  
11 do anything to track the number or percentage of  
12 black Alabamians who are registered to vote?  
13 A. No.  
14 Q. Do you know or have a general sense of  
15 whether more black Alabamians are registered to  
16 vote today than in 1960?  
17 MR. ROSBOROUGH: Object to the form.  
18 Go ahead.  
19 A. We google. Wikipedia. Ballotpedia.  
20 Q. (BY MR. TAUNTON:) But do you have a  
21 general sense of what that would show?  
22 A. Of how many registered today versus?  
23 Q. 1960.

Page 101

1 A. Versus 1960? Yeah, have an idea.  
2 **Q. And what would that idea be?**  
3 A. From a very low percentage to a medium  
4 percentage.  
5 **Q. What about since 1980? Do you have a**  
6 **general sense of that?**  
7 MR. ROSBOROUGH: Object to the form.  
8 Go ahead.  
9 A. 1980 would be a little bit -- I don't  
10 recall as much. But 1960 was before the Voting  
11 Rights Act, and 1980 was afterwards.  
12 **Q. (BY MR. TAUNTON:) So you don't have a**  
13 **sense for comparison?**  
14 A. I have a sense that more are registered  
15 today than 1980 but not much more percentagewise.  
16 Numbers-wise maybe more, but percentagewise not  
17 much.  
18 **Q. You first became involved with Greater**  
19 **Birmingham Ministries as executive director in**  
20 **'93?**  
21 A. Correct.  
22 **Q. How about since 1993? Compare 1993 to**  
23 **today. Do you have a general sense for whether**

Page 102

1 **more black Alabamians -- a higher percentage of**  
2 **black Alabamians are registered to vote today than**  
3 **in 1993?**  
4 MR. ROSBOROUGH: Object to the form.  
5 A. I believe there is a -- no, I don't have  
6 any way except to say that there are more African  
7 Americans period since 1993 in Alabama. There's a  
8 higher incarceration rate of Alabamians who are  
9 African American who can't register to vote easily  
10 and quickly and soon. So I haven't done that  
11 math.  
12 **Q. (BY MR. TAUNTON:) So your answer would**  
13 **be no, you don't have a general sense for 1993**  
14 **versus --**  
15 A. Correct. That's a research project.  
16 **Q. Okay. Are you aware of voting-eligible**  
17 **black Alabamians who are not registered to vote?**  
18 MR. ROSBOROUGH: I object to the form.  
19 Go ahead.  
20 A. I personally am, yes.  
21 **Q. (BY MR. TAUNTON:) Are you? Does Greater**  
22 **Birmingham Ministries do anything to track that?**  
23 A. We have no -- no.

Page 103

1 **Q. For the ones you're aware of, do you know**  
2 **why they may not be registered to vote?**  
3 A. Yes. For the ones I know of, the reason  
4 they are not registered to vote, the most commonly  
5 used expression is, "My vote doesn't count  
6 anyway -- wouldn't count anyway."  
7 **Q. Have these individuals told you what they**  
8 **mean by that?**  
9 A. What some have said they mean by that, no  
10 matter what office it is the candidate runs for,  
11 the same thing's going to happen. No change.  
12 **Q. Meaning that they don't see any**  
13 **difference in the candidates who are running? Is**  
14 **that what I understood you to say?**  
15 MR. ROSBOROUGH: Object to the form.  
16 Go ahead.  
17 A. Meaning that they say there is no  
18 difference in candidates that's running to be  
19 seen.  
20 **Q. (BY MR. TAUNTON:) So in other words,**  
21 **these individuals are suggesting that one**  
22 **candidate is exactly the same as another?**  
23 MR. ROSBOROUGH: Object to the form.

Page 104

1 Go ahead.  
2 A. It's worse than that. They say it  
3 doesn't matter.  
4 **Q. (BY MR. TAUNTON:) Have you understood**  
5 **them to mean anything else by saying their vote**  
6 **doesn't count?**  
7 MR. ROSBOROUGH: Object to the form.  
8 Go ahead.  
9 A. When they say -- my interpretation is  
10 when they say it doesn't matter, they have lost  
11 interest in civic participation, period. I've  
12 never seen a person who was a good PTA leader say,  
13 "My vote doesn't matter."  
14 **Q. (BY MR. TAUNTON:) How many individuals**  
15 **would you estimate have said something like that**  
16 **to you in the last three years?**  
17 MR. ROSBOROUGH: Object to the form.  
18 Go ahead.  
19 A. Yeah, three years. That's post-COVID.  
20 When I have been engaged with folks,  
21 we've come across -- we've had some campaign --  
22 voter registration campaigns when we do food  
23 distributions, and we ask people, "Are you

Page 105

1 registered to vote?" We don't force them but,  
2 "There's a table over there. You can get your  
3 groceries and register to vote." Yeah. So I've  
4 heard that in both groups.  
5 **Q. (BY MR. TAUNTON:) How often would you**  
6 **say you --**  
7 A. It's a minority. A loud minority.  
8 **Q. To the best of your knowledge, could**  
9 **those individuals register to vote if they wanted**  
10 **to?**  
11 MR. ROSBOROUGH: I object to the form.  
12 A. To the best of my knowledge, those  
13 individuals, the conversation didn't get that far.  
14 **Q. (BY MR. TAUNTON:) But you're not aware**  
15 **of any reason they couldn't register?**  
16 MR. ROSBOROUGH: Object to the form.  
17 A. I'm not aware.  
18 **Q. (BY MR. TAUNTON:) So we've talked about**  
19 **registration. Now I'll ask you this. Does**  
20 **Greater Birmingham Ministries encourage its**  
21 **members to vote?**  
22 A. Correct.  
23 **Q. And describe briefly what Greater**

Page 106

1 **Birmingham Ministries does to encourage its**  
2 **members to vote?**  
3 A. In emails, text messages, social media,  
4 print, we encourage our members to vote preceding  
5 each upcoming election or primary, whichever one  
6 you choose. We have an ongoing series of -- we  
7 call it expenses.  
8 For major elections, we have what's  
9 called a GBM Election Guide, which has -- in  
10 general elections, candidates for both parties, we  
11 ask all the candidates to do brief biographical  
12 notes, where they're from and stuff, and maybe  
13 three bullet things, the key issues. And most of  
14 it's focussed on the job descriptions for each  
15 office -- not the candidates -- as well as the  
16 voting schedule for in-person, absentee, you know,  
17 such. If you have a disability, it's where you  
18 can get assistance, and also links to the  
19 Secretary of State's Office if you have any  
20 questions you need to address.  
21 **Q. Is Ms. Williams involved with all of that**  
22 **programming?**  
23 A. Yes.

Page 107

1 **Q. So she would be in a position to describe**  
2 **that programming to me?**  
3 A. The election guide? Yes.  
4 **Q. Would she be in a position to describe to**  
5 **me all the ways in which Greater Birmingham**  
6 **Ministries encourages its members to vote?**  
7 A. Yes.  
8 **Q. To your knowledge, do Greater Birmingham**  
9 **Ministries donors or clients vote in elections?**  
10 MR. ROSBOROUGH: Object to the form.  
11 A. To my knowledge, donors and clients and  
12 members vote, yes.  
13 **Q. (BY MR. TAUNTON:) Do you have any sense**  
14 **of what percentage of donors and clients vote in**  
15 **elections?**  
16 A. No --  
17 MR. ROSBOROUGH: Object to the form.  
18 THE WITNESS: You aborted me, right?  
19 "Object."  
20 **Q. (BY MR. TAUNTON:) Does Greater**  
21 **Birmingham Ministries do anything to track the**  
22 **racial demographics of votes that are cast in**  
23 **Alabama elections?**

Page 108

1 A. The racial demographics of votes that are  
2 cast? Yeah, after every election, big election  
3 anyway.  
4 **Q. What does it do to track or analyze**  
5 **those?**  
6 A. Just look at news analysis and also  
7 Google or other statistical resources.  
8 **Q. Does it save that in any way, memorialize**  
9 **that in any way?**  
10 A. It doesn't memorialize it because we have  
11 yet to develop a use for 20-, 30-year trends that  
12 you can get in a simple report to develop on our  
13 own.  
14 **Q. Do you have a general sense of whether**  
15 **more black Alabamians vote in Alabama elections**  
16 **today than did in 1960?**  
17 MR. ROSBOROUGH: I object to the form.  
18 Go ahead.  
19 A. I certainly believe more black Alabamians  
20 vote than 1960 and -- by number and by percent.  
21 **Q. (BY MR. TAUNTON:) Vote today or vote in**  
22 **1960? Which is more?**  
23 A. Today.

Page 109

1 Q. Today.

2 A. Versus 1960. We had that question  
3 earlier.

4 Q. That was -- I was asking about  
5 registration earlier.

6 A. Oh. Now we're voting.

7 Q. Now I'm asking about voting.

8 A. I wasn't there in 1960, so I don't know.

9 Q. Do you have a sense of whether more black  
10 Alabamians vote in elections today by  
11 percentage -- a higher percentage of black  
12 Alabamians vote in elections today than did in  
13 1980?

14 A. Today -- you have to define today. If  
15 you meant the 1980 presidential election versus  
16 2024 -- we haven't had '24 yet, so.

17 Q. Do you have any sense of averages, you  
18 know, across multiple elections?

19 MR. ROSBOROUGH: I object to the form.  
20 You can answer.

21 A. And the year is '93 versus --

22 Q. (BY MR. TAUNTON:) Well, let's say  
23 between, you know, on average, between 1978 and

Page 110

1 1982 versus, you know, 2018 and 2022. Do you have  
2 any sense of what that would show?

3 MR. ROSBOROUGH: I object to the form.  
4 Go ahead.

5 A. I think it would show a slight, on  
6 average -- not average. A slight increase but not  
7 much. Especially '78 to '82. Yeah. To this  
8 current, last cycle, 2022.

9 Q. (BY MR. TAUNTON:) So in the fourth  
10 amended Milligan complaint, paragraph 153 suggests  
11 there are "significant racial disparities in voter  
12 turnout and voter registration rates remain" in  
13 Alabama.

14 MR. ROSBOROUGH: Michael, that's -- I  
15 think you said fourth amended Milligan complaint.  
16 There is no fourth amended Milligan complaint.

17 MR. TAUNTON: That is correct. I did say  
18 that, and I apologize for that. Let me restart  
19 that question.

20 Q. In the fourth amended Stone complaint --

21 A. Uh-huh.

22 Q. -- paragraph 153 states that there are  
23 "significant racial disparities in voter turnout

Page 111

1 and voter registration rates remain" in Alabama.

2 What to your knowledge would be the basis for  
3 stating that?

4 MR. ROSBOROUGH: Object to the form.

5 A. No significant increase in voter turnout?

6 The objective theme for us to say that was,

7 particularly in legislative races, the way the

8 legislature is currently gerrymandered, it dilutes

9 African American votes to the extent that it's

10 hard to be heard. For instance, if African

11 Americans had a significant leveraging voice or

12 dominant voice, a major voice in two districts

13 side by side, and they are packed into one of

14 those, they have a very loud voice in one district

15 and no voice in the other district, which meant

16 when they could have had voices you had to listen

17 to in two districts.

18 Q. (BY MR. TAUNTON:) Has GBM done any kind  
19 of a -- does GBM do anything to track voter  
20 registration or voter turnout rates?

21 MR. ROSBOROUGH: I object to the form.

22 A. No. We don't need to track them

23 independently because other agencies do that.

Page 112

1 Q. (BY MR. TAUNTON:) Okay. Are you aware  
2 of any GBM donors or clients who are registered to  
3 vote but have not voted in recent elections?

4 MR. ROSBOROUGH: Object to the form.

5 A. No. The only way to determine that from

6 our clients is, "Have you voted in recent

7 elections?" And we prefer to ask the question,

8 "Are you registered to vote?"

9 Q. (BY MR. TAUNTON:) Are you aware of any  
10 black Alabamians who are registered to vote but  
11 have not voted in recent elections?

12 MR. ROSBOROUGH: I object to the form.

13 A. I can't name any, but I've come across

14 some including -- yeah. Including my next-door  
15 neighbor.

16 Q. (BY MR. TAUNTON:) Do you know why he  
17 didn't vote?

18 A. He's one of those that believes his vote  
19 doesn't count.

20 Q. And did he articulate to you why he  
21 believes his vote doesn't count?

22 A. I've had several --

23 Q. Did he articulate -- let me ask this.



Page 113

1 A. Yeah.

2 **Q. Did he articulate any reasons other than**

3 **the reasons we discussed earlier?**

4 A. No.

5 **Q. Okay.**

6 A. No.

7 MR. ROSBOROUGH: Michael, maybe in the

8 next like 10 minutes or so, if there's a good

9 breaking point.

10 MR. TAUNTON: Sure. Sure. Yeah, let me

11 just ask a couple more questions.

12 MR. ROSBOROUGH: Sure.

13 **Q. (BY MR. TAUNTON:) What efforts has**

14 **Greater Birmingham Ministries undertaken to assess**

15 **who among its clients or donors are hindered from**

16 **participating in the political process?**

17 A. We have not completed a project we meant

18 to do. When we interview our clients, we ask if

19 they're registered to vote. If not, why.

20 Anything that they need to be registered. Like we

21 do food distribution twice a month. We have not

22 questioned donors. We are doing a -- well, it's

23 not been done yet -- a survey, an email survey of

Page 114

1 our clients and other members to make sure --

2 that's not about registering to vote though.

3 That's about improving our services. Yeah.

4 **Q. What legal impediments hinder the**

5 **political participation -- let me back up.**

6 **Other than for individuals who have been**

7 **convicted of a crime of moral turpitude -- so**

8 **let's set that aside -- what legal impediments**

9 **keep Greater Birmingham Ministries's clients or**

10 **donors from fully participating in the political**

11 **process?**

12 MR. ROSBOROUGH: I object to the form.

13 A. One of the problems with the voter ID law

14 was the state-provided IDs, free IDs, weren't

15 easily accessible to people even in rural

16 Jefferson County and poor people who lack

17 transportation. Of course, the big epidemic was

18 when the Department of Motor Vehicles just shut

19 down issuing it for a while. But that's back up.

20 Oh --

21 **Q. (BY MR. TAUNTON:) Are you --**

22 A. -- and driver's licenses. Driver's

23 licenses. I'm sorry. There are people who have

Page 115

1 no need to drive. So the state-issued ID was the

2 alternative. Nondriver's license. That was a

3 burden to overcome.

4 **Q. Other than -- I'll come back to that in a**

5 **second.**

6 **Other than voter identification, are**

7 **there any other legal impediments that you would**

8 **point to that hinder people from participating in**

9 **the political process?**

10 MR. ROSBOROUGH: Object to the form.

11 A. I can't think of any legal ones other

12 than identification and the felon/moral turpitude

13 conditions.

14 **Q. (BY MR. TAUNTON:) Did Greater Birmingham**

15 **Ministries sue the State of Alabama over its voter**

16 **ID law?**

17 A. Yes.

18 **Q. What was the outcome of that case?**

19 A. My recollection, we lost the case but the

20 state agreed to do better. Or talk to the public

21 about doing better.

22 **Q. Does Greater Birmingham Ministries have**

23 **programs aimed at helping people get**

Page 116

1 **identification for voting?**

2 A. We have had. And it was funded by a

3 founder -- founder -- a foundation, and the

4 founder has stopped funding it. It's very

5 expensive.

6 **Q. Was Ms. Williams involved in that**

7 **program?**

8 A. Yes. Yes.

9 **Q. Would she be in a position to answer**

10 **questions about that program?**

11 A. Yes.

12 **Q. You mentioned the Department of Motor**

13 **Vehicles shutting down. Was that during COVID or**

14 **are you referring to something else?**

15 A. Earlier than COVID. It was around the

16 voter ID period.

17 **Q. What year was that, do you recall?**

18 A. I really can't.

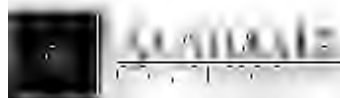
19 **Q. Is it open today?**

20 A. Is it open? Yes, yes.

21 **Q. Can a driver's license be renewed online?**

22 A. I've heard it could be, yeah.

23 **Q. I did it last week.**



Page 117

1 A. My wife did. I mean hers. No, she did  
2 hers online. I went down there like a fool.  
3 **Q. I'm not standing in that line.**  
4 A. I don't trust it.  
5 MR. TAUNTON: We can take a break here.  
6 (Recess.)  
7 **Q. All right. Mr. Douglas, I think we're in**  
8 **the home stretch roughly here.**  
9 **So have you ever run for office?**  
10 A. Have I ever run for office?  
11 **Q. Have you ever run for office?**  
12 A. Yes.  
13 **Q. What office have you run for?**  
14 A. Two. U.S. Congress and mayor of  
15 Birmingham.  
16 **Q. When did you run for congress?**  
17 A. 1972.  
18 **Q. Were you in Tennessee at that time?**  
19 A. Yes.  
20 **Q. Did you run as a Democrat?**  
21 A. Independent.  
22 **Q. Independent. Who did you run against in**  
23 **the general election, do you recall?**

Page 118

1 A. Congressman Richard Fulton.  
2 **Q. What was the result of that campaign?**  
3 A. He won handily. But he congratulated my  
4 run.  
5 **Q. You said you ran for mayor of Birmingham?**  
6 A. Yes.  
7 **Q. When did you run for mayor of Birmingham?**  
8 A. 2009.  
9 **Q. And did you run in the primary election?**  
10 A. It's a nonpartisan race.  
11 **Q. Okay.**  
12 A. Mayor's race. All the municipal races  
13 are nonpartisan in Birmingham.  
14 **Q. Who else ran in that race?**  
15 A. William Bell. He won. Me. I can't  
16 remember anybody else. I mean, there was no close  
17 second.  
18 **Q. And you said that was a nonpartisan race?**  
19 A. Nonpartisan race, yes. It was an  
20 emergency -- it was a special election.  
21 **Q. Uh-huh.**  
22 A. Because then, the current mayor had been  
23 convicted. And the election was called within

Page 119

1 30-something days, 45 days.  
2 **Q. The current mayor at that time was Larry**  
3 **Langford?**  
4 A. Yes.  
5 **Q. What was your campaign platform for**  
6 **mayor?**  
7 A. Green jobs. Green schools. Green  
8 communities.  
9 **Q. And you were able to qualify as a**  
10 **candidate?**  
11 A. Yes.  
12 **Q. Did you have any issues with that?**  
13 A. Did I have issues to qualify? No,  
14 they're very easy.  
15 **Q. Are you aware of any GBM donors or**  
16 **clients attempting to run for office?**  
17 MR. ROSBOROUGH: Object to the form.  
18 A. I'm not aware.  
19 **Q. (BY MR. TAUNTON:) Not aware. Are you**  
20 **aware of any GBM staffers or board members**  
21 **attempting to run for office?**  
22 A. You mean currently? I mean, attempting  
23 to run means like now.

Page 120

1 **Q. Well, I'm sorry. I said -- maybe I said**  
2 **attempting. So let me reask both questions.**  
3 **Are you aware of any GBM donors or**  
4 **clients who have run for office?**  
5 A. No.  
6 **Q. Are you aware of any GBM -- other than**  
7 **yourself --**  
8 A. Uh-huh.  
9 **Q. -- are you aware of any GBM staffers who**  
10 **have run for office?**  
11 A. A former staffer ran for office years  
12 ago.  
13 **Q. Who was that?**  
14 A. State Senator Merika Coleman.  
15 **Q. And did she run for state senate?**  
16 A. Yes.  
17 **Q. In what district, do you recall?**  
18 A. District 57.  
19 **Q. When was that?**  
20 A. That's a good question. Around 2006  
21 maybe.  
22 **Q. Do you recall if she had any issues**  
23 **qualifying to run?**



Page 121

1 MR. ROSBOROUGH: Object to the form.  
2 A. I don't recall because staff and board  
3 are not allowed to be engaged. She took time off.  
4 Not allowed to be engaged in any kind of way with  
5 a campaign. Same way when I ran for mayor.  
6 Persona non grata.  
7 **Q. Was her campaign successful?**  
8 A. Yes.  
9 **Q. What party did she run with?**  
10 A. She ran Democratic party.  
11 **Q. Did she run after 2006, any other time**  
12 **after 2006?**  
13 A. Well, after she won, she quit her job.  
14 But she got another job.  
15 **Q. Yeah.**  
16 A. Several jobs since then. But yeah.  
17 **Q. Do you know whether she ran then? For**  
18 **state senate again?**  
19 A. Yes, until recently. Well, yes. Yeah,  
20 she did run. I forgot -- when was the last state  
21 senate race? 2023, I guess. Yeah, yeah.  
22 **Q. So was she successful?**  
23 A. Yes.

Page 122

1 **Q. On several occasions?**  
2 A. Yes.  
3 **Q. Do you recall at all what party she ran**  
4 **with?**  
5 A. Still Democratic party.  
6 **Q. Are you aware of any GBM board members**  
7 **who have run for office?**  
8 A. No.  
9 **Q. Are you aware of any other GBM staffers**  
10 **who have run for office?**  
11 A. No.  
12 **Q. Have you had any communications since**  
13 **January 1st, 2016, with any GBM clients who said**  
14 **they wanted to be more politically engaged but**  
15 **believed they couldn't be because they couldn't**  
16 **engage with the Democratic party in Alabama?**  
17 MR. ROSBOROUGH: Object to the form.  
18 A. No.  
19 **Q. (BY MR. TAUNTON:) Have you had any**  
20 **communications since January 1st of 2016 with any**  
21 **donors to GBM who have said they wanted to be more**  
22 **politically engaged but couldn't be because they**  
23 **couldn't engage with the Democratic party in**

Page 123

1 **Alabama?**  
2 MR. ROSBOROUGH: Object to the form.  
3 A. No.  
4 **Q. (BY MR. TAUNTON:) I'll repeat the whole**  
5 **question again but going to ask roughly the same**  
6 **thing for the Republican party.**  
7 Have you had any communication since  
8 January 1st, 2016, with any GBM clients who said  
9 they wanted to be more politically engaged but  
10 couldn't be because they couldn't engage with the  
11 Democratic party in Alabama?  
12 MR. ROSBOROUGH: Object to the form.  
13 A. No.  
14 **Q. (BY MR. TAUNTON:) Have you had any**  
15 **communications with anyone since January 1st of**  
16 **2016 with any donors to GBM who said they wanted**  
17 **to be more politically engaged but couldn't be**  
18 **because they couldn't engage with the Republican**  
19 **party in Alabama?**  
20 MR. ROSBOROUGH: I object to the form.  
21 A. No.  
22 **Q. (BY MR. TAUNTON:) How about the same**  
23 **question for staff regarding the Democratic party**

Page 124

1 **in Alabama?**  
2 MR. ROSBOROUGH: Same objection.  
3 **Q. (BY MR. TAUNTON:) Have you had any**  
4 **communications where they said they couldn't be**  
5 **involved; that --**  
6 A. No.  
7 **Q. How about with staff for the Republican**  
8 **party in Alabama?**  
9 A. No.  
10 MR. ROSBOROUGH: Same objection.  
11 **Q. (BY MR. TAUNTON:) Do you know whether it**  
12 **is true that in Alabama today, the black preferred**  
13 **candidate is usually a Democrat?**  
14 MR. ROSBOROUGH: I object to the form.  
15 A. Yeah, today -- today. Not always but  
16 today recently, yes.  
17 **Q. (BY MR. TAUNTON:) Has that been true for**  
18 **the last 10 years?**  
19 A. The last 10 years? Yes. Last 20 years,  
20 no.  
21 **Q. Is the black preferred candidate usually**  
22 **a Democrat in the United States nationally today?**  
23 MR. ROSBOROUGH: Object to the form.

Page 125

1 A. I wouldn't know.  
2 **Q. (BY MR. TAUNTON:) You don't know. Okay.**  
3 **Do you have any idea -- well, you've run**  
4 **for office yourself. Do you have any idea what it**  
5 **takes to run a competitive campaign?**  
6 MR. ROSBOROUGH: I object to the form.  
7 A. Yes.  
8 **Q. (BY MR. TAUNTON:) Does it take a solid**  
9 **candidate?**  
10 MR. ROSBOROUGH: I object to the form.  
11 A. Define solid.  
12 **Q. (BY MR. TAUNTON:) Would prior political**  
13 **experience help?**  
14 A. Yes and no.  
15 **Q. How not?**  
16 A. If there's great angst with the  
17 incumbents, the idea is a fresh candidate who is  
18 not bought off or is more accountable to the  
19 voters gets -- is an appeal.  
20 **Q. Would the prior political knowledge**  
21 **typically help a candidate run a campaign?**  
22 A. Yes.  
23 MR. ROSBOROUGH: Object to the form.

Page 126

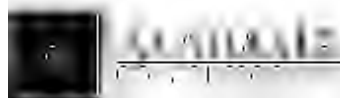
1 **Q. (BY MR. TAUNTON:) But you're saying that**  
2 **from a public perception standpoint, sometimes**  
3 **incumbents aren't favored?**  
4 MR. ROSBOROUGH: I object to the form.  
5 A. That's correct.  
6 MR. ROSBOROUGH: I'm sorry. Can you  
7 clarify are these questions to Mr. Douglas in his  
8 individual capacity or to Greater Birmingham  
9 Ministries? Just so the record is clear.  
10 THE WITNESS: Okay, yeah.  
11 **Q. (BY MR. TAUNTON:) You do have some**  
12 **personal knowledge on this, so that's an**  
13 **interesting question.**  
14 **Does Greater Birmingham Ministries have**  
15 **any knowledge of what it takes to run a**  
16 **competitive campaign?**  
17 A. No.  
18 **Q. Speaking personally, does a competitive**  
19 **campaign often require funding?**  
20 MR. ROSBOROUGH: Objection.  
21 You can answer.  
22 A. Yes.  
23 **Q. (BY MR. TAUNTON:) Would it be helpful to**

Page 127

1 **engage in canvassing?**  
2 MR. ROSBOROUGH: Objection.  
3 You can answer.  
4 A. Yes.  
5 **Q. (BY MR. TAUNTON:) Door to door**  
6 **campaigning? Would that be helpful?**  
7 MR. ROSBOROUGH: Objection.  
8 A. Yes.  
9 **Q. (BY MR. TAUNTON:) Speaking engagements,**  
10 **attending speaking engagements, would that help?**  
11 MR. ROSBOROUGH: Objection.  
12 A. Yes, based on the audience.  
13 **Q. (BY MR. TAUNTON:) Taking out print ads,**  
14 **would that be helpful?**  
15 MR. ROSBOROUGH: Objection.  
16 A. Yes.  
17 **Q. (BY MR. TAUNTON:) Media ads, would that**  
18 **be helpful?**  
19 MR. ROSBOROUGH: Objection.  
20 A. Yes.  
21 **Q. (BY MR. TAUNTON:) Social media ads,**  
22 **would that be helpful?**  
23 MR. ROSBOROUGH: Objection.

Page 128

1 A. Yes.  
2 **Q. (BY MR. TAUNTON:) In general, to run --**  
3 **well, let me back up.**  
4 **If we assume a contested election, in**  
5 **general, to run a competitive campaign, does a**  
6 **person have to do more than announce their**  
7 **candidacy and qualify for an election to be**  
8 **competitive?**  
9 MR. ROSBOROUGH: I object to the form.  
10 A. Mostly, yes.  
11 **Q. (BY MR. TAUNTON:) Would the failure to**  
12 **do some of the things we just talked about make a**  
13 **candidate less competitive?**  
14 MR. ROSBOROUGH: I object.  
15 A. It would most candidates.  
16 **Q. (BY MR. TAUNTON:) Have you ever seen**  
17 **examples in this state of people running paper**  
18 **campaigns: announcing their candidacy, qualifying**  
19 **for the election, but then doing very little else?**  
20 MR. ROSBOROUGH: Objection.  
21 A. But then doing?  
22 **Q. (BY MR. TAUNTON:) Very little additional**  
23 **campaigning?**



Page 129

1 A. Not to my knowledge.  
2 **Q. You've never seen that?**  
3 A. No. Because I didn't know they were  
4 running if they do that.  
5 **Q. Speaking personally, have you ever had**  
6 **the experience of seeing somebody's name on a**  
7 **ballot that you didn't realize was running?**  
8 MR. ROSBOROUGH: Objection.  
9 A. Yes.  
10 **Q. (BY MR. TAUNTON:) Do you try to remain**  
11 **politically informed?**  
12 MR. ROSBOROUGH: Objection.  
13 A. Yes.  
14 **Q. (BY MR. TAUNTON:) Do you know whether**  
15 **Greater Birmingham Ministries -- well, Greater**  
16 **Birmingham Ministries produces voting guides for a**  
17 **number of elections; is that right?**  
18 A. That is correct.  
19 **Q. Has Greater Birmingham Ministries ever**  
20 **had the experience in putting those voting guides**  
21 **together of discovering candidates were running**  
22 **that they had not previously realized were**  
23 **running?**

Page 130

1 MR. ROSBOROUGH: Objection.  
2 A. Yes. We always refer to the Secretary of  
3 State's Office.  
4 **Q. (BY MR. TAUNTON:) Do you occasionally**  
5 **find candidates running in elections that you**  
6 **previously had no knowledge of?**  
7 MR. ROSBOROUGH: Objection.  
8 A. Yes, particularly the state legislature,  
9 less so for local, Jefferson County area.  
10 **Q. (BY MR. TAUNTON:) Do you find that one**  
11 **party in this state has more instances of that**  
12 **than another party?**  
13 MR. ROSBOROUGH: Objection. And I'm also  
14 just going to say I think this is outside the  
15 scope of topics on the list here. I'm not  
16 instructing him not to answer, but I think we're  
17 outside the scope here.  
18 MR. TAUNTON: I'm asking about, you know,  
19 in putting together those voter guides. So that's  
20 for us to discuss, but --  
21 A. Yes. Our voting guides list is based on  
22 the Secretary of State and once the qualifying  
23 deadline's over. The candidates part.

Page 131

1 **Q. We've talked a little bit about Greater**  
2 **Birmingham Ministries's decision to get involved**  
3 **in the Stone lawsuit. Let me ask you this**  
4 **specifically. Before getting involved in the**  
5 **Stone lawsuit, without revealing communication**  
6 **with counsel, what concerned Greater Birmingham**  
7 **Ministries about the districts in Huntsville area?**  
8 MR. ROSBOROUGH: Objection.  
9 You can answer.  
10 A. What concerned Greater Birmingham  
11 Ministries about the districts in the Huntsville  
12 area is that it too is represented in the entire  
13 state legislature. And the results coming out of  
14 Huntsville accrue to the legislature in some  
15 proportion. That's what got our interest.  
16 **Q. (BY MR. TAUNTON:) Was there anything**  
17 **about the district lines that concerned you?**  
18 MR. ROSBOROUGH: Objection.  
19 A. What concerned us about the district  
20 lines the way they were drawn under the last  
21 redistricting was that it packed African Americans  
22 into one and it could have been two black  
23 preference districts if they had not been packed

Page 132

1 into one. Or there could have been one black  
2 preference district. Sorry.  
3 **Q. (BY MR. TAUNTON:) Do you understand that**  
4 **new districts were drawn after the 2010 census?**  
5 A. I do.  
6 **Q. Were you involved in any way in the**  
7 **Alabama Legislative Black Caucus case following**  
8 **the 2010 census?**  
9 A. No.  
10 **Q. Do you know that as a result of that**  
11 **case, certain districts were redrawn in 2017,**  
12 **certain senate districts?**  
13 A. I do. Yes.  
14 **Q. Do you know how the -- let me do this.**  
15 **(Defendants' Exhibit 7 was marked**  
16 **for identification and copy of**  
17 **same is attached hereto.)**  
18 **Q. Have you seen what I have marked as**  
19 **Defendants' Exhibit 7 before?**  
20 A. I'm not certain this particular one.  
21 **Q. Do you know what this is?**  
22 A. This is a map -- I don't understand what  
23 the percentages represent -- of districts. This

Page 133

1 is a county map.  
2 **Q. This -- I'll go ahead -- I'll go ahead**  
3 **and --**  
4 A. Oh, it's the districts overlaying the  
5 counties. Yeah.  
6 **Q. And this is the state senate districts**  
7 **overlaying the counties?**  
8 A. Yes.  
9 **Q. And I'll tell you it's not really going**  
10 **to be hugely relevant to any of my questions, I**  
11 **don't think. But the percentages --**  
12 A. With my eyesight, it's not even visible.  
13 **Q. The percentages refer to differences in**  
14 **population.**  
15 A. Oh, okay. I guess some kind of mean or  
16 something? Yeah.  
17 **Q. Why are districts redrawn after each**  
18 **decennial census?**  
19 MR. ROSBOROUGH: Object to the form.  
20 A. It's required by the U.S. Constitution.  
21 **Q. (BY MR. TAUNTON:) And what specifically**  
22 **in the constitution requires it, do you know?**  
23 A. For the purposes of redistricting.

Page 134

1 **Q. What is the goal of reapportionment after**  
2 **the decennial census?**  
3 A. Reapportionment after the decennial  
4 census is important to account for population  
5 variances since the previous census.  
6 **Q. So is one of the goals then to ensure**  
7 **that all legislative districts are of roughly**  
8 **equal population?**  
9 MR. ROSBOROUGH: Objection.  
10 A. Yes, that's one of the goals.  
11 **Q. (BY MR. TAUNTON:) And do you know what**  
12 **the census showed about population changes in**  
13 **Huntsville area to the prior legislative**  
14 **districts?**  
15 MR. ROSBOROUGH: Objection.  
16 A. I do not know in granular detail. I  
17 didn't look at that. I looked at the other  
18 information.  
19 **Q. (BY MR. TAUNTON:) So do you know which**  
20 **districts in the Huntsville area had the most**  
21 **population after the census?**  
22 A. Which districts?  
23 **Q. Yes, sir.**

Page 135

1 MR. ROSBOROUGH: Objection.  
2 A. No. I don't know if it was Senate  
3 District 2 or something else.  
4 **Q. (BY MR. TAUNTON:) Do you know which ones**  
5 **had the least -- in Huntsville area, which**  
6 **districts had the least population?**  
7 A. No, I do not.  
8 **Q. Do you understand that if a district**  
9 **had -- do you know what the ideal population of a**  
10 **district is?**  
11 MR. ROSBOROUGH: Objection.  
12 A. I forgot the last number based on the  
13 last census. It changes every census.  
14 **Q. (BY MR. TAUNTON:) So without knowing a**  
15 **specific number, do you know what it means -- what**  
16 **the ideal population, what that means, what that**  
17 **concept is?**  
18 A. Yes.  
19 **Q. What is that concept generally?**  
20 A. It generally means numerically equal  
21 representation among all the districts.  
22 **Q. So if a district is too far above the**  
23 **ideal population, does it have to lose people out**

Page 136

1 **of its district?**  
2 MR. ROSBOROUGH: Objection.  
3 A. Yes. If a -- yeah. Yes.  
4 **Q. (BY MR. TAUNTON:) And if it's too far**  
5 **below, does it need to gain people into its**  
6 **district?**  
7 A. Yes.  
8 **Q. Okay. Do you know how, looking back at**  
9 **Defendants' Exhibit 7, do you know how these lines**  
10 **differ from the map in 2017, senate district map**  
11 **in 2017?**  
12 A. I don't recall with detail.  
13 **Q. Okay. Before joining this lawsuit and**  
14 **determining to become a plaintiff, what concerned**  
15 **you about District 25?**  
16 MR. ROSBOROUGH: Object to the form.  
17 A. Before coming to this lawsuit, what  
18 concerned me about District 25 is its relationship  
19 to District 26.  
20 **Q. (BY MR. TAUNTON:) And what specifically**  
21 **about that concerned you?**  
22 A. In the latest redistricting, African  
23 Americans were packed into District 25 or maybe



Page 137

1 vice versa, and whites were moved to the other  
 2 district. To get equal numbers. They did it by  
 3 packing African Americans and moving out whites to  
 4 the other district.  
 5 **Q. Do you know how Defendants' Exhibit 7,**  
 6 **this plan, differs from the 2017 plan?**  
 7 A. No, I don't recall specifically.  
 8 **Q. Do you know what districts or precincts**  
 9 **were moved between the two?**  
 10 MR. ROSBOROUGH: Objection.  
 11 A. The information that I saw talked more  
 12 about numbers and racial demographics.  
 13 **Q. (BY MR. TAUNTON:) When did you see that?**  
 14 A. Soon after this -- not the '17. Soon  
 15 after this map came out or a variation of this  
 16 map. From the senate.  
 17 **Q. Without disclosing to me anything you**  
 18 **discussed with counsel, how did you come to see**  
 19 **that?**  
 20 A. How did I come to see that?  
 21 **Q. Yeah.**  
 22 A. A -- the map was released very late in  
 23 the process. And I became aware of it through

Page 138

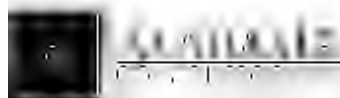
1 either the media or some of the groups studying  
 2 the issue.  
 3 **Q. Do you know why it was released late in**  
 4 **the process?**  
 5 A. I have no idea.  
 6 **Q. Do you know when the legislature received**  
 7 **census data?**  
 8 A. I knew it was later than usual, but --  
 9 but, yeah. It was very late getting it out.  
 10 **Q. You said earlier that you thought the**  
 11 **black preferred candidate in Alabama 20 years ago**  
 12 **may not have been a Democrat?**  
 13 A. Twenty years ago, yes.  
 14 **Q. Why do you think that's changed in the**  
 15 **last 20 years?**  
 16 MR. ROSBOROUGH: Object to the form.  
 17 A. I believe that has changed in the last 20  
 18 to 25 years because the Republican candidates who  
 19 could be preferred by African Americans never win  
 20 the primaries anymore. And the ones who do win  
 21 the primaries are definitely not preferred  
 22 candidates for African Americans.  
 23 **Q. (BY MR. TAUNTON:) So you think the type**

Page 139

1 **of Republican candidate who won primaries 20 years**  
 2 **ago could have been preferred by black Alabamians?**  
 3 A. I know in Jefferson County, for instance,  
 4 a lot of African Americans voted for John Buchanan  
 5 for congress. Some considered voting for him as a  
 6 Whig when he couldn't run as a Republican because  
 7 of his stand over the Civil Rights Act of 1964 and  
 8 other civil rights issues that concerned African  
 9 Americans.  
 10 **Q. Can you think of other examples?**  
 11 MR. ROSBOROUGH: Object to the form.  
 12 You can answer.  
 13 A. Yes. In Jefferson County, there have  
 14 been some split black support for Republican  
 15 county commissioners in Jefferson County. Maybe  
 16 even a sheriff or two. Yeah.  
 17 **Q. (BY MR. TAUNTON:) Can you think of who**  
 18 **those commissioners might have been?**  
 19 A. It's hard because I don't know when they  
 20 switched from Democrat to Republican. I couldn't  
 21 nail that down. But, yeah.  
 22 **Q. Did the candidates switch?**  
 23 A. Yeah.

Page 140

1 **Q. Okay. Do you know which candidates**  
 2 **switched?**  
 3 A. Bettye Fine Collins in particular. Not  
 4 as much on a county level as on a legislative  
 5 level, whole bunch of switching going on.  
 6 **Q. Have you ever seen the reapportionment**  
 7 **committee's 2021 guidelines for the 2020**  
 8 **redistricting cycle? Have you ever seen that**  
 9 **document?**  
 10 A. I have seen it, but I can't recall it  
 11 specifically.  
 12 **Q. Did you examine it in any detail?**  
 13 A. In some detail. More casually.  
 14 **Q. What criteria do you think should be**  
 15 **considered when drawing districts?**  
 16 MR. ROSBOROUGH: Object to the form.  
 17 A. Other than, of course, the mandated parts  
 18 about close -- equality between districts.  
 19 Because of, I believe, the Voting Rights Act,  
 20 districts cannot be drawn to diminish African  
 21 Americans' participation in lines as drawn using  
 22 non-approved methods of moving them out of the  
 23 district or non-approved reasons for moving them





Page 141

1 out of the district. Or into a district.

2 **Q. Do you think that if an additional**  
3 **minority district can be drawn it needs to be**  
4 **drawn?**

5 A. I do.

6 MR. ROSBOROUGH: Object to the form.

7 **Q. (BY MR. TAUNTON:) What was your answer?**  
8 **I'm sorry.**

9 A. I'm sorry. I do.

10 **Q. What other criteria would you consider**  
11 **when drawing districts?**

12 MR. ROSBOROUGH: Object to the form.

13 A. Other criteria other than numeric  
14 equality and a racial composition that's  
15 nondiscriminatory? All I understand too is they  
16 prefer to keep counties intact as possible and  
17 also to be contiguous as possible.

18 **Q. (BY MR. TAUNTON:) What would you**  
19 **consider a racial makeup of a district that is**  
20 **nondiscriminatory? Do you have a general sense**  
21 **for that?**

22 MR. ROSBOROUGH: I object to the form.

23 A. What I think is the nondiscriminatory

Page 142

1 nature of a racial population of a district is  
2 more dependent on how it was achieved and why it  
3 was achieved and what purpose is it going to  
4 serve.

5 **Q. (BY MR. TAUNTON:) So explain to me a**  
6 **little bit about that. When you say how it was**  
7 **achieved, what would that mean?**

8 A. If it could be determined that it could  
9 be a black preferred candidate preferred district  
10 in one variation or even perhaps other variations  
11 but it is not as a result because of moving whites  
12 in or African Americans out or vice versa, that's  
13 what I mean by how it is achieved from the  
14 previous districts as a comparison.

15 **Q. Do you know if race was considered when**  
16 **drawing the legislative map sitting in front of**  
17 **you, Defendants' Exhibit 7?**

18 MR. ROSBOROUGH: Object to the form.

19 A. I understand the drawers did consider it.

20 **Q. (BY MR. TAUNTON:) The drawers? I'm**  
21 **sorry.**

22 A. I'm sorry. The mapmaker -- the senate.  
23 The senate, yes.

Page 143

1 **Q. The senate did consider it?**

2 A. Yes.

3 **Q. Would your opinion of that and any other**  
4 **districts change if you discovered that the senate**  
5 **had not considered race when drawing the maps?**

6 MR. ROSBOROUGH: Object to the form.

7 A. I understand knowing the Alabama Senate  
8 majority, they said they didn't consider race.  
9 Doesn't mean they didn't.

10 **Q. (BY MR. TAUNTON:) Do you understand**  
11 **whether -- well, okay. So explain that to me.**  
12 **How do you think that the senate would have**  
13 **considered race?**

14 MR. ROSBOROUGH: Objection to the form.

15 A. In Alabama's history, it has been part of  
16 all the redistricting efforts in Alabama history  
17 to consider race.

18 **Q. (BY MR. TAUNTON:) Do you know whether**  
19 **the mapmaker looked at race when drawing the map**  
20 **sitting in front of you?**

21 MR. ROSBOROUGH: Object to the form.

22 A. I don't know the mapmaker. I just know  
23 the senate.

Page 144

1 **Q. (BY MR. TAUNTON:) Do you know the**  
2 **process, the legislative process that resulted in**  
3 **this map being drawn?**

4 MR. ROSBOROUGH: Object to the form.

5 A. All I know is that the senate is  
6 responsible for the senate map. The house is  
7 responsible for the legislative map. They had  
8 several public hearings, all but one of them  
9 between daily work hours for most working people.  
10 So there was less input than there would have been  
11 from the public.

12 **Q. (BY MR. TAUNTON:) Do you know the racial**  
13 **makeup of the city of Huntsville and surrounding**  
14 **counties?**

15 MR. ROSBOROUGH: I object to the form.

16 A. All I know is the city of Huntsville is  
17 now the largest city in the state by recent  
18 developments. That's it.

19 **Q. (BY MR. TAUNTON:) Do you know the racial**  
20 **makeup of Montgomery and the surrounding counties?**

21 MR. ROSBOROUGH: Object to the form.

22 A. I know that percentagewise, Montgomery  
23 has a larger number of African Americans than

Page 145

1 Huntsville metro area does.  
2 **Q. (BY MR. TAUNTON:) Do you know what the**  
3 **racial makeup of the senate districts in the 2017**  
4 **map was?**  
5 A. I can't recall.  
6 **Q. What do you want the court to do in the**  
7 **Stone lawsuit?**  
8 A. In the Stone lawsuit, I want the state  
9 to -- the court, rather. I want the court to  
10 cause the establishment of a black preferred  
11 candidate district in the Huntsville area and two  
12 black preferred districts in the -- additional  
13 black candidate districts in the Montgomery area.  
14 **Q. Is there anything else you want the court**  
15 **to do?**  
16 A. Probably. If they do that, it will take  
17 care of most of my concerns.  
18 **Q. What do you want the court to do in the**  
19 **Milligan lawsuit?**  
20 A. Under my understanding, the Milligan  
21 lawsuit is kind of like under an injunction. And  
22 I'd like the court to make it permanent.  
23 **Q. All right. I want to circle back real**

Page 146

1 **quick on Defendants' Exhibit 4 and 5. I want to**  
2 **be sure that I fully understood your testimony**  
3 **earlier.**  
4 If you could take a look again at  
5 Defendants' Exhibit 4. Is it your testimony that  
6 this exhibit, Defendants' Exhibit 4, is the  
7 current version of Greater Birmingham Ministries's  
8 bylaws?  
9 A. Yes.  
10 **Q. Do you believe that -- well, let me ask**  
11 **this. Could Defendants' Exhibit 5 have been**  
12 **drafted at a later time after November of 2015?**  
13 MR. ROSBOROUGH: You said Exhibit 5?  
14 MR. TAUNTON: Yes.  
15 A. No.  
16 **Q. No?**  
17 A. Not after.  
18 **Q. Could it have been -- well --**  
19 A. You say is it drafted after?  
20 **Q. Yes, sir.**  
21 A. No.  
22 **Q. Could it have been a draft that was**  
23 **considered by the board of directors but then**

Page 147

1 **rejected in favor of a different amendment?**  
2 A. The intent was Exhibit 5. The red came  
3 in later.  
4 **Q. Can you think of any reason that the red**  
5 **language in Defendants' Exhibit 5 would not be**  
6 **reflected in Defendants' Exhibit 4?**  
7 A. The key is -- I cannot explain in this  
8 examination. The key is that in the complete copy  
9 of the bylaws, there is no previous mention of  
10 individual members until this bylaws change.  
11 There was no such thing as individual members in  
12 our bylaws period before November '15. Before  
13 being adopted in November '15.  
14 **Q. And again, is it your understanding that**  
15 **the highlighted language in Defendants' Exhibit 4**  
16 **is language that was adopted by amendment in 2015?**  
17 A. Correct.  
18 **Q. Okay. Other than that highlighted**  
19 **language, are you aware of any other amendment**  
20 **that was adopted to these bylaws in November of**  
21 **2015?**  
22 A. No. I suggest that the highlighting was  
23 added in response to the request for the whole

Page 148

1 thing, for the whole amendments. Yeah. But no.  
2 **Q. If you take a look at Defendants'**  
3 **Exhibit 5, up at the top it says relevant GBM**  
4 **bylaws information. Do you see that?**  
5 A. Yes.  
6 **Q. Do you know what the word relevant means?**  
7 A. Relevant to membership. It's really got  
8 two titles.  
9 **Q. Is there any version of Greater**  
10 **Birmingham Ministries's bylaws that is more**  
11 **current or restated or any things other than this**  
12 **document?**  
13 A. There's no more current. No amendments  
14 after that.  
15 **Q. Do you know when Defendants' Exhibit 5**  
16 **was created, this document?**  
17 A. December -- Exhibit 5 was created after  
18 several months of discussions. Our work group  
19 meets once a month. So it has to be at least two  
20 board meetings. So going back to early fall, late  
21 summer.  
22 **Q. And you're talking about back in 2015?**  
23 A. 2015, yes.

Page 149

1 Q. So you don't think Defendants' Exhibit 5  
2 could have been created more recently?  
3 A. Oh, no. No, no.  
4 Q. And I'll just be very honest. I just  
5 can't make these two documents talk to each other.  
6 That's what I can't figure out. Maybe your  
7 counsel can make them talk to each other, but I  
8 can't make them talk to each other.  
9 I'll ask you again. You think minutes  
10 might have been kept from the meeting in November  
11 of 2015?  
12 A. I'm quite sure minutes were kept and they  
13 were being recorded -- I'm trying to -- I don't  
14 know if they started doing electronically since --  
15 at that time.  
16 MR. TAUNTON: Can we take a five-minute  
17 break? I think I'm wrapping up. I just want to  
18 make sure.  
19 MR. ROSBOROUGH: Okay.  
20 (Recess.)  
21 Q. (BY MR. TAUNTON:) Mr. Douglas, did you  
22 pay any attention to what happened in the Alabama  
23 legislature after the Supreme Court upheld the

Page 150

1 district court's injunction of the congressional  
2 map?  
3 A. Repeat the question. Did I pay any  
4 attention?  
5 Q. Let me break it down.  
6 A. Okay.  
7 Q. In the Milligan lawsuit, is it your  
8 understanding that the district court enjoined the  
9 legislature's congressional district map?  
10 A. Correct. My understanding.  
11 Q. And is it your understanding that went up  
12 to the Supreme Court and the Supreme Court upheld  
13 that injunction?  
14 A. Yes.  
15 Q. Okay. Is it your understanding that  
16 after that, the legislature had an opportunity to  
17 draw a new district?  
18 A. Yes.  
19 Q. Okay. Did you pay any attention to that  
20 process?  
21 A. Yes.  
22 Q. Did you participate in any public  
23 hearings related to that process?

Page 151

1 A. No.  
2 Q. Did you attend any hearings related to  
3 that process?  
4 A. Yes.  
5 Q. Which hearings did you attend?  
6 A. I can't name the hearings. They were the  
7 hearings that were held at the federal courthouse  
8 several days.  
9 Q. Before the hearings held at the federal  
10 courthouse, did you attend any of the public  
11 hearings in Montgomery with the legislature?  
12 A. No.  
13 Q. Did you follow the process in Montgomery  
14 with the legislature?  
15 A. Yes.  
16 Q. Did you provide any input to the  
17 legislature as part of that process?  
18 A. On congressional districts? Yes.  
19 MR. ROSBOROUGH: Object to the form.  
20 Q. (BY MR. TAUNTON:) Yes. Yes, sir.  
21 MR. ROSBOROUGH: Are you asking him in  
22 his personal capacity or as GBM?  
23 Q. (BY MR. TAUNTON:) Did Greater Birmingham

Page 152

1 Ministries provide any input to the legislature?  
2 Other than through counsel or as part of  
3 this lawsuit, did Greater Birmingham Ministries  
4 provide any input to the legislature as part of  
5 that process?  
6 A. In two ways, no direct conversations with  
7 legislators, but we did participate in a couple of  
8 press conferences including in Montgomery.  
9 Q. And was that before or after the  
10 legislature had adopted maps?  
11 A. That's before.  
12 Q. Okay. Did anybody from Greater  
13 Birmingham Ministries speak, though, at any  
14 hearing to the legislature or anything like that?  
15 A. Not in any hearing.  
16 Q. Okay. You said one press conference was  
17 held in Montgomery?  
18 A. At least one.  
19 Q. Was there more than one?  
20 A. They were not close together. But the  
21 largest one, which is closer to the time they  
22 adopted one, is the one I attended, yeah.  
23 Q. Sitting here today, is there anything you

Page 153

**1 intend to testify about at trial that I've not**  
**2 asked you about?**

3 MR. ROSBOROUGH: I object to the extent  
4 that it calls for anything dealing with  
5 conversations with counsel.

6 To the extent you can answer that  
7 question without revealing conversations, you may  
8 answer.

**9 Q. (BY MR. TAUNTON:) Don't tell me that.**  
**10 But your intent, do you intend to testify?**

11 A. Do I intend to testify when?

**12 Q. I'm sorry. Without revealing**  
**13 conversations with counsel, do you intend to**  
**14 testify to anything at a trial in the Stone matter**  
**15 that I have not asked you about today?**

16 MR. ROSBOROUGH: Objection.

17 A. I don't know.

**18 Q. (BY MR. TAUNTON:) Sitting here today,**  
**19 can you think of anything?**

20 A. I can't -- I can think of several things.  
21 I don't know how realistic they are.

**22 Q. What would those things be?**

23 A. Why would we care? As a Birmingham-based

Page 154

1 organization with members across the state, why  
2 would we care?

**3 Q. Well, so tell me that. Why does Greater**  
**4 Birmingham Ministries care about districts drawn**  
**5 in Huntsville and Montgomery?**

6 A. Those are districts that have -- that  
7 send people to the state legislature. The state  
8 legislature impacts the entire state. Equity or  
9 fairness in redistricting impacts the entire  
10 state, not just the -- it's beneficial to the  
11 people in the district. It also impacts the  
12 policies of the entire state.

**13 Q. Other than that, is there anything else**  
**14 you sitting here today would intend to testify to**  
**15 at trial that we have not discussed?**

16 A. Not that I can think of.

**17 Q. Okay. How about in the Milligan case?**  
**18 Sitting here today, is there anything in the**  
**19 Milligan case that you would intend to testify to**  
**20 at trial that we have not discussed?**

21 MR. ROSBOROUGH: Objection.

22 A. Not that I can think of.

**23 Q. (BY MR. TAUNTON:) Before we close, is**

Page 155

**1 there anything sitting here today that you feel**  
**2 like has been unclear, that you feel like you need**  
**3 to correct about the testimony you've given?**

4 A. No.

**5 Q. Is there anything you think I should have**  
**6 asked you that I didn't?**

7 A. Heaven forbid. No.

8 MR. TAUNTON: I don't have any additional  
9 questions.

10 MR. ROSBOROUGH: Okay. Misty, do you  
11 have anything?

12 MS. MESSICK: I'm sorry. I didn't hear  
13 what he just said. Did you ask if I have any  
14 questions?

15 MR. ROSBOROUGH: Yeah, I'm sorry. Do you  
16 have any questions?

17 MS. MESSICK: I do not.

18 MR. ROSBOROUGH: Okay. Thank you.

19 I have just like a minute worth of  
20 questions probably.

21 MR. TAUNTON: Understood. Okay.

22 EXAMINATION

23 BY MR. ROSBOROUGH:

Page 156

**1 Q. Mr. Douglas, you recall being shown**  
**2 Exhibit 5?**

3 A. Yes.

**4 Q. Can you pull that up.**

5 A. Yes.

**6 Q. Regardless of when precisely this was**  
**7 enacted, do you have an understanding of whether**  
**8 Exhibit 5 currently reflects the membership**  
**9 policies of Greater Birmingham Ministries?**

10 A. Yes.

**11 Q. And what is that understanding?**

12 A. This is our operating understanding.

**13 Q. Okay.**

**14 Switching gears, do you recall being**  
**15 asked couple of questions about Merika Coleman?**

16 A. Yes.

**17 Q. And do you recall whether those questions**  
**18 concerned her running for and winning election to**  
**19 House District 57 and then to a senate district?**

20 A. Yes.

**21 Q. Are you aware if House District 57 in**  
**22 which she won election was a majority black**  
**23 district?**



Page 157

1 A. Yes.  
2 **Q. And is it?**  
3 A. It is today.  
4 **Q. And do you have any awareness of whether**  
5 **it was when she ran?**  
6 A. Yes.  
7 **Q. And what's your awareness?**  
8 A. It was.  
9 **Q. And same question as to the senate**  
10 **district in which Senator Coleman won election.**  
11 **Do you have any awareness of its demographics?**  
12 A. Yes.  
13 **Q. And what is your awareness?**  
14 A. My awareness is predominantly African  
15 American district, senate district.  
16 MR. ROSBOROUGH: I have no further  
17 questions.  
18 MR. TAUNTON: Couple of follow-up. And  
19 I'm not exactly sure. I mean, we'll see where we  
20 go with this.  
21 FURTHER EXAMINATION  
22 BY MR. TAUNTON:  
23 **Q. I have understood your testimony to be --**

Page 158

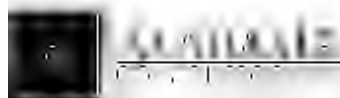
1 so please correct me if I'm wrong -- that  
2 **Defendants' Exhibit 4 is Greater Birmingham**  
3 **Ministries's current version of the bylaws.**  
4 A. That's my understanding, yes.  
5 **Q. You stated that Defendants' Exhibit 5**  
6 **reflects Greater Birmingham Ministries's operating**  
7 **understanding of its membership; is that right?**  
8 A. That's correct.  
9 **Q. What do you mean by operating**  
10 **understanding?**  
11 A. I mean by operating understanding that  
12 the -- our basic operating procedure is that, as I  
13 mentioned earlier, that individual members are  
14 non-governing and that it's open to the public and  
15 that it requires an annual amount -- low amount,  
16 really -- and these -- and the numbers we gave for  
17 our membership reflects this operation -- being in  
18 operation.  
19 **Q. Is it possible that Defendants' Exhibit 5**  
20 **has not in fact been formally adopted by Greater**  
21 **Birmingham Ministries?**  
22 A. It is -- I remember the vote. It has  
23 been formally adopted.

Page 159

1 **Q. Can you explain to me why Defendants'**  
2 **Exhibit 5 would not be reflected anywhere in**  
3 **Defendants' Exhibit 4?**  
4 A. No.  
5 MR. TAUNTON: I guess that's all I've  
6 got.  
7 MR. ROSBOROUGH: Okay. Nothing further  
8 from me.  
9 MS. MESSICK: Wait. I'm sorry.  
10 Technology problems.  
11 MR. ROSBOROUGH: Oh. We're all done  
12 questioning here, Misty.  
13 MS. MESSICK: Okay, well, I have a  
14 question because I couldn't understand everything  
15 that Michael just said.  
16 EXAMINATION  
17 BY MS. MESSICK:  
18 **Q. Mr. Douglas, did you say that Exhibit 5**  
19 **was formally adopted by the GBM board of**  
20 **directors?**  
21 A. Yes.  
22 MS. MESSICK: Okay. Thank you.  
23 MR. TAUNTON: Nothing further.

Page 160

1 MR. ROSBOROUGH: Okay.  
2 (The deposition was concluded at  
3 5:22 p.m.)  
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Page 161

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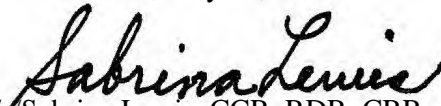
STATE OF ALABAMA  
AT LARGE

I hereby certify that the above and foregoing deposition of SCOTT DOUGLAS was taken down by me in stenotype and the questions and answers thereto were transcribed by means of computer-aided transcription, and that the foregoing represents a true and correct transcript of the testimony given by said witness upon said hearing.

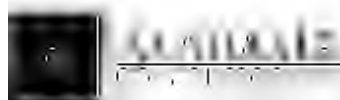
I further certify that I am neither of counsel, nor of kin to the parties to the action, nor am I in anywise interested in the result of said cause.

I further certify that I am duly licensed by the Alabama Board of Court Reporting as a Certified Court Reporter as evidenced by the ACCR number following my name found below.

So certified on this date, May 15, 2024.

  
/s/ Sabrina Lewis, CCR, RDR, CRR  
CCR #165, Expires 9/30/24  
Commissioner for the State of  
Alabama at Large  
My commission expires 5/8/27

<div> <div>Exhibits</div> <div> <p><b>Douglas DX-1</b> 24:3,6 30:10</p> <p><b>Douglas DX-2</b> 29:22 30:3,10</p> <p><b>Douglas DX-3</b> 29:22 30:3</p> <p><b>Douglas DX-4</b> 40:20 41:1 54:3 57:11,12 58:9, 13,14 60:9,17 61:5,15,16 146:1,5,6 147:6,15 158:2 159:3</p> <p><b>Douglas DX-5</b> 54:11,15 57:11 60:14,15,17,18,19, 20,21 61:4,11 146:1,11, 13 147:2,5 148:2,3,15,17 149:1 156:2,8 158:5,19 159:1,2,18</p> <p><b>Douglas DX-6</b> 63:11,15</p> <p><b>Douglas DX-7</b> 132:15, 19 136:9 137:5 142:17</p> </div> </div> <div> <div>#</div> <div> <p><b>#165</b> 161:21</p> </div> </div> <div> <div>\$</div> <div> <p><b>\$5</b> 49:2</p> </div> </div> <div> <div>1</div> <div> <p><b>1</b> 8:10,21 24:3,6 30:10</p> <p><b>1.2</b> 42:13 58:4</p> <p><b>10</b> 8:6 77:8 113:8 124:18, 19</p> <p><b>10004</b> 4:11</p> <p><b>105</b> 95:20</p> <p><b>125</b> 4:10</p> <p><b>132</b> 8:21</p> <p><b>13th</b> 24:5</p> <p><b>14</b> 71:18</p> <p><b>15</b> 147:12,13 161:16</p> <p><b>153</b> 110:10,22</p> </div> </div>	<div> <p><b>155</b> 8:6</p> <p><b>157</b> 8:7</p> <p><b>159</b> 8:7</p> <p><b>15th</b> 37:21 55:1</p> <p><b>16th</b> 39:18</p> <p><b>17</b> 137:14</p> <p><b>18th</b> 4:10</p> <p><b>1946</b> 16:7</p> <p><b>1960</b> 100:16,23 101:1,10 108:16,20,22 109:2,8</p> <p><b>1964</b> 139:7</p> <p><b>1972</b> 14:18 117:17</p> <p><b>1974</b> 54:9</p> <p><b>1976</b> 16:14</p> <p><b>1978</b> 109:23</p> <p><b>1979</b> 41:9,12</p> <p><b>1980</b> 101:5,9,11,15 109:13,15</p> <p><b>1982</b> 18:1 110:1</p> <p><b>1989</b> 17:13</p> <p><b>1991</b> 41:19 42:1 57:14</p> <p><b>1993</b> 17:17 20:17,23 21:3 41:13 101:22 102:3,7,13</p> <p><b>19th</b> 1:21 2:9 9:7</p> <p><b>1:15</b> 1:15,20 2:11 9:9</p> <p><b>1st</b> 122:13,20 123:8,15</p> </div> <div> <div>2</div> <div> <p><b>2</b> 8:12 29:22 30:3,10 64:6,7,18 135:3</p> <p><b>2,700</b> 52:12,13,20</p> <p><b>20</b> 46:15 124:19 138:11, 15,17 139:1</p> <p><b>20-</b> 108:11</p> <p><b>200</b> 37:11</p> <p><b>20001</b> 5:9</p> <p><b>2000s</b> 94:21</p> <p><b>2006</b> 120:20 121:11,12</p> <p><b>2009</b> 118:8</p> </div> </div>	<div> <p><b>2010</b> 73:10 78:4 132:4,8</p> <p><b>2014</b> 20:12 55:14 91:20 94:14 95:5,7</p> <p><b>2015</b> 41:10,19 54:8 55:1, 3,14,23 57:21 58:5,8,12, 20 59:21 61:1,2,20 146:12 147:16,21 148:22,23 149:11</p> <p><b>2016</b> 122:13,20 123:8,16</p> <p><b>2017</b> 132:11 136:10,11 137:6 145:3</p> <p><b>2018</b> 110:1</p> <p><b>202-968-4490</b> 5:10</p> <p><b>2020</b> 73:3,4 74:4 75:9,11 78:6 79:9,11 82:1,21 92:6 140:7</p> <p><b>2021</b> 140:7</p> <p><b>2022</b> 110:1,8</p> <p><b>2023</b> 37:9 59:4,8 121:21</p> <p><b>2024</b> 1:14,20 2:10 9:8 109:16 161:16</p> <p><b>205-251-8100</b> 6:10</p> <p><b>205-855-5700</b> 5:22</p> <p><b>20th</b> 5:20</p> <p><b>212-549-2500</b> 4:12</p> <p><b>23</b> 1:14,19 2:10 9:8</p> <p><b>24</b> 8:10 109:16</p> <p><b>25</b> 136:15,18,23 138:18</p> <p><b>250</b> 5:8</p> <p><b>2525</b> 5:20</p> <p><b>26</b> 136:19</p> <p><b>27</b> 89:6,8</p> <p><b>27th</b> 57:14 59:4</p> <p><b>2:21-cv-01291</b> 8:15</p> <p><b>2:21-cv-01531</b> 8:11,13</p> <p><b>2:21-cv-01536</b> 8:15</p> <p><b>2:21-cv-1531-amm</b> 1:3</p> </div> <div> <div>3</div> <div> <p><b>3</b> 8:14 29:22 30:3 64:5</p> <p><b>30</b> 8:12,14</p> </div> </div>	<div> <p><b>30(b)(6)</b> 1:11</p> <p><b>30(b)6</b> 8:10,12,14</p> <p><b>30-something</b> 119:1</p> <p><b>30-year</b> 108:11</p> <p><b>300152</b> 7:12</p> <p><b>301</b> 1:21 2:9 9:7</p> <p><b>306</b> 6:8</p> <p><b>334-242-7300</b> 7:14</p> <p><b>35</b> 95:20</p> <p><b>35201</b> 6:9</p> <p><b>35203</b> 5:21</p> <p><b>360</b> 27:4</p> <p><b>36130-0152</b> 7:13</p> </div> <div> <div>4</div> <div> <p><b>4</b> 40:20 41:1 54:3 57:11, 12 58:9,14 60:9,17 61:5, 16 64:4,17 146:1,5,6 147:6,15 158:2 159:3</p> <p><b>40</b> 8:16</p> <p><b>400</b> 5:8</p> <p><b>420</b> 5:20</p> <p><b>45</b> 119:1</p> <p><b>48</b> 94:22</p> <p><b>4th</b> 16:7</p> </div> </div> <div> <div>5</div> <div> <p><b>5</b> 8:18 54:11,15 57:11 60:15,17,19,20,21 61:4, 11 146:1,11,13 147:2,5 148:3,15,17 149:1 156:2, 8 158:5,19 159:2,18</p> <p><b>5/8/27</b> 161:23</p> <p><b>50</b> 94:22</p> <p><b>501</b> 7:11</p> <p><b>501(c)(3)</b> 38:16</p> <p><b>52</b> 38:22</p> <p><b>54</b> 8:18</p> <p><b>57</b> 120:18 156:19,21</p> <p><b>5:22</b> 160:3</p> </div> </div>
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**5th** 57:21 58:5,8,12,20  
 61:19

**6**

**6** 63:11,15

**60** 94:22

**63** 8:19

**64** 16:12

**69** 16:13 19:16

**7**

**7** 132:15,19 136:9 137:5  
 142:17

**71** 19:16

**73** 19:16

**74** 17:4,6

**75** 17:4

**76** 17:6,13

**78** 110:7

**79** 54:9

**8**

**82** 18:9 110:7

**85** 18:9

**89** 17:13

**9**

**9/30/24** 161:21

**91** 41:14 42:2

**92** 37:14

**93** 101:20 109:21

**A**

**aborted** 107:18

**absentee** 106:16

**accept** 88:3

**accepted** 37:20

**access** 35:2

**accessible** 114:15

**account** 134:4

**accountable** 125:18

**ACCR** 161:14

**accrue** 131:14

**accurate** 71:7 76:4 79:1  
 86:4

**accurately** 77:8

**achieve** 34:9 77:11  
 81:14 88:15

**achieved** 142:2,3,7,13

**acknowledge** 50:9

**Act** 101:11 139:7 140:19

**acting** 9:3

**action** 1:3 161:11

**active** 55:15

**actively** 81:17

**activities** 74:5

**added** 54:20 58:4 61:9  
 147:23

**addition** 59:21

**additional** 19:13 54:4  
 65:15,19 66:1 73:1 76:21  
 92:6 128:22 141:2  
 145:12 155:8

**address** 66:7,14 71:4  
 91:3,4,5 106:20

**addressing** 36:21 68:16  
 69:11

**adequate** 69:23 70:1  
 71:18

**administer** 35:22

**administrative** 62:3,4,8,  
 9

**administratively** 62:4

**adopted** 41:8,9 54:7,9  
 55:23 57:17 58:21  
 147:13,16,20 152:10,22  
 158:20,23 159:19

**ads** 127:13,17,21

**advance** 71:3

**advice** 87:23

**advocates** 84:6

**affecting** 78:9

**affiliate** 45:3,9

**affiliation** 46:17,21  
 92:12,14,16,19 93:6

**affirmatively** 50:9

**afford** 72:12

**affordable** 69:20

**African** 34:19 75:14,15,  
 21 77:9 81:2 88:18 89:6  
 92:11 96:17 102:6,9  
 111:9,10 131:21 136:22  
 137:3 138:19,22 139:4,8  
 140:20 142:12 144:23  
 157:14

**Afternoon** 31:18

**agencies** 36:9 68:23  
 90:2 111:23

**agency** 68:15

**agree** 9:18 12:16,19  
 36:16 48:21 51:7

**agreed** 2:3,13,20 3:6  
 9:16 115:20

**agreement** 50:9

**ahead** 56:6 87:12 88:5  
 100:18 101:8 102:19  
 103:16 104:1,8,18  
 108:18 110:4 133:2

**ahold** 86:9

**aimed** 115:23

**Alabama** 1:1,22 2:7,10  
 4:5 5:21 6:9 7:10,13 9:3,  
 4,8 16:14,15,17 33:19,  
 21,23 34:8,11 35:3 36:14  
 53:8 55:17 64:8 75:14,21  
 76:6 77:11 79:5,16 83:6  
 85:11 86:9 88:19 89:2,12  
 90:2,19 91:10,18 96:9,  
 12,17,18 97:13 102:7  
 107:23 108:15 110:13  
 111:1 115:15 122:16  
 123:1,11,19 124:1,8,12  
 132:7 138:11 143:7,16  
 149:22 161:3,13,22

**Alabama's** 78:14,16  
 95:16 143:15

**Alabamians** 75:3  
 100:12,15 102:1,2,8,17

108:15,19 109:10,12  
 112:10 139:2

**Allen** 1:8 7:3 11:8,11  
 21:16,19,21,23

**Allen's** 8:20 63:22

**alliance** 71:15

**allies** 83:17 84:14 85:8,9

**allowed** 121:3,4

**alternative** 70:11 115:2

**amend** 65:14

**amended** 21:15,22 22:3  
 41:10,11,15 57:19,20  
 60:13 64:14 110:10,15,  
 16,20

**amendment** 8:18 41:18,  
 19 42:1,2,4,7 54:8,18,22,  
 23 55:4,6,22 56:18 58:4,  
 21 61:2,8,11,14 147:1,  
 16,19

**amendments** 41:21  
 60:22 61:18 148:1,13

**American** 4:9 75:21  
 81:2 89:6 102:9 111:9  
 157:15

**Americans** 34:20 75:14,  
 16 77:9 88:19 92:11  
 96:17 102:7 111:11  
 131:21 136:23 137:3  
 138:19,22 139:4,9  
 142:12 144:23

**Americans'** 140:21

**amount** 158:15

**amplified** 92:10

**amplify** 75:13 88:18  
 96:16

**amplitude** 76:6

**amputation** 60:5

**analysis** 86:15 87:2  
 88:12 89:2 108:6

**analyze** 108:4

**ANDREW** 5:16

**ANDREWS** 5:16

**angles** 81:13

**angst** 125:16



**announce** 128:6  
**announcing** 128:18  
**annual** 83:4 158:15  
**annually** 49:6,7  
**answering** 72:19  
**answers** 13:8,9 71:6,7 161:7  
**anticipating** 30:17  
**anymore** 45:22 138:20  
**anywise** 161:11  
**apartments** 74:6  
**apologize** 110:18  
**appeal** 125:19  
**APPEARING** 4:3 5:3,14 6:3 7:3  
**application** 37:20 43:5, 9,13 48:11,13 53:23  
**applied** 37:19 75:5  
**apply** 37:16,18  
**apprise** 94:18  
**approached** 73:8  
**April** 1:14,19 2:10 9:8 23:15 27:9 28:7  
**area** 33:22,23 34:3,15,19 35:7,10 36:10 53:7,12, 15,18,19 62:6 130:9 131:7,12 134:13,20 135:5 145:1,11,13  
**areas** 36:4,18 62:19,22 76:22 77:15,22 97:4  
**Arise** 85:11  
**arm** 69:11  
**articulate** 112:20,23 113:2  
**asks** 64:11  
**assent** 51:5  
**assertion** 64:13 87:17  
**assess** 113:14  
**assign** 3:1  
**assistance** 36:6,7,8 45:1 69:2 106:18

**Assistant** 7:8  
**assume** 128:4  
**assuming** 22:11  
**attached** 24:4,8 29:19 30:1 40:22 54:13 63:13 132:17  
**attempting** 119:16,21, 22 120:2  
**attend** 151:2,5,10  
**attended** 152:22  
**attending** 71:2 127:10  
**attention** 56:17 149:22 150:4,19  
**attorney** 7:9 27:20 87:16  
**attorneys** 7:8 26:7,8 85:3,9 87:4,13,16,18,22 88:1  
**audibly** 12:20  
**audience** 127:12  
**August** 57:14  
**Avenue** 5:8 7:11  
**average** 81:5 109:23 110:6  
**averages** 109:17  
**aware** 31:1 41:21 100:6 102:16 103:1 105:14,17 112:1,9 119:15,18,19,20 120:3,6,9 122:6,9 137:23 147:19 156:21  
**awareness** 157:4,7,11, 13,14

## B

**back** 10:7 16:13 18:17 19:16 25:22 45:7 46:9 57:10 59:13,16 62:23 91:12 114:5,19 115:4 128:3 136:8 145:23 148:20,22  
**background** 16:5  
**backing** 20:4  
**bail** 67:18  
**Balch** 6:7

**ballot** 129:7  
**Ballotpedia** 100:19  
**Baptist** 39:18  
**based** 77:6 78:16 127:12 130:21 135:12  
**basic** 158:12  
**basis** 76:3,4 111:2  
**beds** 15:9  
**began** 17:16 18:1 55:2,3 95:16  
**begin** 17:14,22  
**beginning** 65:3  
**behalf** 4:3 5:3,14 6:3 7:3 11:4,21 82:10  
**believed** 77:2 122:15  
**believes** 34:6 35:9 112:18,21  
**believing** 95:19  
**Bell** 118:15  
**belong** 39:22  
**belonged** 15:21  
**beneficial** 154:10  
**benefit** 9:18  
**Bessemer** 70:5  
**Bettye** 140:3  
**big** 83:5 108:2 114:17  
**billing** 26:17,18  
**BILLINGSLEY** 5:15  
**Bingham** 6:7  
**biographical** 106:11  
**Birmingham** 1:22 2:9 4:5 5:21 6:9 8:10,12,14, 16 9:8 11:4,21 16:18,19, 22 17:1,15,17,18,20,23 20:17 34:1,13 35:5,16 36:10 37:2,4,8 38:12,13, 18 40:15,16 41:5 42:9 43:1 45:20,22 46:18 47:1,5,10,17,22 48:7,15 49:8,18 50:4,10,23 51:5, 6,15 52:1,7,17,23 53:5,6, 7,11 56:11,12 57:6,7 58:23 60:10 61:19,23 64:8,12,19,23 65:4,11,14

69:20 70:5,12,18 71:9 72:15 74:8,12 75:19 76:9,20 77:14,20 78:13, 21 79:8,15,16,17 80:3,20 81:5,9,22 82:9,14,20 83:6,9,18,21 84:1,9,18 85:4 88:11 90:6 91:17 93:13,23 95:10 97:15 98:2,7 99:4,18,22 100:3, 7,10 101:19 102:22 105:20 106:1 107:5,8,21 113:14 114:9 115:14,22 117:15 118:5,7,13 126:8, 14 129:15,16,19 131:2,6, 10 146:7 148:10 151:23 152:3,13 154:4 156:9 158:2,6,21  
**Birmingham's** 69:18,19 70:1 73:6  
**Birmingham-based** 153:23  
**birth** 16:6  
**bishop** 39:16  
**bishops** 40:12  
**bit** 40:13 54:3 71:22 73:5 81:21 101:9 131:1 142:6  
**black** 33:18 35:9 65:6 75:3 76:6 96:7 100:12,15 102:1,2,17 108:15,19 109:9,11 112:10 124:12, 21 131:22 132:1,7 138:11 139:2,14 142:9 145:10,12,13 156:22  
**blacks** 35:12  
**board** 35:23 37:17 38:19, 21,23 39:1,2,3,5,7,11,13 40:14,17,18 43:4,7 46:8 52:2,5,9 59:1,2,3,18 82:11 90:21 91:2 94:12, 15,22 95:1 119:20 121:2 122:6 146:23 148:20 159:19 161:13  
**board's** 94:19  
**BOBBY** 5:14  
**body** 40:15,16  
**bono** 26:19 86:11  
**bookcases** 15:9  
**books** 15:10  
**border** 53:9

**born** 16:8  
**bottom** 47:6 57:11,13  
 58:8,13  
**bought** 125:18  
**box** 6:8 7:12 51:11  
**brain** 40:10  
**break** 13:19,22 56:3,5,6  
 80:1 117:5 149:17 150:5  
**breakdown** 80:20  
**breaking** 113:9  
**briefly** 12:14 105:23  
**bring** 64:14  
**broad** 4:10 89:3 93:12  
**broadly** 80:1  
**broke** 15:19  
**brought** 56:16  
**Buchanan** 139:4  
**build** 71:16 72:4 93:16  
**building** 59:11 62:12  
 63:2  
**built** 72:6  
**bullet** 106:13  
**bunch** 140:5  
**burden** 115:3  
**Bureau** 73:8 83:5  
**burst** 59:5  
**bus** 72:13  
**business** 35:23  
**By-laws** 8:16,18  
**bylaws** 39:15 41:4,6,8,  
 14 42:7 43:15 54:5,6,18  
 57:17 58:20,21 60:9,10,  
 12 61:19 146:8 147:9,10,  
 12,20 148:4,10 158:3

## C

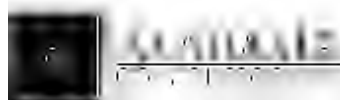
**cabinets** 59:12,14  
**Cahaba** 71:17  
**call** 18:4 27:13,19,21,23  
 36:20 50:15 62:15 72:8  
 73:11 74:17 94:15,16

106:7  
**called** 17:9 66:22 67:16  
 68:5 71:14 73:14 106:9  
 118:23  
**calls** 153:4  
**campaign** 104:21 118:2  
 119:5 121:5,7 125:5,21  
 126:16,19 128:5  
**campaigning** 127:6  
 128:23  
**campaigns** 104:22  
 128:18  
**Campbell-harris** 4:8  
**candidacy** 128:7,18  
**candidate** 103:10,22  
 119:10 124:13,21 125:9,  
 17,21 128:13 138:11  
 139:1 142:9 145:11,13  
**candidates** 103:13,18  
 106:10,11,15 128:15  
 129:21 130:5,23 138:18,  
 22 139:22 140:1  
**canvassing** 127:1  
**cap** 40:5  
**capacity** 14:12,13,15  
 78:9 86:20 126:8 151:22  
**card** 56:22  
**care** 81:15 145:17  
 153:23 154:2,4  
**carried** 93:18  
**cars** 15:7  
**case** 8:11,13,15 10:18  
 11:8,11,13,14 12:5,7,10  
 14:12 15:12,13,14,16  
 20:6,7,9,13 24:21 31:8,9  
 115:18,19 132:7,11  
 154:17,19  
**cases** 10:21,23 11:15  
 95:19

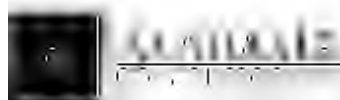
**cast** 107:22 108:2  
**CASTER** 5:4  
**casually** 140:13  
**Caucus** 132:7  
**caveat** 88:6 97:8

**caveats** 88:5  
**CCR** 1:19 161:21  
**census** 72:17,19 73:2,3,  
 4,8,20 74:10,14,16,21,23  
 75:10,22 76:2,4,5,10,20  
 77:23 78:4,14,21 79:1,2,  
 9,12 82:1,21 83:2,4,8,12,  
 15,22 86:8,14 87:1  
 88:13,14 91:20 92:6  
 132:4,8 133:18 134:2,4,  
 5,12,21 135:13 138:7  
**center** 69:21  
**central** 33:21,22  
**certified** 2:6 9:1 161:14,  
 16  
**certify** 9:3 161:6,10,13  
**CHANDLER** 4:4  
**change** 36:21 44:14  
 45:2,8 46:17 62:20 63:4  
 69:8,10,16 70:15 79:21  
 80:14,16 90:8,20 103:11  
 143:4 147:10  
**changed** 46:20 138:14,  
 17  
**charge** 99:15  
**check** 47:14 49:19 50:3  
 51:11  
**checkbox** 50:17 51:9  
**checking** 51:14  
**Childs** 1:20 2:8 9:6  
**choices** 60:1  
**choose** 39:11,14,17,19  
 40:3,4,8 81:10 84:19  
 85:4 106:6  
**choosing** 96:21  
**CHRIS** 6:4  
**Christian** 42:5,6,10  
**Christmas** 69:5  
**church** 39:18,19 43:19  
**churches** 39:22 40:2,7  
**churches'** 43:21  
**circle** 53:4 145:23  
**citizenship** 83:11,14

**city** 53:6 65:5 69:21 70:5  
 144:13,16,17  
**civic** 34:6,7 68:4,8 94:15,  
 16 104:11  
**civil** 1:3 4:9 9:4 139:7,8  
**claims** 15:16 33:15,16  
 64:14  
**clarify** 30:10 83:3 87:21  
 126:7  
**clear** 32:11 47:20 126:9  
**clever** 73:21  
**clients** 80:6 97:18 98:3  
 107:9,11,14 112:2,6  
 113:15,18 114:1,9  
 119:16 120:4 122:13  
 123:8  
**close** 118:16 140:18  
 152:20 154:23  
**closer** 152:21  
**closest** 50:16  
**clothing** 36:8 69:1  
**Club** 37:18  
**co-plaintiffs** 94:5  
**coalition** 18:10  
**Coleman** 120:14 156:15  
 157:10  
**collaboration** 36:12,17  
**collectively** 40:8  
**College** 82:6,8  
**Collins** 140:3  
**color** 69:14  
**commencing** 1:20 2:10  
 9:9  
**commission** 161:23  
**Commissioner** 3:8 9:3  
 161:22  
**commissioners**  
 139:15,18  
**committee** 17:10 18:5,7,  
 14 37:16 38:1 59:3 62:4,  
 5,9,10,11,12,13 94:18  
**committee's** 140:7  
**committees** 61:22 62:1,



<p>3,8,10,17,21</p> <p><b>common</b> 87:8,14</p> <p><b>commonly</b> 103:4</p> <p><b>communicating</b> 82:23</p> <p><b>communication</b> 123:7 131:5</p> <p><b>communications</b> 122:12,20 123:15 124:4</p> <p><b>communities</b> 36:15 39:16 43:10 55:15 67:7 68:22 119:8</p> <p><b>community</b> 36:11 44:13 62:19 63:5 66:23 67:2,4 70:11 71:16 79:21 80:9, 12 93:16</p> <p><b>Compare</b> 101:22</p> <p><b>comparison</b> 101:13 142:14</p> <p><b>competitive</b> 125:5 126:16,18 128:5,8,13</p> <p><b>complained</b> 15:7</p> <p><b>complaint</b> 21:11,13,16, 18,22 22:8 33:10,15 64:15 110:10,15,16,20</p> <p><b>complaints</b> 29:20</p> <p><b>complete</b> 147:8</p> <p><b>completed</b> 113:17</p> <p><b>completely</b> 63:9</p> <p><b>compliance</b> 2:16</p> <p><b>complicated</b> 71:1</p> <p><b>composition</b> 141:14</p> <p><b>computer-aided</b> 161:8</p> <p><b>concentric</b> 53:4</p> <p><b>concept</b> 135:17,19</p> <p><b>concerned</b> 131:6,10,17, 19 136:14,18,21 139:8 156:18</p> <p><b>concerns</b> 145:17</p> <p><b>concluded</b> 160:2</p> <p><b>conditions</b> 115:13</p> <p><b>conduct</b> 80:10,15 91:1</p> <p><b>conducted</b> 80:13</p>	<p><b>conference</b> 4:6 64:8 152:16</p> <p><b>conferences</b> 152:8</p> <p><b>congratulated</b> 118:3</p> <p><b>congregation</b> 42:22</p> <p><b>congregations</b> 39:4,18 42:16 43:10,22 55:9 67:7 69:7</p> <p><b>congress</b> 85:20 96:19 117:14,16 139:5</p> <p><b>congressional</b> 96:8 150:1,9 151:18</p> <p><b>Congressman</b> 118:1</p> <p><b>connection</b> 36:19</p> <p><b>consent</b> 65:16</p> <p><b>conservations</b> 87:23</p> <p><b>considered</b> 55:10 139:5 140:15 142:15 143:5,13 146:23</p> <p><b>constant</b> 69:3</p> <p><b>constituent</b> 67:6</p> <p><b>constitution</b> 79:6 133:20,22</p> <p><b>construction</b> 71:19</p> <p><b>contact</b> 53:23 99:11</p> <p><b>content</b> 12:6</p> <p><b>contested</b> 128:4</p> <p><b>context</b> 78:7</p> <p><b>contiguous</b> 141:17</p> <p><b>continued</b> 5:1 6:1 7:1 90:22</p> <p><b>continuously</b> 20:22</p> <p><b>contribute</b> 49:4,7</p> <p><b>contributed</b> 49:20 52:16</p> <p><b>contribution</b> 48:10,22, 23</p> <p><b>contributions</b> 45:6</p> <p><b>contributor</b> 50:1</p> <p><b>controversy</b> 71:20,22</p> <p><b>conversation</b> 46:14 85:16 87:3 88:9 105:13</p>	<p><b>conversational</b> 12:15</p> <p><b>conversations</b> 84:22 85:2,13,22 87:7,22 94:4, 5 152:6 153:5,7,13</p> <p><b>convicted</b> 114:7 118:23</p> <p><b>Cooper</b> 69:22</p> <p><b>copies</b> 30:1</p> <p><b>copy</b> 24:7 30:4 40:21 54:12 63:12 132:16 147:8</p> <p><b>core</b> 18:9 44:16</p> <p><b>corner</b> 57:13 58:9,13</p> <p><b>correct</b> 10:18,19 20:21 21:1 32:13 35:18 41:20 48:5 50:14 54:21 57:9, 15,22 58:6,15 64:10 65:8,18 90:9 93:4,20 98:5 99:17 101:21 102:15 105:22 110:17 126:5 129:18 147:17 150:10 155:3 158:1,8 161:8</p> <p><b>correlating</b> 60:16</p> <p><b>counsel</b> 2:5,22,23 9:6 22:12,23 23:2,4,8,13 24:3,18,20,21 25:13,19 26:19 27:7 28:13,16 31:12,17 84:23 88:10 94:4,6 97:11 131:6 137:18 149:7 152:2 153:5,13 161:11</p> <p><b>count</b> 53:11,14 73:11 74:2 83:23 103:5,6 104:6 112:19,21</p> <p><b>counted</b> 73:23 75:4 83:11</p> <p><b>counties</b> 80:7 133:5,7 141:16 144:14,20</p> <p><b>country</b> 83:23</p> <p><b>county</b> 65:6 66:5,17 70:4 71:13 76:16 80:4,5 114:16 130:9 133:1 139:3,13,15 140:4</p> <p><b>couple</b> 26:16 59:23 76:17 82:12 90:5 113:11 152:7 156:15 157:18</p> <p><b>courses</b> 19:13 20:2</p> <p><b>court</b> 1:1 2:6,17 9:1,12</p>	<p>15:14 46:10 145:6,9,14, 18,22 149:23 150:8,12 161:13,14</p> <p><b>court's</b> 150:1</p> <p><b>courthouse</b> 151:7,10</p> <p><b>courts</b> 70:5,6</p> <p><b>cover</b> 31:6</p> <p><b>covered</b> 93:11</p> <p><b>COVID</b> 74:5 116:13,15</p> <p><b>cracked</b> 75:17</p> <p><b>create</b> 76:21</p> <p><b>created</b> 18:10 96:11,16 148:16,17 149:2</p> <p><b>creating</b> 96:7</p> <p><b>creative</b> 73:10</p> <p><b>crime</b> 114:7</p> <p><b>criteria</b> 140:14 141:10, 13</p> <p><b>cross</b> 71:17</p> <p><b>CRR</b> 161:21</p> <p><b>culturally</b> 55:18</p> <p><b>current</b> 35:15 60:10,12 79:2 86:9 110:8 118:22 119:2 146:7 148:11,13 158:3</p> <p><b>cycle</b> 110:8 140:8</p> <hr/> <p style="text-align: center;"><b>D</b></p> <hr/> <p><b>daily</b> 144:9</p> <p><b>DARRYL</b> 5:16</p> <p><b>data</b> 54:1 76:10,20 77:3, 23 78:22 79:1,2 86:8,14 87:1 88:13,14 138:7</p> <p><b>date</b> 16:6 32:22 161:16</p> <p><b>Davin</b> 4:7 24:23 26:2 27:15 29:3 30:5 31:22</p> <p><b>Davis</b> 7:7</p> <p><b>day</b> 37:19 69:5</p> <p><b>daycares</b> 73:23</p> <p><b>days</b> 59:23 119:1 151:8</p> <p><b>Dayton</b> 4:8 29:3 31:22</p>
---	--	---	--



<p><b>DC</b> 5:9</p> <p><b>dcampbell-harris@aclu.org</b> 4:14</p> <p><b>de</b> 67:22</p> <p><b>de-idolizes</b> 67:22</p> <p><b>deadline's</b> 130:23</p> <p><b>dealing</b> 153:4</p> <p><b>dealt</b> 67:18</p> <p><b>decades</b> 89:3,12</p> <p><b>December</b> 16:7 148:17</p> <p><b>decennial</b> 74:16 133:18 134:2,3</p> <p><b>decent</b> 90:3</p> <p><b>decide</b> 93:23</p> <p><b>decided</b> 85:6</p> <p><b>decision</b> 94:9,10,11,12, 13 95:23 131:2</p> <p><b>dedicated</b> 59:22</p> <p><b>defendant</b> 7:3 8:20 9:19 63:22</p> <p><b>Defendants</b> 1:9 6:3</p> <p><b>defendants'</b> 24:3,6 29:22 30:3 40:20 54:11, 15 58:13 60:9,14,17,18 61:4,5,15 63:11,15 132:15,19 136:9 137:5 142:17 146:1,5,6,11 147:5,6,15 148:2,15 149:1 158:2,5,19 159:1,3</p> <p><b>defense</b> 78:16</p> <p><b>define</b> 98:15 109:14 125:11</p> <p><b>defined</b> 55:11</p> <p><b>degree</b> 19:22 99:8,21</p> <p><b>Democrat</b> 117:20 124:13,22 138:12 139:20</p> <p><b>democratic</b> 92:7 121:10 122:5,16,23 123:11,23</p> <p><b>demographic</b> 80:20</p> <p><b>demographics</b> 107:22 108:1 137:12 157:11</p> <p><b>denied</b> 34:14,20,23 35:1</p> <p><b>denomination</b> 39:10,22</p>	<p>40:1,4,6 42:22 43:23 44:1 45:14 46:22 47:3,9, 23</p> <p><b>denomination's</b> 46:12</p> <p><b>denominational</b> 52:14</p> <p><b>denominations</b> 39:4,9, 15 42:16 45:2,8,15 67:7</p> <p><b>densely</b> 53:5</p> <p><b>densest</b> 53:8</p> <p><b>Department</b> 15:2,3,4,18 114:18 116:12</p> <p><b>dependent</b> 142:2</p> <p><b>depends</b> 45:14 81:12</p> <p><b>deposition</b> 1:11,18 2:5, 14,15 3:3,7 8:10,12,14 10:15,17,20 11:7 14:2,11 20:13 21:8,9,20 22:5,21 23:4,9,14,17,22 24:4 25:9,13,18,20 27:8 28:14 30:21,22 31:2,3,4,8 32:9, 10,13 33:4,5,8 64:1 160:2 161:6</p> <p><b>depositions</b> 2:18 11:16</p> <p><b>depository</b> 60:4</p> <p><b>describe</b> 99:4 105:23 107:1,4</p> <p><b>describes</b> 42:17</p> <p><b>descriptions</b> 106:14</p> <p><b>detail</b> 134:16 136:12 140:12,13</p> <p><b>determine</b> 95:8 112:5</p> <p><b>determined</b> 39:8 142:8</p> <p><b>determining</b> 136:14</p> <p><b>develop</b> 108:11,12</p> <p><b>developed</b> 73:13</p> <p><b>development</b> 72:11</p> <p><b>developments</b> 144:18</p> <p><b>dialogue</b> 36:13 44:13</p> <p><b>Dicello</b> 5:19</p> <p><b>died</b> 50:1</p> <p><b>differ</b> 136:10</p> <p><b>difference</b> 30:13 31:5 32:15 39:21 42:19 56:11,</p>	<p>18 83:3 103:13,18</p> <p><b>differences</b> 31:2 32:20, 23 133:13</p> <p><b>differs</b> 137:6</p> <p><b>difficult</b> 67:20</p> <p><b>diluted</b> 75:13</p> <p><b>dilutes</b> 111:8</p> <p><b>diluting</b> 75:17</p> <p><b>dilution</b> 75:20</p> <p><b>diminish</b> 140:20</p> <p><b>direct</b> 36:5,18 44:12 62:20 63:5,7 68:18,20 79:22 80:5 152:6</p> <p><b>directed</b> 84:6</p> <p><b>direction</b> 88:1</p> <p><b>directions</b> 35:22</p> <p><b>director</b> 20:19 35:17,20, 21 37:13,14 41:17 90:23 101:19</p> <p><b>directors</b> 35:23 38:23 40:17,18 43:4,7 52:2 90:21 94:13 146:23 159:20</p> <p><b>directs</b> 99:8</p> <p><b>disability</b> 106:17</p> <p><b>disaffiliation</b> 50:18</p> <p><b>disagreements</b> 36:15</p> <p><b>disarray</b> 59:11</p> <p><b>disclosed</b> 65:17</p> <p><b>disclosing</b> 137:17</p> <p><b>discovered</b> 143:4</p> <p><b>discovering</b> 129:21</p> <p><b>discovery</b> 8:20 13:15 63:22</p> <p><b>discuss</b> 130:20</p> <p><b>discussed</b> 44:18 80:18 93:19 113:3 137:18 154:15,20</p> <p><b>discussion</b> 44:6,8,9 92:5 93:7</p> <p><b>discussions</b> 43:11,14 45:5 46:21 47:13 55:2 86:2 91:2 92:15,17,20,</p>	<p>22,23 94:6,22 148:18</p> <p><b>disparities</b> 110:11,23</p> <p><b>distinction</b> 56:17</p> <p><b>distinguish</b> 56:10</p> <p><b>distribution</b> 79:5 113:21</p> <p><b>distributions</b> 104:23</p> <p><b>district</b> 1:1 34:3 35:6,10, 12,13 76:16 79:9 92:7,9 96:8,11,15 111:14,15 120:17,18 131:17,19 132:2 135:3,8,10,22 136:1,6,10,15,18,19,23 137:2,4 140:23 141:1,3, 19 142:1,9 145:11 150:1, 8,9,17 154:11 156:19,21, 23 157:10,15</p> <p><b>districts</b> 33:18 35:4,11 75:5 76:17,22 77:10 78:1 86:10 111:12,17 131:7, 11,23 132:4,11,12,23 133:4,6,17 134:7,14,20, 22 135:6,21 137:8 140:15,18,20 141:11 142:14 143:4 145:3,12, 13 151:18 154:4,6</p> <p><b>division</b> 1:2 97:4</p> <p><b>document</b> 24:10,12 25:11 41:1 42:13 54:16, 17 63:16,17,20,21 140:9 148:12,16</p> <p><b>documents</b> 22:4,7,10 25:8 26:21 27:2 28:4,8 29:12,16 30:8,19 32:5 33:7,12 63:23 149:5</p> <p><b>dominant</b> 111:12</p> <p><b>donor</b> 56:11,19,21 57:6</p> <p><b>donors</b> 57:3 80:21 81:6 99:19 100:3,6 107:9,11, 14 112:2 113:15,22 114:10 119:15 120:3 122:21 123:16</p> <p><b>door</b> 15:20 73:12,13 127:5</p> <p><b>double</b> 63:16</p> <p><b>Douglas</b> 1:13,18 2:5 8:5 9:9,20 10:1,5,13 56:8 117:7 126:7 149:21 156:1 159:18 161:6</p>
---	--	---	--





**draft** 31:3 55:2 60:21  
 146:22  
**drafted** 54:22,23 146:12,  
 19  
**draw** 76:21 77:6 79:3  
 150:17  
**drawers** 59:16 142:19,  
 20  
**drawing** 140:15 141:11  
 142:16 143:5,19  
**drawn** 34:3 35:7,10 78:1  
 92:7 131:20 132:4  
 140:20,21 141:3,4 144:3  
 154:4  
**drill** 71:23  
**drive** 70:23 71:1 115:1  
**driver's** 114:22 116:21  
**drives** 60:7 69:4,5,6  
 70:13,20  
**drosborough@aclu.**  
**org** 4:13  
**duly** 10:2 161:13  
**Dwayne** 7:6

## E

**earlier** 97:1 109:3,5  
 113:3 116:15 138:10  
 146:3 158:13  
**earliest** 86:5,11  
**early** 23:16,18,19 27:9  
 28:7 86:2 94:21 148:20  
**easily** 37:11 102:9  
 114:15  
**east** 72:5  
**easy** 119:14  
**Economic** 17:10  
**economics** 19:5 20:3  
**economy** 75:6  
**EDDIE** 5:15  
**editions** 36:14  
**educate** 81:18  
**education** 67:18 68:5  
 94:15 98:15

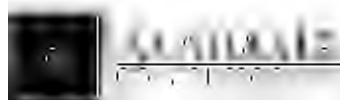
**effect** 2:16  
**effectively** 34:10  
**Effort** 74:17  
**efforts** 75:7 79:12 89:10,  
 11,14 90:6 113:13  
 143:16  
**ehare@dicellolevitt.**  
**com** 5:23  
**either/or** 44:21  
**elected** 38:2  
**election** 38:3 106:5,9  
 107:3 108:2 109:15  
 117:23 118:9,20,23  
 128:4,7,19 156:18,22  
 157:10  
**elections** 106:8,10  
 107:9,15,23 108:15  
 109:10,12,18 112:3,7,11  
 129:17 130:5  
**electoral** 75:17  
**electronic** 60:3,4  
**electronically** 149:14  
**Eli** 5:18  
**Elias** 5:7  
**eligible** 37:19  
**email** 24:5 49:10,13  
 50:21 113:23  
**emails** 106:3  
**emergency** 36:6 118:20  
**emphasized** 82:22  
**employed** 16:20,23  
 17:3,4,16,19 20:16  
**employment** 21:2,4  
**empowered** 95:7  
**emptied** 59:14  
**enacted** 156:7  
**encourage** 83:1 97:16,  
 18 105:20 106:1,4  
**encourages** 98:2 107:6  
**engage** 122:16,23  
 123:10,18 127:1  
**engaged** 104:20 121:3,4  
 122:14,22 123:9,17

**engagement** 94:16  
**engagements** 127:9,10  
**Engineering** 19:5,6  
**enjoined** 150:8  
**ensure** 134:6  
**entail** 44:8  
**entire** 16:18 131:12  
 154:8,9,12  
**entrusted** 94:17  
**environmental** 71:16  
 72:3  
**epidemic** 114:17  
**equal** 134:8 135:20  
 137:2  
**equality** 140:18 141:14  
**Equity** 154:8  
**error** 10:10 78:7  
**escapes** 67:14  
**Esq** 4:7,8 5:5,6,18 6:5,6  
 7:5,6,7  
**establishing** 69:18  
**establishment** 145:10  
**estimate** 23:21 37:7  
 104:15  
**et al** 1:5,8  
**Evan** 4:4 11:1  
**evening** 31:17  
**event** 68:12  
**events** 68:1 74:9,13,23  
 80:10,11,15 82:15 91:9  
**evidence** 3:3  
**evidenced** 161:14  
**examination** 8:3 9:10  
 10:3 147:8 155:22  
 157:21 159:16  
**examine** 140:12  
**examined** 10:2  
**examples** 68:1 69:15  
 71:8 128:17 139:10  
**exceptions** 44:2  
**exchange** 70:10

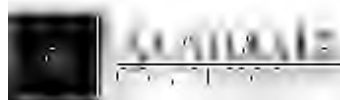
**excluded** 34:7  
**Excuse** 26:2  
**execution** 58:17  
**executive** 20:19 35:16,  
 20,21 37:13,14 38:1  
 41:17 59:1,3 90:22 94:18  
 101:19  
**exercise** 67:17  
**exhibit** 8:9 24:3,6 30:3,  
 10 40:20 41:1 54:3,11,15  
 57:12 58:9,14 60:9,15,  
 17,19,20,21 61:4,5,11,16  
 63:11,15 132:15,19  
 136:9 137:5 142:17  
 146:1,5,6,11,13 147:2,5,  
 6,15 148:3,15,17 149:1  
 156:2,8 158:2,5,19  
 159:2,3,18  
**Exhibits** 29:22 57:11  
**exist** 75:4 98:23  
**existed** 98:19,20  
**existing** 43:23  
**expected** 49:4  
**expenses** 106:7  
**expensive** 72:1 116:5  
**experience** 40:9 43:12  
 125:13 129:6,20  
**experts** 79:3,8  
**expires** 161:21,23  
**explain** 45:12 60:18  
 142:5 143:11 147:7  
 159:1  
**expression** 103:5  
**extension** 19:13,14,21  
**extent** 9:19 84:22 87:7  
 94:3 111:9 153:3,6  
**eyesight** 133:12

## F

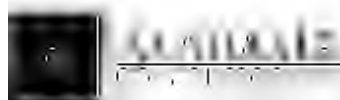
**Facebook** 48:18  
**fact** 71:23 158:20  
**facts** 64:13  
**failure** 128:11



<p><b>fair</b> 22:2</p> <p><b>Fairbanks</b> 7:5</p> <p><b>fairness</b> 154:9</p> <p><b>faith</b> 36:11,13,15 39:16                      43:9 44:12 62:19 63:5                      66:23 67:2,4,6 68:22                      79:20 80:9,12</p> <p><b>fall</b> 90:10 148:20</p> <p><b>families</b> 36:7 69:1</p> <p><b>fastest</b> 86:8</p> <p><b>favor</b> 147:1</p> <p><b>avored</b> 126:3</p> <p><b>February</b> 17:17 37:21                      59:6</p> <p><b>federal</b> 15:14 151:7,9</p> <p><b>feel</b> 96:15 155:1,2</p> <p><b>feels</b> 14:6</p> <p><b>fees</b> 70:10</p> <p><b>felon</b> 12:7</p> <p><b>felon/moral</b> 115:12</p> <p><b>felt</b> 95:18</p> <p><b>fight</b> 89:23</p> <p><b>figure</b> 53:22 68:17 75:15                      149:6</p> <p><b>figuring</b> 53:20</p> <p><b>filing</b> 3:7 59:12,14</p> <p><b>filled</b> 50:17</p> <p><b>final</b> 58:18</p> <p><b>Finance</b> 62:9,10,11</p> <p><b>financial</b> 36:7 44:20                      45:1 47:4,6,8,10 48:10,                      22,23 49:23 69:2</p> <p><b>financially</b> 49:20 52:17</p> <p><b>find</b> 60:6 61:6 95:18                      130:5,10</p> <p><b>Fine</b> 140:3</p> <p><b>fines</b> 70:10</p> <p><b>finish</b> 59:6 85:19</p> <p><b>fired</b> 38:10</p> <p><b>Firehouse</b> 18:10</p>	<p><b>Fisher</b> 1:21 2:8 9:7</p> <p><b>fits</b> 95:3</p> <p><b>five-minute</b> 149:16</p> <p><b>fixed</b> 72:8,9</p> <p><b>flip</b> 58:16 64:17</p> <p><b>flipping</b> 64:3</p> <p><b>Floor</b> 4:10</p> <p><b>floors</b> 59:5</p> <p><b>focus</b> 36:15</p> <p><b>focused</b> 80:4,6</p> <p><b>focussed</b> 106:14</p> <p><b>folks</b> 104:20</p> <p><b>follow</b> 45:13 151:13</p> <p><b>follow-up</b> 56:9 60:15                      157:18</p> <p><b>food</b> 36:7 68:23 69:4,5,6                      73:17 104:22 113:21</p> <p><b>fool</b> 117:2</p> <p><b>forbid</b> 155:7</p> <p><b>force</b> 2:16 62:14 66:23                      67:3,4 68:18,20 69:9,10,                      16 70:16 79:21,22 80:10,                      14,16 90:8 105:1</p> <p><b>forces</b> 62:16 93:19</p> <p><b>foregoing</b> 9:5 161:6,8</p> <p><b>forget</b> 33:9</p> <p><b>forgive</b> 57:23</p> <p><b>forgiven</b> 70:11</p> <p><b>forgot</b> 15:18 86:23 95:5                      97:2 121:20 135:12</p> <p><b>form</b> 2:23 14:3 31:13                      32:14,17 34:4,16 35:8                      38:5 46:19 50:12 51:18                      52:3 53:2 55:5 56:14                      70:21 75:23 76:12,23                      77:17 78:15,23 79:10                      83:13 84:4,20 86:1,17                      87:6 92:8 94:2 96:13                      99:6 100:17 101:7 102:4,                      18 103:15,23 104:7,17                      105:11,16 107:10,17                      108:17 109:19 110:3                      111:4,21 112:4,12                      114:12 115:10 119:17                      121:1 122:17 123:2,12,</p>	<p>20 124:14,23 125:6,10,                      23 126:4 128:9 133:19                      136:16 138:16 139:11                      140:16 141:6,12,22                      142:18 143:6,14,21                      144:4,15,21 151:19</p> <p><b>formal</b> 43:13</p> <p><b>formally</b> 158:20,23                      159:19</p> <p><b>formed</b> 92:10</p> <p><b>forward</b> 78:6</p> <p><b>found</b> 161:14</p> <p><b>foundation</b> 4:9 116:3</p> <p><b>founder</b> 116:3,4</p> <p><b>founding</b> 34:9</p> <p><b>fourth</b> 28:12 64:14                      110:9,15,16,20</p> <p><b>free</b> 36:8 68:23 69:1                      114:14</p> <p><b>freed</b> 90:4</p> <p><b>frequently</b> 49:18</p> <p><b>fresh</b> 125:17</p> <p><b>Friday</b> 28:21</p> <p><b>friends</b> 37:17</p> <p><b>front</b> 15:8 142:16 143:20</p> <p><b>frustrating</b> 47:16</p> <p><b>full</b> 2:16 34:6,7,9,14,20,                      23 35:1</p> <p><b>fully</b> 114:10 146:2</p> <p><b>Fulton</b> 118:1</p> <p><b>functionally</b> 62:21</p> <p><b>funded</b> 116:2</p> <p><b>funding</b> 69:23 70:1                      116:4 126:19</p> <p><b>funds</b> 73:23 74:1</p> <hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <p><b>gain</b> 136:5</p> <p><b>game</b> 13:6 67:16,19</p> <p><b>gave</b> 10:17 158:16</p> <p><b>GBM</b> 8:18 18:9 34:6                      35:9,22 36:1,2,3,4 37:3,</p>	<p>15,23 38:22 42:4 43:9,11                      44:10,11,16,19,23 45:15                      46:7 48:9,19 55:8,9,11                      67:11 69:10,11 72:2                      73:15 86:18 90:21 98:13                      106:9 111:18,19 112:2                      119:15,20 120:3,6,9                      122:6,9,13,21 123:8,16                      148:3 151:22 159:19</p> <p><b>GBM's</b> 43:3 48:21 59:4                      67:5 93:15 94:15,17</p> <p><b>gears</b> 156:14</p> <p><b>general</b> 7:8,9 16:5 59:2                      80:23 81:1,4 100:2,14,21                      101:6,23 102:13 106:10                      108:14 117:23 128:2,5                      141:20</p> <p><b>generally</b> 14:22 33:14,                      16 38:11 135:19,20</p> <p><b>geography</b> 20:3</p> <p><b>gerrymandered</b> 111:8</p> <p><b>give</b> 12:6 20:13 86:4                      89:23</p> <p><b>glaring</b> 95:18</p> <p><b>goal</b> 68:12 74:8 83:22                      86:15 87:2 95:13,15 96:4                      134:1</p> <p><b>goals</b> 74:13 95:21 134:6,                      10</p> <p><b>Goldfarb</b> 1:21 2:9 9:7</p> <p><b>good</b> 10:6,7 14:19 23:21                      77:3,4 104:12 113:8                      120:20</p> <p><b>goods</b> 69:4</p> <p><b>google</b> 100:19 108:7</p> <p><b>governing</b> 40:14,15,16</p> <p><b>government</b> 68:10                      69:22</p> <p><b>graduate</b> 18:21 19:8</p> <p><b>granular</b> 134:16</p> <p><b>grata</b> 121:6</p> <p><b>great</b> 125:16</p> <p><b>greater</b> 4:4 8:10,12,14,                      16 11:4,21 17:15,16,18,                      19,23 20:16 34:1,13                      35:5,16 37:1,4,8 38:11,                      13,18 40:15,16 41:4 42:8</p>
---	--	---	--



<p>43:1 45:20,22 46:18                      47:1,4,10,17,22 48:6,15                      49:8,18 50:4,10 51:4,6,                      15,23 52:7,17,23 53:10                      56:11,12 57:6,7 58:23                      60:10 61:18,22 64:7,11,                      19,23 65:3,11,13 70:12,                      18 71:9 72:15 73:6 74:8,                      9,12 75:19 76:8,19                      77:13,19 78:12,21 79:7,                      14,17 80:3,20 81:5,9,22                      82:9,14,20 83:9,18,20                      84:1,9,18 85:4 88:11                      90:6 91:17 93:13,23                      95:10 97:15 98:1,6 99:4,                      18,22 100:3,6,10 101:18                      102:21 105:20,23 107:5,                      8,20 113:14 114:9                      115:14,22 126:8,14                      129:15,19 131:1,6,10                      146:7 148:9 151:23                      152:3,12 154:3 156:9                      158:2,6,20</p> <p><b>Green</b> 69:22 119:7</p> <p><b>groceries</b> 105:3</p> <p><b>grounds</b> 3:1 62:12 63:2</p> <p><b>group</b> 5:7 17:9 18:4,6,14                      59:3 62:19,20 63:5,6                      68:20 90:12,13 148:18</p> <p><b>groups</b> 44:11 45:4,10                      62:16,18 63:3,4 67:10,11                      84:14 105:4 138:1</p> <p><b>guess</b> 72:5 79:23 91:6                      121:21 133:15 159:5</p> <p><b>guide</b> 91:1 106:9 107:3</p> <p><b>guidelines</b> 140:7</p> <p><b>guides</b> 129:16,20                      130:19,21</p> <p><b>Gulf</b> 53:9</p> <p><b>Gutzler</b> 5:19</p> <hr/> <p><b>H</b></p> <hr/> <p><b>H-A-R-R-I-S</b> 66:10</p> <p><b>half</b> 19:2 89:8</p> <p><b>halls</b> 96:19</p> <p><b>hand</b> 12:13 63:14</p> <p><b>handily</b> 118:3</p>	<p><b>handled</b> 50:18 90:8</p> <p><b>Hang</b> 63:10</p> <p><b>happen</b> 15:5 49:16                      103:11</p> <p><b>happened</b> 60:22 87:23                      149:22</p> <p><b>hard</b> 49:2 59:19 60:16                      68:17 73:11 111:10                      139:19</p> <p><b>hardships</b> 73:22</p> <p><b>Hare</b> 5:18</p> <p><b>harm</b> 69:13</p> <p><b>Harris</b> 66:9</p> <p><b>head</b> 12:21 83:23</p> <p><b>hear</b> 14:2 31:15 49:23                      155:12</p> <p><b>heard</b> 93:3 105:4 111:10                      116:22</p> <p><b>hearing</b> 82:22 152:14,15                      161:9</p> <p><b>hearings</b> 68:9 71:2,5,9,                      13 72:14,18,21,22 73:1,7                      81:19,23 82:3 84:11                      144:8 150:23 151:2,5,6,                      7,9,11</p> <p><b>Heaven</b> 155:7</p> <p><b>held</b> 20:22 21:2 151:7,9                      152:17</p> <p><b>helped</b> 73:9 98:8,13 99:5</p> <p><b>helpful</b> 126:23 127:6,14,                      18,22</p> <p><b>helping</b> 36:9 60:6 88:18                      115:23</p> <p><b>hereto</b> 24:8 30:1 40:22                      54:13 63:13 132:17</p> <p><b>high</b> 19:8</p> <p><b>higher</b> 46:11 102:1,8                      109:11</p> <p><b>higher-ups</b> 46:9,13</p> <p><b>highlight</b> 60:20</p> <p><b>highlighted</b> 42:13 58:3                      61:15 147:15,18</p> <p><b>highlighting</b> 42:12                      147:22</p>	<p><b>hinder</b> 114:4 115:8</p> <p><b>hindered</b> 113:15</p> <p><b>hired</b> 37:21,22,23</p> <p><b>hires</b> 37:23</p> <p><b>hiring</b> 38:7</p> <p><b>historically</b> 34:8</p> <p><b>history</b> 20:3 143:15,16</p> <p><b>hit</b> 56:3 74:5</p> <p><b>hmm</b> 89:1</p> <p><b>hold</b> 20:20</p> <p><b>home</b> 15:1 117:8</p> <p><b>homeless</b> 18:11 69:18,                      19</p> <p><b>honest</b> 149:4</p> <p><b>hope</b> 75:9,11</p> <p><b>hopes</b> 75:6</p> <p><b>Hospital</b> 69:22</p> <p><b>host</b> 70:13</p> <p><b>hosted</b> 68:2</p> <p><b>hour</b> 26:15,16 28:3</p> <p><b>hours</b> 144:9</p> <p><b>house</b> 15:1 73:16 144:6                      156:19,21</p> <p><b>houses</b> 88:20</p> <p><b>housing</b> 69:20 74:6</p> <p><b>hugely</b> 133:10</p> <p><b>Huntsville</b> 33:22 34:3,                      15,19 53:12,18 65:5                      76:16 77:21 92:7,20,22,                      23 131:7,11,14 134:13,                      20 135:5 144:13,16                      145:1,11 154:5</p> <p><b>Huntsville's</b> 93:2</p> <hr/> <p><b>I</b></p> <hr/> <p><b>ID</b> 20:9,10 78:8,14,17                      89:17 91:21 114:13                      115:1,16 116:16</p> <p><b>idea</b> 95:2 101:1,2 125:3,                      4,17 138:5</p> <p><b>ideal</b> 135:9,16,23</p>	<p><b>identical</b> 30:11</p> <p><b>identification</b> 24:7                      29:23 40:21 54:12 63:12                      90:19 91:18 115:6,12                      116:1 132:16</p> <p><b>identify</b> 65:6 73:14 76:9                      77:9</p> <p><b>identity</b> 65:16</p> <p><b>IDS</b> 90:7 91:10 114:14</p> <p><b>ignores</b> 90:3</p> <p><b>immediately</b> 18:8 49:10</p> <p><b>immigrant</b> 84:13</p> <p><b>immigration</b> 55:16</p> <p><b>impact</b> 36:23 77:11                      95:18</p> <p><b>impacted</b> 78:8</p> <p><b>impacts</b> 154:8,9,11</p> <p><b>impediments</b> 114:4,8                      115:7</p> <p><b>implementing</b> 97:22</p> <p><b>implied</b> 47:20</p> <p><b>importance</b> 75:2 82:23</p> <p><b>important</b> 78:4 79:2                      134:4</p> <p><b>improving</b> 114:3</p> <p><b>in-house</b> 74:5</p> <p><b>in-kind</b> 69:4,6</p> <p><b>in-person</b> 106:16</p> <p><b>incarcerated</b> 90:4</p> <p><b>incarceration</b> 102:8</p> <p><b>included</b> 90:15</p> <p><b>including</b> 68:10 112:14                      152:8</p> <p><b>income</b> 81:5</p> <p><b>incorporated</b> 41:5                      61:12</p> <p><b>increase</b> 76:5 88:17,18                      110:6 111:5</p> <p><b>increasing</b> 36:13</p> <p><b>increasingly</b> 80:16</p> <p><b>incumbents</b> 125:17                      126:3</p>
---	---	--	---



**Independent** 117:21,22  
**independently** 111:23  
**INDEX** 8:3,9  
**individual** 8:18 39:7,17  
 40:1 42:18,20 43:21  
 48:3,6,8,12,15,17 50:5  
 51:4,23 52:5,6,8,9,20  
 53:11,14 54:18 55:12,20  
 57:6 65:4,12,20 126:8  
 147:10,11 158:13  
**individually** 26:4  
**individuals** 57:2,3 65:9,  
 10 99:10 103:7,21  
 104:14 105:9,13 114:6  
**influence** 89:7  
**informal** 73:14  
**information** 59:17  
 65:15,20 66:1 71:5 86:4,  
 7 134:18 137:11 148:4  
**informed** 56:20 89:20  
 129:11  
**informing** 95:12  
**initiated** 67:11 85:7  
**initiatives** 79:13  
**injunction** 145:21 150:1,  
 13  
**input** 144:10 151:16  
 152:1,4  
**inside** 76:6  
**instance** 44:12 45:2,5  
 46:5 49:23 69:4 81:16  
 111:10 139:3  
**instances** 130:11  
**instruct** 84:21  
**instructing** 130:16  
**instruction** 14:5 70:6  
**intact** 141:16  
**integrity** 78:18  
**intend** 153:1,10,11,13  
 154:14,19  
**intent** 147:2 153:10  
**intentionally** 36:22  
 69:12

**interest** 87:8 88:14 96:7  
 104:11 131:15  
**interested** 88:11,13  
 161:11  
**interesting** 126:13  
**interests** 87:14  
**interfaith** 36:12 44:13  
**internally** 45:21  
**interpretation** 104:9  
**interrogatories** 21:12  
 22:6,12 28:8,10 29:17  
**interrogatory** 22:9,14  
 64:6,7,11,18 65:1  
**interview** 113:18  
**invaded** 15:2  
**invoked** 87:21  
**involve** 94:4  
**involved** 12:2 14:14  
 37:8 72:19 87:13 91:9,  
 11,23 92:2 94:10 101:18  
 106:21 116:6 124:5  
 131:2,4 132:6  
**involves** 84:22  
**involving** 43:14  
**issue** 13:17 14:20,23  
 91:4 138:2  
**issues** 12:1 18:16 55:17  
 106:13 119:12,13 120:22  
 139:8  
**issuing** 114:19  
**items** 15:21  
**Ive** 116:22

## J

**Jail** 70:5  
**Jake** 27:16,17 32:2  
**James** 7:7  
**January** 37:17 74:4  
 122:13,20 123:8,15  
**Jasrasaria** 5:5  
**Jefferson** 70:4 71:13  
 80:7 82:5,7,16 114:16  
 130:9 139:3,13,15

**Jews** 42:8,9  
**Jim's** 24:4  
**jim.davis@alabamaag.  
 gov** 7:17  
**jjasrasaria@elias.law**  
 5:11  
**job** 16:23 37:16 89:22  
 90:23 106:14 121:13,14  
**jobs** 119:7 121:16  
**John** 139:4  
**join** 42:10  
**joined** 84:15  
**joining** 136:13  
**joint** 84:13  
**jump** 81:20  
**Junior** 82:5,8  
**justice** 17:11 36:18  
 84:14 93:17  
**Jyoti** 5:5

## K

**Kate** 6:6  
**key** 106:13 147:7,8  
**KHADIDAH** 1:5 4:4  
**kin** 161:11  
**kind** 43:15 49:5 50:8  
 67:17,21 74:1 84:10 86:6  
 111:18 121:4 133:15  
 145:21  
**knew** 73:15 95:1 138:8  
**knowing** 95:19 135:14  
 143:7  
**knowledge** 26:11 27:18  
 41:16 43:8 51:13 81:7  
 98:6,9 105:8,12 107:8,11  
 111:2 125:20 126:12,15  
 129:1 130:6  
**Knoxville** 16:12

## L

**lab** 70:8

**laborers** 59:14  
**lack** 68:17 114:16  
**Lancaster** 6:6  
**Langford** 119:3  
**language** 61:4 147:5,15,  
 16,19  
**LAQUISHA** 4:3  
**large** 2:8 9:3 55:7 161:4,  
 22  
**largely** 90:7 97:21  
**larger** 144:23  
**largest** 144:17 152:21  
**Larry** 119:2  
**lasted** 26:15  
**late** 27:9 28:7 59:6  
 137:22 138:3,9 148:20  
**latest** 77:3 98:16 136:22  
**Latino** 81:3  
**launched** 37:15  
**law** 5:7 15:18 78:8,14,17  
 114:13 115:16  
**laws** 2:17 78:8  
**Lawson** 82:7  
**lawsuit** 14:14 81:10,12  
 84:19 85:5,7,15,23 94:1,  
 11 95:14,16 96:1,5,6  
 131:3,5 136:13,17 145:7,  
 8,19,21 150:7 152:3  
**lawsuits** 96:22  
**lawyer** 14:3,6 27:17  
 40:10  
**lawyers** 25:3,4 95:1  
**lead** 77:16  
**leader** 104:12  
**leaders** 46:12 73:15  
**leading** 2:23  
**League** 85:12  
**learn** 67:20  
**leave** 50:19,22 51:1,2  
 81:7  
**leaving** 46:6

**led** 77:13,19  
**legal** 14:4 114:4,8 115:7,11  
**legislation** 81:16  
**legislative** 86:10 88:16 111:7 132:7 134:7,13 140:4 142:16 144:2,7  
**legislators** 81:18 152:7  
**legislature** 34:12 76:7 77:12 85:20 88:15,19,22,23 89:1,3,7 95:17 111:8 130:8 131:13,14 138:6 149:23 150:16 151:11,14,17 152:1,4,10,14 154:7,8  
**legislature's** 150:9  
**LEONETTE** 5:16  
**level** 47:4 68:10 140:4,5  
**leveraging** 111:11  
**Levitt** 5:19  
**Lewis** 1:19 2:6 9:1 161:21  
**Liberties** 4:9  
**license** 115:2 116:21  
**licensed** 161:13  
**licenses** 114:22,23  
**life** 16:11 68:11  
**limit** 39:8  
**lines** 77:6 79:4,9 131:17,20 136:9 140:21  
**links** 106:18  
**list** 65:9,12 89:23 130:15,21  
**listed** 65:10  
**listen** 111:16  
**litigation** 87:9 94:18,23 95:8  
**live** 16:10 65:5 72:12 75:8 77:7  
**lived** 16:11,17,18  
**living** 16:2  
**LIVINGSTON** 6:4

**LLC** 5:19  
**LLP** 6:7  
**lobby** 81:17  
**local** 130:9  
**locate** 59:20  
**location** 30:15  
**lock** 15:20  
**long** 10:5 16:10 17:12 19:1 26:13 28:2 39:6 42:3 49:15 55:18  
**long-term** 95:3  
**long-time** 50:1  
**longer** 82:13  
**looked** 25:11 42:3 134:17 143:19  
**lose** 135:23  
**losing** 72:21  
**lost** 15:14 104:10 115:19  
**lot** 15:7 55:15 72:10 93:12,22 95:1 139:4  
**lots** 69:6  
**loud** 105:7 111:14  
**love** 36:16  
**low** 101:3 158:15  
**low-income** 36:6 55:15 69:13 75:3 78:9

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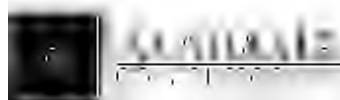
**M**

---

**made** 2:22 55:1 84:16 94:9,11,12,13,14  
**Madison** 76:16  
**maintaining** 67:5 69:23  
**major** 19:6,7 36:4 106:8 111:12  
**majority** 33:18 81:2 143:8 156:22  
**make** 3:1 48:10 56:17 61:6 73:18 74:21 77:4 78:5 83:3,10 84:8,10 95:23 114:1 128:12 145:22 149:5,7,8,18  
**Makeba** 5:6

**makeup** 141:19 144:13,20 145:3  
**mandated** 140:17  
**map** 8:21 132:22 133:1 136:10 137:15,16,22 142:16 143:19 144:3,6,7 145:4 150:2,9  
**mapmaker** 142:22 143:19,22  
**mapmaking** 86:12,13  
**maps** 77:4 143:5 152:10  
**March** 23:16,18,19 24:5 27:9 28:7 74:4  
**MARCUS** 5:3  
**mark** 24:2  
**marked** 24:6 29:23 40:20 54:11 63:11,14 132:15,18  
**marking** 30:2 40:23 54:14  
**marriage** 46:21  
**Massachusetts** 5:8  
**math** 102:11  
**matter** 71:23 103:10 104:3,10,13 153:14  
**maximum** 75:4  
**mayor** 117:14 118:5,7,22 119:2,6 121:5  
**Mayor's** 118:12  
**maze** 88:6  
**Mcclendon** 8:21  
**Mcclure** 10:18 11:14  
**Meaning** 103:12,17  
**means** 35:23 119:23 135:15,16,20 148:6 161:7  
**meant** 93:4 97:1 109:15 111:15 113:17  
**mechanisms** 72:4  
**media** 48:19 50:17 51:7 106:3 127:17,21 138:1  
**medical** 13:3  
**medium** 101:3

**meet** 23:3,8,13 28:16,19 31:12,16  
**meeting** 24:15,16 25:6,9,10,12,16,17 26:1,10,13,21,22,23 27:7,13,14 28:2,5,6,8,13 29:2,7,13 31:19 58:19 59:18 60:22 61:12 149:10  
**meetings** 22:20,23 23:3 29:10 59:1 148:20  
**meets** 148:19  
**member** 8:18 39:5,11 42:20,21,23 43:1,20,22 44:23 47:1,5,11 48:15,19,20 49:1 50:8 51:4,12 55:11 56:12,19,20,21 57:8  
**members** 38:21,22 39:1,2,3,7,13 42:18 43:2 44:20 46:8 48:4,6,8,12 49:4,19 50:6 51:23 52:5,7,8,10,14,15,16,20 53:1,11,14 55:10 65:4,12,16,20 82:11 91:2 94:22 97:16 98:2 99:23 105:21 106:2,4 107:6,12 114:1 119:20 122:6 147:10,11 154:1 158:13  
**membership** 42:8 43:11 47:18,23 48:17 49:8,13 50:5 51:16 54:18 55:12 56:21 148:7 156:8 158:7,17  
**memberships** 55:20  
**memorialize** 108:8,10  
**men** 18:12 69:19  
**mention** 147:9  
**mentioned** 22:6 44:6 48:3 52:21 74:20 81:22 89:16,17 116:12 158:13  
**Merika** 120:14 156:15  
**Merrill** 20:8  
**mess** 40:11  
**messages** 106:3  
**Messick** 7:5 8:7 9:21 155:12,17 159:9,13,17,22  
**met** 25:19 26:3





**methods** 90:1 140:22  
**metro** 145:1  
**metropolitan** 15:17  
 53:7  
**Mexico** 53:9  
**Michael** 6:5 30:9 56:2  
 110:14 113:7 159:15  
**mid-march** 23:20,21  
 24:13,17 25:18 31:4  
**middle** 53:5  
**Milligan** 4:4 11:1,11,13  
 21:19,21 31:8 33:5 96:1,  
 5,6,22 110:10,15,16  
 145:19,20 150:7 154:17,  
 19  
**mimic** 62:18  
**mind** 64:3 72:11 95:21  
**Mine** 90:17  
**minimizing** 35:2  
**minimum** 49:3 77:11  
**ministries** 4:5 8:10,12,  
 14,17 11:5,22 17:15,17,  
 19,20,23 20:17 34:1,13  
 35:5,16 37:2,4,8 38:12,  
 14,18 40:15,17 41:5 42:9  
 43:1 45:20,22 46:18  
 47:1,5,10,17,22 48:7,16  
 49:9,19 50:4,20 51:5,15  
 52:1,7,17 53:11 56:12,13  
 57:6,7 58:23 60:11 61:23  
 64:8,12,19 65:4,11,14  
 70:12,18 71:10 72:15  
 74:9,12 75:20 76:9,20  
 77:14,20 78:13 79:8,15,  
 17 81:9,23 82:15,20  
 83:10,19,21 84:1,10,18  
 85:4 88:11 93:23 95:10  
 97:15 98:2,7 99:4,18,22  
 100:3,7,10 101:19  
 102:22 105:20 106:1  
 107:6,9,21 113:14  
 115:15,22 126:9,14  
 129:15,16,19 131:7,11  
 152:1,3,13 154:4 156:9  
 158:21

**Ministries's** 50:10 51:6  
 52:23 61:19 64:23 78:21  
 80:3,21 81:5 82:10 90:6  
 91:17 93:13 114:9 131:2  
 146:7 148:10 158:3,6

**Mink** 7:6  
**minority** 76:22 105:7  
 141:3  
**minute** 155:19  
**minute-taker** 60:2  
**minutes** 26:16 58:19,22  
 59:1,17,20 113:8 149:9,  
 12  
**misdemeanors** 70:7  
**missing** 30:15  
**mission** 48:9,21 50:10  
 51:6,8  
**Misty** 7:5 9:17 155:10  
 159:12  
**misty.messick@alabamaag.gov** 7:15  
**Mobile** 53:9  
**moment** 58:2  
**money** 51:14 67:18 69:3  
**Monopoly** 67:17  
**Montgomery** 7:13 33:23  
 35:7,10 53:15,18 65:5  
 66:5,16 76:18 77:22  
 92:17,20 144:20,22  
 145:13 151:11,13 152:8,  
 17 154:5  
**month** 23:15 113:21  
 148:19  
**months** 49:17 59:11  
 148:18  
**moral** 114:7  
**morning** 80:18 91:13  
 97:6  
**mosques** 42:17  
**Mother's** 69:5  
**motive** 78:18  
**motives** 78:17  
**Motor** 114:18 116:12  
**move** 51:21 54:2 63:9  
**moved** 16:22 17:1 59:15  
 98:17 137:1,9  
**moving** 16:19 137:3  
 140:22,23 142:11

**mrutahindurwa@elias.law** 5:12  
**mtaunton@balch.com**  
 6:11  
**multiple** 109:18  
**municipal** 118:12  
**Muslims** 42:8,10

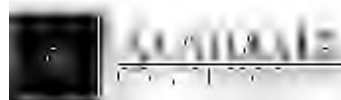
## N

**NAACP** 4:6 64:9 85:11  
**nail** 139:21  
**names** 27:15 66:1 89:18  
 99:13  
**narrow** 88:8 89:4  
**Nashville** 15:2,3,17,23  
 16:1,9,10,11,13 19:9,14,  
 21  
**national** 72:17  
**nationally** 124:22  
**nature** 142:1  
**navigating** 67:20  
**necessarily** 97:5  
**needed** 96:11,16  
**negatively** 36:23  
**neighbor** 36:16 112:15  
**neighborhood** 55:10  
**neighborhoods** 55:16  
 73:15  
**neighbors** 15:6 73:18  
**news** 108:6  
**next-door** 112:14  
**nickname** 71:14  
**night** 19:14 31:12 33:8,9  
**nobody's** 43:12  
**nodding** 12:21  
**noise** 15:7  
**non-approved** 140:22,  
 23  
**non-attorneys** 26:9,12  
 27:22

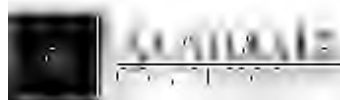
**non-governing** 158:14  
**nondiscriminatory**  
 141:15,20,23  
**Nondriver's** 115:2  
**nonlawyers** 25:5  
**nonpartisan** 118:10,13,  
 18,19  
**nonprofit** 38:14 81:17  
**north** 1:22 2:9 5:20 9:8  
 33:21 72:4,5  
**NORTHERN** 1:1  
**Notary** 2:7 9:2  
**notes** 106:12  
**notice** 3:7 8:10,12,14  
 23:17,22 24:4 25:9 27:3  
 31:2,3 32:9,10 33:8 50:2  
 58:18  
**noticed** 32:19,22  
**notices** 30:21 31:4,8  
 32:13  
**nourishing** 67:5  
**November** 54:8 55:1  
 57:20,21 58:5,8,12,20  
 59:4 60:23 61:19 146:12  
 147:12,13,20 149:10  
**number** 46:23 49:2 55:8  
 64:6,7,18 78:3 100:11  
 108:20 129:17 135:12,15  
 144:23 161:14  
**numbers** 76:4,5 137:2,  
 12 158:16  
**Numbers-wise** 101:16  
**numeric** 141:13  
**numerically** 135:20  
**NW** 5:8

## O

**oath** 10:8  
**obituary** 50:2  
**object** 22:13 32:17 34:4,  
 16 35:8 38:5 46:19 50:12  
 51:18 52:3 53:2 55:5  
 56:14 70:21 75:23 76:12,  
 23 77:17 78:15,23 79:10



<p>83:13 84:4,20 86:1,17                          87:5,6 92:8 94:2 96:13                          99:6 100:17 101:7 102:4,                          18 103:15,23 104:7,17                          105:11,16 107:10,17,19                          108:17 109:19 110:3                          111:4,21 112:4,12                          114:12 115:10 119:17                          121:1 122:17 123:2,12,                          20 124:14,23 125:6,10,                          23 126:4 128:9,14                          133:19 136:16 138:16                          139:11 140:16 141:6,12,                          22 142:18 143:6,21                          144:4,15,21 151:19                          153:3</p> <p><b>objection</b> 9:18,19 14:3,4                          31:13 78:2 124:2,10                          126:20 127:2,7,11,15,19,                          23 128:20 129:8,12                          130:1,7,13 131:8,18                          134:9,15 135:1,11 136:2                          137:10 143:14 153:16                          154:21</p> <p><b>objections</b> 2:21 3:1                          22:14</p> <p><b>objective</b> 111:6</p> <p><b>obscure</b> 13:12</p> <p><b>obvious</b> 13:7 77:2</p> <p><b>occasionally</b> 130:4</p> <p><b>occasions</b> 122:1</p> <p><b>occupy</b> 37:12</p> <p><b>offered</b> 3:3 67:10</p> <p><b>office</b> 7:9 79:16 103:10                          106:15,19 117:9,10,11,                          13 119:16,21 120:4,10,                          11 122:7,10 125:4 130:3</p> <p><b>offices</b> 79:15,18,19</p> <p><b>official</b> 33:10</p> <p><b>ongoing</b> 89:12 106:6</p> <p><b>online</b> 68:4 70:6 116:21                          117:2</p> <p><b>open</b> 15:20 116:19,20                          158:14</p> <p><b>Opened</b> 15:20</p> <p><b>operating</b> 156:12 158:6,                          9,11,12</p> <p><b>operation</b> 158:17,18</p>	<p><b>opinion</b> 143:3</p> <p><b>opportunities</b> 76:21</p> <p><b>opportunity</b> 33:18 34:2                          35:6,9 56:22 96:7,11,15                          150:16</p> <p><b>opposed</b> 72:3 84:3,5</p> <p><b>oral</b> 9:10</p> <p><b>order</b> 63:8 80:8 96:16</p> <p><b>organization</b> 42:5,10                          47:18 48:1 51:17 154:1</p> <p><b>organizational</b> 42:18,                          20,21,23 43:2 44:19,23                          52:14,15 93:14,15</p> <p><b>organizations</b> 43:3                          45:11,19 46:17 50:20                          86:3</p> <p><b>organized</b> 38:12 51:16</p> <p><b>Organizing</b> 17:10</p> <p><b>orientation</b> 43:16</p> <p><b>original</b> 21:14 33:10                          41:14</p> <p><b>originally</b> 41:9 54:9                          57:17</p> <p><b>outcome</b> 81:14 115:18</p> <p><b>outcomes</b> 74:15 77:16</p> <p><b>overcome</b> 115:3</p> <p><b>overlying</b> 133:4,7</p> <p><b>overpopulating</b> 77:10</p> <p><b>override</b> 52:1</p> <p><b>overturned</b> 15:9</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>P-R-E-S-D-E-L-A-N-E</b>                          66:9,13</p> <p><b>p.m.</b> 1:15,20 2:11 9:9                          160:3</p> <p><b>P.O.</b> 6:8 7:12</p> <p><b>packed</b> 35:12 75:16                          111:13 131:21,23 136:23</p> <p><b>packing</b> 35:3 75:20                          137:3</p> <p><b>paid</b> 21:5,6 37:1,3</p>	<p><b>pandemic</b> 45:5,6 67:15</p> <p><b>Pantazis</b> 1:21 2:8 9:7</p> <p><b>paper</b> 59:21 128:17</p> <p><b>paragraph</b> 110:10,22</p> <p><b>part</b> 13:14 44:18 69:21                          70:8 73:2 74:23 83:11,                          14,15 84:12 85:15 87:8                          91:6 92:5,13,14,16,19,                          21,22 93:2,6,16 130:23                          143:15 151:17 152:2,4</p> <p><b>participate</b> 71:11 73:9                          81:10 82:3 83:2 95:11                          96:1,21 150:22 152:7</p> <p><b>participated</b> 71:10,12                          72:15 81:23 82:9,11,12</p> <p><b>participating</b> 39:4 40:7                          68:9 73:7 95:13,15 96:4                          113:16 114:10 115:8</p> <p><b>participation</b> 34:6,8,10,                          14,21,23 35:2 68:6,8                          70:19 74:10 104:11                          114:5 140:21</p> <p><b>participatory</b> 67:23</p> <p><b>parties</b> 2:4 3:1 73:16                          106:10 161:11</p> <p><b>partner</b> 67:10</p> <p><b>partners</b> 87:8</p> <p><b>parts</b> 140:17</p> <p><b>party</b> 92:12,14,16,19                          93:6 121:9,10 122:3,5,                          16,23 123:6,11,19,23                          124:8 130:11,12</p> <p><b>passed</b> 61:9,15</p> <p><b>past</b> 71:12 89:10,11</p> <p><b>pay</b> 72:7 149:22 150:3,19</p> <p><b>payers</b> 72:7</p> <p><b>paying</b> 72:10,11</p> <p><b>pending</b> 13:21 94:23</p> <p><b>people</b> 20:5,8 46:6 48:8                          49:3 50:18 51:14 55:19                          65:22 67:20 68:13 69:13                          70:3,7 71:3 72:6,7,9,11                          73:11 75:3,8 77:7 81:15                          83:1,6 89:19 93:16 96:18                          98:8,13 104:23 114:15,                          16,23 115:8,23 128:17                          135:23 136:5 144:9</p>	<p>154:7,11</p> <p><b>people's</b> 72:20 78:9</p> <p><b>percent</b> 89:6,8 108:20</p> <p><b>percentage</b> 100:3,11                          101:3,4 102:1 107:14                          109:11</p> <p><b>percentages</b> 132:23                          133:11,13</p> <p><b>percentagewise</b>                          101:15,16 144:22</p> <p><b>perception</b> 126:2</p> <p><b>period</b> 15:11 77:8 102:7                          104:11 116:16 147:12</p> <p><b>permanent</b> 145:22</p> <p><b>person</b> 48:14 49:7,12                          51:3 97:21 98:4 104:12                          128:6</p> <p><b>Persona</b> 121:6</p> <p><b>personal</b> 14:12,13,15                          126:12 151:22</p> <p><b>personally</b> 26:4 102:20                          126:18 129:5</p> <p><b>Personnel</b> 62:10,12</p> <p><b>physics</b> 19:5,6</p> <p><b>pictures</b> 59:12</p> <p><b>pieces</b> 43:16 51:7</p> <p><b>pipes</b> 59:5</p> <p><b>place</b> 41:6 47:15 85:14                          89:5 98:17</p> <p><b>places</b> 76:9</p> <p><b>plaintiff</b> 5:3 84:19 85:5,6                          94:1,10 96:2 136:14</p> <p><b>plaintiffs</b> 1:6 4:3 5:14                          15:15</p> <p><b>Plaintiffs'</b> 8:19 63:21</p> <p><b>plan</b> 8:21 137:6</p> <p><b>platform</b> 119:5</p> <p><b>point</b> 14:6 30:7 56:3                          113:9 115:8</p> <p><b>pointing</b> 98:16</p> <p><b>police</b> 15:2,3,4,6,17</p> <p><b>policies</b> 36:23 44:14                          45:3,9 55:17 69:12 89:5,</p>
---	--	---	--



9,15,17 154:12 156:9  
**policy** 18:4,6 46:7 69:11  
 90:1,3 97:22  
**political** 70:19 113:16  
 114:5,10 115:9 125:12,  
 20  
**politically** 122:14,22  
 123:9,17 129:11  
**polling** 98:17  
**poor** 36:23 90:3 96:18  
 114:16  
**popular** 67:15  
**population** 75:4 77:15,  
 21 79:4 89:6,8 133:14  
 134:4,8,12,21 135:6,9,  
 16,23 142:1  
**portion** 61:15  
**position** 20:18,19,20,22  
 21:5,6 35:15 37:12 38:2  
 84:2 99:3 107:1,4 116:9  
**possibility** 88:17  
**post-census** 85:16  
**post-covid** 104:19  
**post-high** 19:10  
**posters** 15:10  
**poverty** 67:16,21,22  
**power** 52:1 68:5 89:3  
**practice** 90:1,3  
**practicing** 74:4  
**Pre-pandemic** 11:20  
**preceding** 106:4  
**precincts** 137:8  
**precisely** 156:6  
**predominantly** 157:14  
**prefer** 112:7 141:16  
**preference** 131:23  
 132:2  
**preferred** 124:12,21  
 138:11,19,21 139:2  
 142:9 145:10,12  
**preparation** 22:5 25:12  
 64:1 73:4

**prepare** 21:7,9,19 22:20  
 23:4,9,14 25:17,19 27:8  
 28:13 33:3,5 74:17  
**prepared** 65:19 71:10  
**preparing** 71:3  
**prepping** 74:3  
**Presdelane** 66:9  
**present** 24:15 25:23  
 26:10,12 29:2,6,9 31:19,  
 20,21,22,23 32:1,2,3  
 45:15 83:21 87:16,17,18,  
 22  
**presentation** 73:19  
**presidential** 109:15  
**press** 64:14 84:11 152:8,  
 16  
**pretty** 82:17  
**previous** 134:5 142:14  
 147:9  
**previously** 129:22 130:6  
**primaries** 138:20,21  
 139:1  
**primarily** 53:1 80:5  
**primary** 18:13 106:5  
 118:9  
**PRINGLE** 6:4  
**print** 48:18 106:4 127:13  
**printed** 63:16  
**prior** 3:3 17:19 41:13  
 125:12,20 134:13  
**prison** 89:19  
**privilege** 87:15,21  
**pro** 26:19 86:11  
**problem** 68:15,16 83:5  
**problems** 114:13 159:10  
**procedure** 9:5 158:12  
**proceedings** 9:11  
**process** 13:15 38:8  
 43:5,9 44:18 48:11,13  
 75:10,12 81:11,13  
 113:16 114:11 115:9  
 137:23 138:4 144:2  
 150:20,23 151:3,13,17  
 152:5

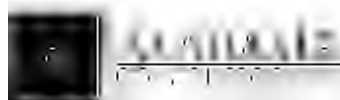
**produce** 36:23  
**produces** 129:16  
**program** 36:4,12,21  
 44:11 48:9 62:6,18,22  
 67:12,14 73:20 116:7,10  
**programming** 69:16  
 80:4 91:9,17 99:15  
 106:22 107:2  
**programs** 36:1,3 37:9,  
 11 44:16 67:10 115:23  
**project** 71:14,21 102:15  
 113:17  
**promote** 70:19 74:9  
**proper** 53:7  
**proportion** 131:15  
**proposed** 61:12  
**provide** 46:23 47:3,9  
 48:22 65:15,19 66:2  
 73:17 90:23 151:16  
 152:1,4  
**providing** 36:6 68:23  
 70:6 91:8  
**proximate** 77:6  
**PTA** 104:12  
**public** 2:7 9:2 44:14  
 56:20 68:9 69:11 70:1  
 71:2,5,9,13 72:14,18,20,  
 21 73:1,7 74:6 81:19,23  
 82:3 84:11 115:20 126:2  
 144:8,11 150:22 151:10  
 158:14  
**publicize** 48:17  
**pull** 72:1 156:4  
**purpose** 55:4,6 93:14,15  
 142:3  
**purposes** 12:16 26:17  
 133:23  
**pursuant** 1:22 9:4  
**pursue** 93:16  
**Pushed** 15:20  
**put** 13:10 59:12,13,15  
 89:5 93:10  
**putting** 129:20 130:19

## Q

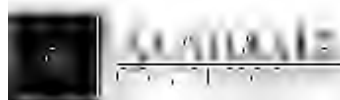
**qualified** 68:23  
**qualify** 119:9,13 128:7  
**qualifying** 120:23  
 128:18 130:22  
**quarterly** 49:21  
**question** 13:21 14:4,6,7,  
 8 23:7 30:18 31:15 34:17  
 38:6 42:11 47:21 51:19,  
 21 52:4 58:1,11 59:4  
 77:18 83:22 84:21 86:23  
 87:18 88:8 92:9 98:12  
 109:2 110:19 112:7  
 120:20 123:5,23 126:13  
 150:3 153:7 157:9  
 159:14  
**questioned** 113:22  
**questioning** 159:12  
**questions** 2:22,23 9:20  
 12:20 13:7,8,13,16 46:7  
 54:4 56:9 60:15 68:14  
 71:4,6 72:20 82:18 91:13  
 97:6 106:20 113:11  
 116:10 120:2 126:7  
 133:10 155:9,14,16,20  
 156:15,17 157:17 161:7  
**quick** 18:17 20:4 56:6  
 57:10 62:23 97:3 146:1  
**quickly** 102:10  
**quit** 121:13  
**quote** 78:3

## R

**race** 118:10,12,14,18,19  
 121:21 142:15 143:5,8,  
 13,17,19  
**races** 111:7 118:12  
**racial** 107:22 108:1  
 110:11,23 137:12  
 141:14,19 142:1 144:12,  
 19 145:3  
**raise** 14:3  
**raising** 69:3  
**ran** 118:5,14 120:11  
 121:5,10,17 122:3 157:5



<p><b>ranges</b> 69:17</p> <p><b>ranging</b> 69:17</p> <p><b>rate</b> 72:7 102:8</p> <p><b>rates</b> 26:19 110:12 111:1,20</p> <p><b>RDR</b> 161:21</p> <p><b>reach</b> 43:19 73:11</p> <p><b>read</b> 9:15 21:11,12,13,22 22:9</p> <p><b>reading</b> 2:14</p> <p><b>ready</b> 56:5</p> <p><b>real</b> 14:22 16:5 18:17 20:4 57:10 62:23 97:3 145:23</p> <p><b>realistic</b> 92:10 153:21</p> <p><b>realize</b> 129:7</p> <p><b>realized</b> 129:22</p> <p><b>realties</b> 77:7</p> <p><b>reapportionment</b> 134:1,3 140:6</p> <p><b>reask</b> 120:2</p> <p><b>reason</b> 12:23 13:3,19 39:23 77:2 94:20 103:3 105:15 147:4</p> <p><b>reasonable</b> 95:22</p> <p><b>reasons</b> 49:22 72:3 113:2,3 140:23</p> <p><b>recall</b> 11:18,20 12:3,9 20:12,15 21:14 22:1,11, 18,19 23:6 24:23 25:7, 10,14,21,23 26:6,14,15 27:6,21 28:11,20 29:5,12 32:4 41:13 72:16,23 76:14 79:11 82:4,5,19 83:12,20 84:12,17 86:16 101:10 116:17 117:23 120:17,22 121:2 122:3 136:12 137:7 140:10 145:5 156:1,14,17</p> <p><b>receive</b> 19:22 91:3</p> <p><b>received</b> 87:1 138:6</p> <p><b>recent</b> 112:3,6,11 144:17</p> <p><b>recently</b> 10:17 23:5 89:19 121:19 124:16 149:2</p>	<p><b>Recess</b> 56:7 117:6 149:20</p> <p><b>recollection</b> 27:10 115:19</p> <p><b>record</b> 9:13 10:12 13:10 32:11 126:9</p> <p><b>recorded</b> 149:13</p> <p><b>records</b> 98:7,11,18</p> <p><b>recruit</b> 43:9</p> <p><b>recuse</b> 95:2</p> <p><b>red</b> 54:19 60:20 147:2,4</p> <p><b>redistricted</b> 95:17</p> <p><b>redistricting</b> 74:18,22 75:2,6,7,10,12 85:17 88:16 89:10,11,14 131:21 133:23 136:22 140:8 143:16 154:9</p> <p><b>redrawn</b> 132:11 133:17</p> <p><b>reduce</b> 89:6</p> <p><b>refer</b> 130:2 133:13</p> <p><b>referenced</b> 10:14 11:14, 15</p> <p><b>referencing</b> 89:15</p> <p><b>referrals</b> 36:9</p> <p><b>referred</b> 42:22</p> <p><b>referring</b> 32:8 89:9,11, 13 116:14</p> <p><b>reflect</b> 75:7 76:11 79:4</p> <p><b>reflected</b> 61:5 77:23 147:6 159:2</p> <p><b>reflects</b> 156:8 158:6,17</p> <p><b>refreshments</b> 73:17</p> <p><b>refusing</b> 89:18</p> <p><b>register</b> 70:7,9 97:16,19 98:3,8,13 99:5 102:9 105:3,9,15</p> <p><b>registered</b> 65:6 97:13 100:4,7,12,15,22 101:14 102:2,17 103:2,4 105:1 112:2,8,10 113:19,20</p> <p><b>registering</b> 114:2</p> <p><b>registration</b> 68:7 70:13, 20,23 99:16,19,23 104:22 105:19 109:5</p>	<p>110:12 111:1,20</p> <p><b>regular</b> 49:5</p> <p><b>rejected</b> 147:1</p> <p><b>relate</b> 78:20</p> <p><b>related</b> 79:9 81:23 90:19 91:9,18 92:5 150:23 151:2</p> <p><b>relates</b> 90:7</p> <p><b>relating</b> 2:18</p> <p><b>relationship</b> 78:13 136:18</p> <p><b>relationships</b> 67:6</p> <p><b>release</b> 89:18</p> <p><b>released</b> 89:19 137:22 138:3</p> <p><b>releases</b> 84:11</p> <p><b>relevance</b> 13:14</p> <p><b>relevant</b> 13:16 133:10 148:3,6,7</p> <p><b>reliably</b> 34:10</p> <p><b>rely</b> 37:4 79:3</p> <p><b>remain</b> 44:22 47:1,5,11 110:12 111:1 129:10</p> <p><b>remember</b> 11:1,17,19 12:1 14:19 20:2,11 21:13 27:15 58:1 66:7 71:20 118:16 158:22</p> <p><b>remind</b> 12:14 13:5 20:7 63:1</p> <p><b>reminds</b> 81:21</p> <p><b>renewed</b> 38:3 116:21</p> <p><b>rent</b> 36:8</p> <p><b>renting</b> 15:1</p> <p><b>repeat</b> 77:18 123:4 150:3</p> <p><b>replaced</b> 60:5</p> <p><b>report</b> 108:12</p> <p><b>Reporter</b> 2:7 9:2,12 46:10 161:14</p> <p><b>Reporting</b> 161:13</p> <p><b>represent</b> 132:23</p> <p><b>representation</b> 135:21</p>	<p><b>representatives</b> 95:21</p> <p><b>represented</b> 34:11 44:1 131:12</p> <p><b>represents</b> 161:8</p> <p><b>Republican</b> 123:6,18 124:7 138:18 139:1,6,14, 20</p> <p><b>request</b> 147:23</p> <p><b>Requests</b> 8:20 63:22</p> <p><b>require</b> 87:15 126:19</p> <p><b>required</b> 44:22 48:20,23 133:20</p> <p><b>requires</b> 51:5 87:14 92:3 133:22 158:15</p> <p><b>reread</b> 21:11</p> <p><b>research</b> 70:8 71:18 86:3,19 102:15</p> <p><b>reserves</b> 65:14</p> <p><b>reside</b> 53:1,17,21</p> <p><b>resides</b> 66:16</p> <p><b>resigned</b> 37:15</p> <p><b>resolution</b> 15:12,13</p> <p><b>resource</b> 69:3</p> <p><b>resources</b> 90:23 91:8 108:7</p> <p><b>respective</b> 2:4</p> <p><b>respond</b> 49:12</p> <p><b>response</b> 64:17,23 65:10,11,15 147:23</p> <p><b>responses</b> 8:19 22:9,15 63:22</p> <p><b>responsibilities</b> 35:19, 21 89:4 90:11,15</p> <p><b>responsibility</b> 91:7</p> <p><b>responsible</b> 67:5 68:10, 15,21 144:6,7</p> <p><b>responsive</b> 88:15,21,23</p> <p><b>restart</b> 110:18</p> <p><b>restated</b> 148:11</p> <p><b>restoration</b> 68:8 70:3,4, 23 92:1,3</p> <p><b>restored</b> 89:21</p>
--	--	--	---



**result** 33:17 46:18 118:2  
 132:10 142:11 161:11

**resulted** 144:2

**results** 131:13

**retain** 79:3,8

**return** 15:21

**revealing** 87:3 88:9  
 131:5 153:7,12

**review** 22:4 27:2 28:4  
 29:15 30:8 32:5 33:7

**reviewed** 24:13 33:9  
 63:23

**reviewing** 29:12

**revived** 67:15

**Richard** 7:6 118:1

**richard.mink@alabamaag.gov** 7:16

**right-hand** 57:13 58:8,  
 13

**rights** 55:17 89:21  
 101:11 139:7,8 140:19

**Riley** 6:6

**River** 71:17

**rlancaster@balch.com**  
 6:12

**RODGER** 5:15

**role** 73:6 96:21

**room** 10:7,9

**Rosborough** 4:7 8:6  
 9:16,22 26:18 30:6,9,12,  
 16 31:13 32:17 34:4,16  
 35:8 38:5 46:19 50:12  
 51:18 52:3 53:2 55:5  
 56:2,14 70:21 75:23  
 76:12,23 77:17 78:2,15,  
 23 79:10 83:13 84:4,20  
 86:1,17 87:5,11,20 88:4  
 92:8 94:2 96:13 99:6  
 100:17 101:7 102:4,18  
 103:15,23 104:7,17  
 105:11,16 107:10,17  
 108:17 109:19 110:3,14  
 111:4,21 112:4,12 113:7,  
 12 114:12 115:10 119:17  
 121:1 122:17 123:2,12,  
 20 124:2,10,14,23 125:6,  
 10,23 126:4,6,20 127:2,

7,11,15,19,23 128:9,14,  
 20 129:8,12 130:1,7,13  
 131:8,18 133:19 134:9,  
 15 135:1,11 136:2,16  
 137:10 138:16 139:11  
 140:16 141:6,12,22  
 142:18 143:6,14,21  
 144:4,15,21 146:13  
 149:19 151:19,21 153:3,  
 16 154:21 155:10,15,18,  
 23 157:16 159:7,11  
 160:1

**roughly** 117:8 123:5  
 134:7

**routinely** 49:21

**Rule** 8:10,12,14 27:4

**rules** 2:17 9:4 12:14

**run** 117:9,10,11,13,16,  
 20,22 118:4,7,9 119:16,  
 21,23 120:4,10,15,23  
 121:9,11,20 122:7,10  
 125:3,5,21 126:15 128:2,  
 5 139:6

**running** 103:13,18  
 128:17 129:4,7,21,23  
 130:5 156:18

**runs** 103:10

**rural** 114:15

**Rutahindurwa** 5:6

## S

**s/sabrina** 161:21

**Sabrina** 1:19 2:6 9:1

**safety** 71:19

**save** 108:8

**schedule** 106:16

**school** 19:8,10

**schools** 69:7 74:1 119:7

**scope** 130:15,17

**Scott** 1:13,18 2:5 8:5 9:9  
 10:1,13 161:6

**search** 36:17 37:15 38:1

**season** 68:4

**Secretary** 89:18 106:19  
 130:2,22

**section** 42:13 58:4 61:13  
 64:18

**seemingly** 13:12

**selected** 37:13 39:1,2,3

**self-made** 40:12

**senate** 8:21 33:19 35:3,  
 4,11 76:17 120:15  
 121:18,21 132:12 133:6  
 135:2 136:10 137:16  
 142:22,23 143:1,4,7,12,  
 23 144:5,6 145:3 156:19  
 157:9,15

**Senator** 120:14 157:10

**senators** 95:20

**send** 65:21 154:7

**sending** 51:14

**sense** 60:13 80:23 81:1,  
 4 89:4 93:13 100:2,14,21  
 101:6,13,14,23 102:13  
 107:13 108:14 109:9,17  
 110:2 141:20

**sensus** 73:19

**sentence** 65:13

**separate** 62:5 90:18

**Septic** 72:9

**series** 106:6

**serve** 93:16 142:4

**served** 18:3

**service** 70:11

**services** 36:5,18 44:12  
 62:20 63:6,7 68:18,20  
 79:22 80:5 114:3

**serving** 70:7

**Servpro** 59:5

**session** 78:6 94:19

**set** 1:23 114:8

**sewer** 71:14,17 72:4

**shared** 67:9

**Shelby** 80:7

**shelter** 18:10,11 69:18,  
 19

**sheriff** 139:16

**shifts** 77:15,21

**shop** 72:13

**show** 24:9 30:2 40:23  
 100:21 110:2,5

**showed** 134:12

**showing** 54:14

**shown** 31:3,4 156:1

**shut** 114:18

**shutting** 116:13

**side** 111:13

**sided** 63:16

**Sierra** 37:18

**sign** 9:15

**signature** 2:14 30:14  
 32:22 58:17

**significant** 31:1 32:15,  
 19 55:14 110:11,23  
 111:5,11

**simple** 52:4 108:12

**SINGLETON** 5:15

**sir** 21:10 22:8 24:22  
 29:21 52:11 62:2 134:23  
 146:20 151:20

**sitting** 65:23 142:16  
 143:20 152:23 153:18  
 154:14,18 155:1

**SLAY** 5:16

**slight** 110:5,6

**small** 73:16 74:6

**smaller** 59:3

**SMITHERMAN** 5:15

**social** 17:11 36:18 48:19  
 50:17 106:3 127:21

**solid** 125:8,11

**somebody's** 129:6

**someone's** 49:23

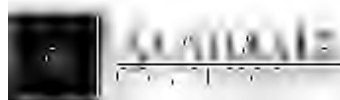
**source** 78:4

**sources** 55:7

**Southern** 1:2 17:10

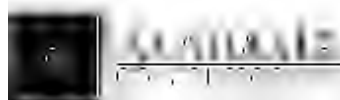
**speak** 82:15 152:13

**speaking** 38:11 82:17

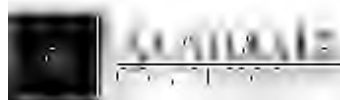




<p>85:10 126:18 127:9,10                      129:5</p> <p><b>special</b> 92:4 118:20</p> <p><b>specific</b> 76:9 99:13                      135:15</p> <p><b>specifically</b> 89:13                      93:21,22 131:4 133:21                      136:20 137:7 140:11</p> <p><b>specificity</b> 64:12</p> <p><b>spell</b> 66:11</p> <p><b>spend</b> 93:22</p> <p><b>spent</b> 18:18</p> <p><b>split</b> 139:14</p> <p><b>spoke</b> 82:18</p> <p><b>sponsoring</b> 39:9,10                      43:3 67:11 68:22</p> <p><b>sponsors</b> 40:2</p> <p><b>staff</b> 36:1 37:1,3 82:12                      97:23 121:2 123:23                      124:7</p> <p><b>staffer</b> 120:11</p> <p><b>staffers</b> 119:20 120:9                      122:9</p> <p><b>stand</b> 139:7</p> <p><b>standing</b> 64:13 117:3</p> <p><b>standpoint</b> 126:2</p> <p><b>stands</b> 60:21 87:19</p> <p><b>start</b> 43:10 64:5</p> <p><b>started</b> 42:4 90:20 91:20                      149:14</p> <p><b>state</b> 2:7 4:5 7:10 9:2                      10:11 51:1,2 64:12 76:6                      78:16 79:5 82:5,7,8,16                      88:15,19 89:5,12,18 90:2                      96:8,9 115:15,20 120:14,                      15 121:18,20 128:17                      130:8,11,22 131:13                      133:6 144:17 145:8                      154:1,7,8,10,12 161:3,22</p> <p><b>State's</b> 106:19 130:3</p> <p><b>state-issued</b> 115:1</p> <p><b>state-provided</b> 114:14</p> <p><b>stated</b> 74:22 75:1 158:5</p>	<p><b>statement</b> 50:11 84:13</p> <p><b>statements</b> 83:10 84:9,                      10,16</p> <p><b>states</b> 1:1 110:22 124:22</p> <p><b>statewide</b> 80:13,17 86:9</p> <p><b>stating</b> 111:3</p> <p><b>statistical</b> 108:7</p> <p><b>status</b> 89:20</p> <p><b>stenotype</b> 161:7</p> <p><b>STEVE</b> 6:3</p> <p><b>STIPULATED</b> 2:3,13,20                      3:6</p> <p><b>stipulation</b> 9:5</p> <p><b>stipulations</b> 1:23 9:13,                      14</p> <p><b>Stone</b> 1:5 4:4 11:8 21:16,                      23 31:9 32:7,8,10 33:4,                      11,15,17 84:19 85:5,7,                      15,22 94:1,11 95:14,15                      96:21 110:20 131:3,5                      145:7,8 153:14</p> <p><b>stopped</b> 47:7 72:2 116:4</p> <p><b>straight</b> 38:7</p> <p><b>strangers</b> 73:12</p> <p><b>strategies</b> 91:1</p> <p><b>strategy</b> 91:8</p> <p><b>street</b> 1:21 2:9 4:10 5:20                      9:7 15:8 39:18</p> <p><b>strengthen</b> 75:13</p> <p><b>stretch</b> 117:8</p> <p><b>stroke</b> 60:4</p> <p><b>structure</b> 39:3 40:14</p> <p><b>studies</b> 19:7</p> <p><b>study</b> 19:11</p> <p><b>studying</b> 19:3 20:1                      138:1</p> <p><b>stuff</b> 55:18 60:5 73:17                      78:10 95:2 106:12</p> <p><b>subdivisions</b> 72:6</p> <p><b>subject</b> 88:5</p> <p><b>substance</b> 85:21</p>	<p><b>suburbs</b> 72:12</p> <p><b>successful</b> 33:17 81:14                      121:7,22</p> <p><b>sue</b> 115:15</p> <p><b>sued</b> 15:14</p> <p><b>suggest</b> 147:22</p> <p><b>suggesting</b> 103:21</p> <p><b>suggests</b> 110:10</p> <p><b>Suite</b> 5:8,20</p> <p><b>sum</b> 55:9</p> <p><b>summer</b> 55:3 69:4                      148:21</p> <p><b>super</b> 71:14,17</p> <p><b>superclean</b> 97:5</p> <p><b>supervising</b> 36:1</p> <p><b>support</b> 44:20 47:4,7,8,                      10 48:9,21 69:22 86:12                      90:22 139:14</p> <p><b>supporting</b> 50:20 64:13</p> <p><b>supposed</b> 26:16 59:13</p> <p><b>suppression</b> 78:19</p> <p><b>Supreme</b> 149:23 150:12</p> <p><b>surrounding</b> 144:13,20</p> <p><b>survey</b> 83:4,8 113:23</p> <p><b>suspect</b> 14:1</p> <p><b>switch</b> 139:22</p> <p><b>switched</b> 139:20 140:2</p> <p><b>switching</b> 140:5 156:14</p> <p><b>sworn</b> 9:23 10:2</p> <p><b>synagogues</b> 42:16</p> <p><b>system</b> 70:2 72:8,9</p> <p><b>systems</b> 36:20,22 44:14                      62:19 63:4 69:8,10,16                      70:15 79:21 80:14,16                      90:8,20</p> <hr/> <p style="text-align: center;"><b>T</b></p> <hr/> <p><b>table</b> 105:2</p> <p><b>takes</b> 125:5 126:15</p> <p><b>taking</b> 2:18 64:4 85:13                      127:13</p>	<p><b>talk</b> 12:16 65:21 68:8                      115:20 149:5,7,8</p> <p><b>talked</b> 40:13 54:3 76:3                      79:20 85:8 91:7 105:18                      128:12 131:1 137:11</p> <p><b>talking</b> 68:6 73:22 75:22                      76:2 83:7 148:22</p> <p><b>tanks</b> 72:9</p> <p><b>Tari</b> 31:20,21 90:11                      91:10</p> <p><b>task</b> 62:14,16 66:23 67:2,                      4 68:18,20 69:8,10,16                      70:16 79:21,22 80:9,14,                      16 90:8 93:19</p> <p><b>tasked</b> 97:21</p> <p><b>Taunton</b> 6:5 8:6,7 9:14                      10:4 24:2 26:20 30:4,7,                      11,13,17 31:16 32:21                      34:5,22 35:15 38:9                      46:16,22 50:14 51:20                      52:6 53:10 55:22 56:4                      57:1 71:8 76:8,19 77:13,                      19 78:12,20 79:7,14                      83:15 84:8 85:1 86:6,21                      87:13 88:3,7 92:12 94:7                      96:20 99:12 100:20                      101:12 102:12,21 103:20                      104:4,14 105:5,14,18                      107:13,20 108:21 109:22                      110:9,17 111:18 112:1,9,                      16 113:10,13 114:21                      115:14 117:5 119:19                      122:19 123:4,14,22                      124:3,11,17 125:2,8,12                      126:1,11,23 127:5,9,13,                      17,21 128:2,11,16,22                      129:10,14 130:4,10,18                      131:16 132:3 133:21                      134:11,19 135:4,14                      136:4,20 137:13 138:23                      139:17 141:7,18 142:5,                      20 143:10,18 144:1,12,                      19 145:2 146:14 149:16,                      21 151:20,23 153:9,18                      154:23 155:8,21 157:18,                      22 159:5,23</p> <p><b>team</b> 91:20</p> <p><b>technical</b> 14:4</p> <p><b>techniques</b> 73:14</p> <p><b>Technology</b> 159:10</p> <p><b>telling</b> 23:2 55:19</p>
---	--	--	---



<p><b>tells</b> 50:2</p> <p><b>temples</b> 42:17</p> <p><b>Tennessee</b> 15:23 16:1, 2,9 18:19,22 19:9,12,18 53:8 117:18</p> <p><b>term</b> 39:5,6,7,8 42:21</p> <p><b>terminated</b> 47:18,23 49:9,13 50:5</p> <p><b>terms</b> 44:10,13 71:2 75:17 76:3</p> <p><b>testified</b> 10:2</p> <p><b>testify</b> 12:23 153:1,10, 11,14 154:14,19</p> <p><b>testifying</b> 11:4</p> <p><b>testimony</b> 20:5,14 146:2,5 155:3 157:23 161:9</p> <p><b>text</b> 49:11 50:21 58:3 106:3</p> <p><b>theme</b> 111:6</p> <p><b>thereto</b> 3:4 161:7</p> <p><b>thing</b> 13:20 18:13 50:16 123:6 147:11 148:1</p> <p><b>thing's</b> 103:11</p> <p><b>things</b> 40:11 43:16 56:16 67:19 74:2,21 75:1 88:10 90:5 106:13 128:12 148:11 153:20,22</p> <p><b>thinking</b> 40:10 52:8</p> <p><b>Thompson</b> 12:5,10</p> <p><b>thought</b> 76:10 138:10</p> <p><b>Thursday</b> 28:21</p> <p><b>thwart</b> 78:10</p> <p><b>time</b> 3:2 16:3,18 17:8 18:11,18 19:17 23:23 25:18 37:15,19 41:15 42:4 47:13 55:18 56:6 60:3,16 77:6 82:12 93:22 117:18 119:2 121:3,11 146:12 149:15 152:21</p> <p><b>timeline</b> 49:5</p> <p><b>times</b> 23:8 41:11 68:16 71:18</p> <p><b>tired</b> 55:19</p>	<p><b>title</b> 29:16 33:10</p> <p><b>titled</b> 63:21 64:19</p> <p><b>titles</b> 148:8</p> <p><b>today</b> 11:3 13:1,17 33:4 65:20,23 100:16,22 101:15,23 102:2 108:16, 21,23 109:1,10,12,14 116:19 124:12,15,16,22 152:23 153:15,18 154:14,18 155:1 157:3</p> <p><b>today's</b> 21:7,9,19 22:5, 21 23:4,9,14 30:22</p> <p><b>told</b> 88:10 103:7</p> <p><b>tools</b> 73:13 91:3</p> <p><b>top</b> 148:3</p> <p><b>topics</b> 13:16 130:15</p> <p><b>town</b> 50:19,22</p> <p><b>track</b> 72:21 99:18,22 100:11 102:22 107:21 108:4 111:19,22</p> <p><b>training</b> 92:4</p> <p><b>transcribed</b> 161:7</p> <p><b>transcript</b> 93:4 161:8</p> <p><b>transcription</b> 161:8</p> <p><b>transparency</b> 68:17</p> <p><b>transportation</b> 70:2 74:1 114:17</p> <p><b>trashed</b> 74:7</p> <p><b>tremendous</b> 26:18</p> <p><b>trends</b> 108:11</p> <p><b>trial</b> 3:2 20:14 153:1,14 154:15,20</p> <p><b>trigger</b> 43:6</p> <p><b>true</b> 124:12,17 161:8</p> <p><b>trust</b> 117:4</p> <p><b>trusted</b> 73:15</p> <p><b>truthfully</b> 13:1</p> <p><b>tuition</b> 67:19</p> <p><b>tunneling</b> 71:23</p> <p><b>turned</b> 43:12 44:4</p> <p><b>turnout</b> 110:12,23 111:5, 20</p>	<p><b>turpitude</b> 114:7 115:12</p> <p><b>Twenty</b> 138:13</p> <p><b>type</b> 138:23</p> <p><b>typically</b> 125:21</p> <hr/> <p><b>U</b></p> <hr/> <p><b>U.S.</b> 117:14 133:20</p> <p><b>uh-huh</b> 12:20 110:21 118:21 120:8</p> <p><b>unclear</b> 155:2</p> <p><b>underground</b> 72:1</p> <p><b>underlying</b> 87:15</p> <p><b>underneath</b> 70:15 90:16</p> <p><b>underpopulating</b> 77:10</p> <p><b>understand</b> 11:3,7,10 13:10,13,17 14:8 31:7 33:14,16 51:19,21 54:19 86:18,21 132:3,22 135:8 141:15 142:19 143:7,10 159:14</p> <p><b>understanding</b> 43:14 44:10 57:16 64:22 145:20 147:14 150:8,10, 11,15 156:7,11,12 158:4, 7,10,11</p> <p><b>understood</b> 60:8 103:14 104:4 146:2 155:21 157:23</p> <p><b>undertaken</b> 113:14</p> <p><b>unemployed</b> 17:2</p> <p><b>unfairly</b> 75:16</p> <p><b>unintentionally</b> 36:22 69:12</p> <p><b>Union</b> 4:9</p> <p><b>Unitarian</b> 39:19</p> <p><b>United</b> 1:1 124:22</p> <p><b>Universalist</b> 39:19</p> <p><b>university</b> 18:18,21 19:12,14,18</p> <p><b>upcoming</b> 85:16 106:5</p> <p><b>upheld</b> 149:23 150:12</p> <p><b>urban</b> 19:7</p>	<p><b>usual</b> 9:14 138:8</p> <p><b>UT</b> 16:12 19:13</p> <p><b>utilities</b> 36:8</p> <p><b>utility</b> 69:2</p> <hr/> <p><b>V</b></p> <hr/> <p><b>vacuumed</b> 35:13</p> <p><b>valid</b> 87:17</p> <p><b>values</b> 44:9 50:11</p> <p><b>variances</b> 134:5</p> <p><b>variation</b> 137:15 142:10</p> <p><b>variations</b> 142:10</p> <p><b>vast</b> 71:19</p> <p><b>Vehicles</b> 114:18 116:13</p> <p><b>verb</b> 93:10</p> <p><b>versa</b> 137:1 142:12</p> <p><b>version</b> 146:7 148:9 158:3</p> <p><b>versus</b> 100:22 101:1 102:14 109:2,15,21 110:1</p> <p><b>vice</b> 137:1 142:12</p> <p><b>videoconference</b> 5:4, 17 7:4</p> <p><b>Vietnam</b> 15:10</p> <p><b>view</b> 78:21</p> <p><b>views</b> 67:22</p> <p><b>visible</b> 133:12</p> <p><b>vision</b> 95:3</p> <p><b>vocabulary</b> 50:15</p> <p><b>voice</b> 92:10 111:11,12, 14,15</p> <p><b>voices</b> 34:11 75:13,18, 21 76:6 88:18 96:17 111:16</p> <p><b>volunteer</b> 17:18 18:2,3 55:21 90:13</p> <p><b>volunteering</b> 17:22 18:1</p> <p><b>volunteers</b> 37:5,7,10 44:20 46:23 55:8 99:9</p> <p><b>vote</b> 43:3,6 52:2 65:7</p>
---	--	--	---



70:8,9 78:9 95:4 97:16,  
 19 98:3,8,13 99:5 100:4,  
 8,12,16 102:2,9,17  
 103:2,4,5 104:5,13  
 105:1,3,9,21 106:2,4  
 107:6,9,12,14 108:15,20,  
 21 109:10,12 112:3,8,10,  
 17,18,21 113:19 114:2  
 158:22

**voted** 43:2 46:8 61:2,9  
 95:5 112:3,6,11 139:4

**voter** 20:9,10 68:7 70:2,  
 4,13,20,22,23 78:8,14,  
 17,18 89:17 90:7,19  
 91:10,18,21 92:2 97:13  
 99:16 104:22 110:11,12,  
 23 111:1,5,19,20 114:13  
 115:6,15 116:16 130:19

**voters** 85:12 125:19

**votes** 107:22 108:1  
 111:9

**voting** 12:7 68:7 89:21  
 91:23 101:10 106:16  
 109:6,7 116:1 129:16,20  
 130:21 139:5 140:19

**voting-eligible** 102:16

---

**W**

---

**Wait** 91:12 159:9

**waived** 2:15 3:8

**Walker** 5:17 80:7

**wanted** 78:5 93:23 98:1  
 105:9 122:14,21 123:9,  
 16

**War** 15:11

**Washington** 5:9 7:11

**water** 59:5 72:8,9

**ways** 34:9 40:11 70:19,  
 22 73:10 78:10 82:23  
 107:5 152:6

**website** 48:18

**week** 25:15,22 28:16,19  
 29:13 116:23

**WES** 1:8 7:3

**whichever** 106:5

**Whig** 139:6

**white** 81:2

**whites** 35:13 137:1,3  
 142:11

**wide** 69:17

**wife** 117:1

**Wiggins** 1:20 2:8 9:6

**Wikipedia** 100:19

**William** 118:15

**Williams** 29:6,9 31:20,  
 21 90:11 91:10 96:20  
 97:21 98:10,19 99:3  
 106:21 116:6

**win** 138:19,20

**winning** 156:18

**witnesses** 13:6

**women** 69:20 85:12

**won** 118:3,15 121:13  
 139:1 156:22 157:10

**word** 148:6

**words** 103:20

**work** 17:12 18:4,6,14  
 44:14 48:9 55:20,21  
 62:16,18,19,20 63:3,4,5,  
 6 68:20 70:2,9 79:20  
 80:12 81:14 90:12,13,20  
 94:16 144:9 148:18

**worked** 17:13 18:15  
 71:15

**worker** 55:17

**working** 17:9,14 18:14  
 37:18 67:9 68:21 81:16  
 86:22 144:9

**world** 20:2

**worse** 104:2

**worth** 95:3 155:19

**wrapping** 149:17

**wrong** 47:15 61:13 158:1

---

**Y**

---

**year** 12:10 49:20 52:18  
 59:7,8 109:21 116:17

**years** 16:12 17:6 18:8  
 19:2 45:16 46:15 77:8

104:16,19 120:11  
 124:18,19 138:11,13,15,  
 18 139:1

**yellow** 58:3

**yesterday** 28:15 31:17

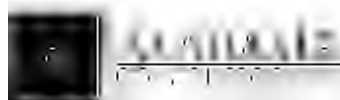
**York** 4:11

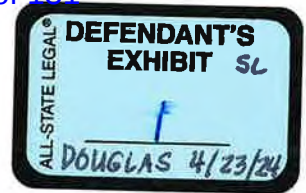
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**Z**

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**Zoom** 26:3 27:11 28:22  
 29:1 60:3 63:19





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

KHADIDAH STONE, <i>et al.</i> ,	)	
	)	
<i>Plaintiffs,</i>	)	
	)	
v.	)	Case No. 2:21-cv-1531-AMM
	)	
WES ALLEN, <i>et al.</i> ,	)	
	)	
<i>Defendants.</i>	)	

**NOTICE OF RULE 30(b)(6) DEPOSITION  
OF GREATER BIRMINGHAM MINISTRIES**

Please take notice that, pursuant to Federal Rule of Civil Procedure 30(b)(6), the Defendants in the above-captioned case will take the deposition upon oral examination of such individual as Greater Birmingham Ministries (referred to herein as “GBM,” “you,” and/or “your”) shall designate as the person most knowledgeable on the following subjects:

1. Your corporate structure.
2. Your understanding of the methods of registering to vote in Alabama.
3. Your current and historical efforts to register eligible Alabamians to vote, including the results of your efforts.
4. Your current and historical efforts to re-enfranchise eligible Alabamians, including the results of your efforts.
5. Your efforts to monitor polling locations since January 1, 2016.

6. Your efforts to transport voters to polling locations since January 1, 2016, including the results of those efforts and the racial demographics of the voters you transported.
7. Your efforts to determine the racial demographics of votes cast in Alabama elections (local, state, and/or federal) since January 1, 2016, including the results of those efforts.
8. Your membership, including but not limited to:
  - a. Number of members;
  - b. Your members who reside in Senate Districts 2, 6, 7, 25, and 26 in your proposed map;
  - c. Racial breakdown of membership;
  - d. Average income of membership; and,
  - e. Percentage of membership that is registered to vote.
9. The percentage of your membership that is registered to vote today versus in years past, going back to your founding in 1969.
10. Your eligible members who are not registered to vote, including but not limited to:
  - a. The identity of those members;
  - b. The reasons why those members are not registered to vote; and,
  - c. Your efforts to assist those members register to vote.
11. Eligible Alabama voters who are not your members and are unable to vote, including but not limited to:
  - a. The identity of those residents;
  - b. The reasons why those eligible voters have been unable to vote; and,
  - c. Your current and historical efforts to assist those eligible voters to vote.
12. Your communications with any eligible Alabamian who unsuccessfully attempted to register to vote since January 1, 2016, including but not limited to:
  - a. The identity of the eligible resident;
  - b. The reason why that eligible resident could not register to vote; and,
  - c. Your efforts to assist that eligible resident to register to vote.



13. Your communications with any eligible voter who claimed to be unable to vote in any election since January 1, 2016, including but not limited to:
  - a. The identity of the eligible voter;
  - b. The reason why that eligible voter could not vote; and,
  - c. Your efforts to assist that eligible voter to vote.
14. Your members who have run for public office since your founding in 1969, including but not limited to:
  - a. The identity of those members; and,
  - b. The result of their campaigns.
15. Your efforts to “advanc[e] social justice through political participation across Alabama.” (Fourth Amended Complaint ¶16).
16. Your understanding of what activities constitute “political participation.” (Fourth Amended Complaint ¶16).
17. Your efforts to assess who, among your members, are hindered from participating in the political process.
18. Your communications since January 1, 2016, with any person who said they would like to become more politically engaged but felt shut out or were in fact shut out by the Democratic Party.
19. Your communications since January 1, 2016, with any person who said they would like to become more politically engaged but felt shut out or were in fact shut out by the Republican Party.
20. Your efforts to “increase voter turnout and efficacy” “among Black and low-income people.” (Fourth Amended Complaint ¶16).
21. Your efforts to “educate” “Black and low-income people” on registering to vote, voting, and engaging in the political process. (Fourth Amended Complaint ¶16).
22. All bases for your statement that “significant racial disparities in voter turnout and voter registration rates remain” in Alabama. (Fourth Amended Complaint ¶153).
23. Your requests for relief.

24. Your issuance of public statements since January 1, 2019 concerning redistricting or the 2020 United States census, including but not limited to the contents of your public statements and the person(s) who draft, authorize, and release your public statements.
25. Whether, and if so, how, the historical events discussed in paragraphs 104 through 128 of your Fourth Amended Complaint affect the opportunity of black voters in the present to participate in the political process and elect their candidates of choice.

\* \* \*

All terms within these topics shall have the same meaning that you gave them in your Fourth Amended Complaint. Should you believe that any of these topics require clarification, please notify the undersigned counsel in writing at least 10 days in advance of the deposition.

This deposition shall be conducted at the following time and place unless otherwise agreed upon by the Parties:

Date: \_\_\_\_\_ day, \_\_\_\_ 2024

Time: 10:00am (central)

Place: Office of the Alabama Attorney General  
501 Washington Avenue  
Montgomery, AL 36117

This deposition shall be conducted before a Court Reporter authorized by law to administer oaths in the State of Alabama. The deposition will be stenographically recorded.

Respectfully submitted,

Steve Marshall  
*Attorney General*

---

Edmund G. LaCour Jr. (ASB-9182-U81L)  
*Solicitor General*

James W. Davis (ASB-4063-I58J)  
*Deputy Attorney General*

Soren Geiger (ASB-0336-T31L)  
*Assistant Solicitor General*

Misty S. Fairbanks Messick (ASB-1813-T71F)  
Brenton M. Smith (ASB-1656-X27Q)  
Benjamin M. Seiss (ASB-2110-O00W)  
*Assistant Attorneys General*

OFFICE OF THE ATTORNEY GENERAL  
STATE OF ALABAMA  
501 Washington Avenue  
P.O. Box 300152  
Montgomery, Alabama 36130-0152  
Telephone: (334) 242-7300  
Fax: (334) 353-8400  
Edmund.LaCour@AlabamaAG.gov  
Soren.Geiger@AlabamaAG.gov  
Jim.Davis@AlabamaAG.gov  
Misty.Messick@AlabamaAG.gov  
Brenton.Smith@AlabamaAG.gov  
Ben.Seiss@AlabamaAG.gov

*Counsel for Secretary of State Allen*

**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_, I served the foregoing document electronically upon Plaintiffs' counsel of record.

\_\_\_\_\_  
Edmund G. LaCour Jr.  
*Solicitor General*

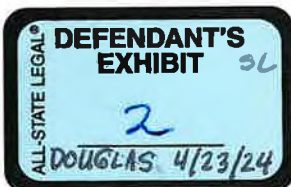
**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

KHADIDAH STONE, <i>et al.</i> ,	)	
	)	
<i>Plaintiffs,</i>	)	
	)	
v.	)	Case No. 2:21-cv-1531-AMM
	)	
WES ALLEN, <i>et al.</i> ,	)	
	)	
<i>Defendants.</i>	)	

**NOTICE OF RULE 30(b)(6) DEPOSITION  
OF GREATER BIRMINGHAM MINISTRIES**

Please take notice that, pursuant to Federal Rule of Civil Procedure 30(b)(6), the Defendants in the above-captioned case will take the deposition upon oral examination of such individual as Greater Birmingham Ministries (referred to herein as “GBM,” “you,” and/or “your”) shall designate as the person most knowledgeable on the following subjects:

1. Your corporate structure.
2. Your understanding of the methods of registering to vote in Alabama.
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5. Your efforts to monitor polling locations since January 1, 2016.





6. Your efforts to transport voters to polling locations since January 1, 2016, including the results of those efforts and the racial demographics of the voters you transported.
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8. Your membership, including but not limited to:
  - a. Number of members;
  - b. Your members who reside in Senate Districts 2, 6, 7, 25, and 26 in your proposed map;
  - c. Racial breakdown of membership;
  - d. Average income of membership; and,
  - e. Percentage of membership that is registered to vote.
9. The percentage of your membership that is registered to vote today versus in years past, going back to your founding in 1969.
10. Your eligible members who are not registered to vote, including but not limited to:
  - a. The identity of those members;
  - b. The reasons why those members are not registered to vote; and,
  - c. Your efforts to assist those members register to vote.
11. Eligible Alabama voters who are not your members and are unable to vote, including but not limited to:
  - a. The identity of those residents;
  - b. The reasons why those eligible voters have been unable to vote; and,
  - c. Your current and historical efforts to assist those eligible voters to vote.
12. Your communications with any eligible Alabamian who unsuccessfully attempted to register to vote since January 1, 2016, including but not limited to:
  - a. The identity of the eligible resident;
  - b. The reason why that eligible resident could not register to vote; and,
  - c. Your efforts to assist that eligible resident to register to vote.

13. Your communications with any eligible voter who claimed to be unable to vote in any election since January 1, 2016, including but not limited to:
  - a. The identity of the eligible voter;
  - b. The reason why that eligible voter could not vote; and,
  - c. Your efforts to assist that eligible voter to vote.
14. Your members who have run for public office since your founding in 1969, including but not limited to:
  - a. The identity of those members; and,
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15. Your efforts to “advanc[e] social justice through political participation across Alabama.” (Fourth Amended Complaint ¶16).
16. Your understanding of what activities constitute “political participation.” (Fourth Amended Complaint ¶16).
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22. All bases for your statement that “significant racial disparities in voter turnout and voter registration rates remain” in Alabama. (Fourth Amended Complaint ¶153).
23. Your requests for relief.

24. Your issuance of public statements since January 1, 2019 concerning redistricting or the 2020 United States census, including but not limited to the contents of your public statements and the person(s) who draft, authorize, and release your public statements.
25. Whether, and if so, how, the historical events discussed in paragraphs 104 through 128 of your Fourth Amended Complaint affect the opportunity of black voters in the present to participate in the political process and elect their candidates of choice.

\* \* \*

All terms within these topics shall have the same meaning that you gave them in your Fourth Amended Complaint. Should you believe that any of these topics require clarification, please notify the undersigned counsel in writing at least 10 days in advance of the deposition.

This deposition shall be conducted at the following time and place unless otherwise agreed upon by the Parties:

Date: Tuesday, April 23, 2024

Time: 10:00am (central)

Place: **Wiggins Childs Pantazis Fisher & Goldfarb LLC**  
**301 19<sup>th</sup> Street North**  
**Birmingham, Alabama 36104**

This deposition shall be conducted before a Court Reporter authorized by law to administer oaths in the State of Alabama. The deposition will be stenographically recorded.

Respectfully submitted,

Steve Marshall  
*Attorney General*

/s James W. Davis  
Edmund G. LaCour Jr. (ASB-9182-U81L)  
*Solicitor General*

James W. Davis (ASB-4063-I58J)  
*Deputy Attorney General*

Soren Geiger (ASB-0336-T31L)  
*Assistant Solicitor General*

Misty S. Fairbanks Messick (ASB-1813-T71F)  
Brenton M. Smith (ASB-1656-X27Q)  
Benjamin M. Seiss (ASB-2110-O00W)  
*Assistant Attorneys General*

OFFICE OF THE ATTORNEY GENERAL  
STATE OF ALABAMA  
501 Washington Avenue  
P.O. Box 300152  
Montgomery, Alabama 36130-0152  
Telephone: (334) 242-7300  
Fax: (334) 353-8400  
Edmund.LaCour@AlabamaAG.gov  
Soren.Geiger@AlabamaAG.gov  
Jim.Davis@AlabamaAG.gov  
Misty.Messick@AlabamaAG.gov  
Brenton.Smith@AlabamaAG.gov  
Ben.Seiss@AlabamaAG.gov

*Counsel for Secretary of State Allen*

Dorman Walker (ASB-9154-R81J)  
BALCH & BINGHAM LLP  
Post Office Box 78 (36101)  
445 Dexter Avenue  
Montgomery, Alabama 36101  
Telephone: (334) 269-3138  
Email: [dwalker@balch.com](mailto:dwalker@balch.com)

Michael P. Taunton (ASB-6853-H00S)  
BALCH & BINGHAM LLP  
Post Office Box 306  
Birmingham, Alabama 35201  
Telephone: (205) 251-8100  
Facsimile: (205) 226-8799  
[mtaunton@balch.com](mailto:mtaunton@balch.com)

***Counsel for Representative Pringle***

### **CERTIFICATE OF SERVICE**

I certify that on April 9, 2024, I served the foregoing document electronically upon Plaintiffs' counsel of record.

/s James W. Davis  
James W. Davis  
Counsel for Secretary Allen



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

BOBBY SINGLETON, et al., )  
)  
*Plaintiffs,* )  
)  
v. ) Case No.: 2:21-cv-1291-AMM  
)  
WES ALLEN, in his official ) **THREE-JUDGE COURT**  
capacity as Alabama Secretary of )  
State, et al., )  
)  
*Defendants.* )

---

EVAN MILLIGAN, et al., )  
)  
*Plaintiffs,* )  
)  
v. ) Case No.: 2:21-cv-01530-AMM  
)  
WES ALLEN, in his official ) **THREE-JUDGE COURT**  
capacity as Secretary of State of )  
Alabama, et al., )  
)  
*Defendants.* )

---

MARCUS CASTER, et al., )  
)  
*Plaintiffs,* )  
)  
v. ) Case No.: 2:21-cv-01536-AMM  
)  
WES ALLEN, in his official )  
Capacity as Alabama Secretary of )  
State, et al., )  
)  
*Defendants.* )



**NOTICE OF RULE 30(b)(6) DEPOSITION**  
**OF GREATER BIRMINGHAM MINISTRIES**

Please take notice that, pursuant to Federal Rule of Civil Procedure 30(b)(6), the Defendants in the above-captioned case will take the deposition upon oral examination of such individual as Greater Birmingham Ministries (referred to herein as “GBM,” “you,” and/or “your”) shall designate as the person most knowledgeable on the following subjects:

1. Your corporate structure.
2. Your understanding of the methods of registering to vote in Alabama.
3. Your current and historical efforts to register eligible Alabamians to vote, including the results of your efforts.
4. Your current and historical efforts to re-enfranchise eligible Alabamians, including the results of your efforts.
5. Your efforts to monitor polling locations since January 1, 2016.
6. Your efforts to transport voters to polling locations since January 1, 2016, including the results of those efforts and the racial demographics of the voters you transported.
7. Your efforts to determine the racial demographics of votes cast in Alabama elections (local, state, and/or federal) since January 1, 2016, including the results of those efforts.
8. Your membership, including but not limited to:
  - a. Number of members;
  - b. Your members who reside in Congressional Districts 2 and 7 in your proposed map(s);
  - c. Racial breakdown of membership;

- d. Average income of membership; and,
  - e. Percentage of membership that is registered to vote.
- 9. The percentage of your membership that is registered to vote today versus in years past, going back to your founding in 1969.
- 10. Your eligible members who are not registered to vote, including but not limited to:
  - a. The identity of those members;
  - b. The reasons why those members are not registered to vote; and,
  - c. Your efforts to assist those members register to vote.
- 11. Eligible Alabama voters who are not your members and are unable to vote, including but not limited to:
  - a. The identity of those residents;
  - b. The reasons why those eligible voters have been unable to vote; and,
  - c. Your current and historical efforts to assist those eligible voters to vote.
- 12. Your communications with any eligible Alabamian who unsuccessfully attempted to register to vote since January 1, 2016, including but not limited to:
  - a. The identity of the eligible resident;
  - b. The reason why that eligible resident could not register to vote; and,
  - c. Your efforts to assist that eligible resident to register to vote.
- 13. Your communications with any eligible voter who claimed to be unable to vote in any election since January 1, 2016, including but not limited to:
  - a. The identity of the eligible voter;
  - b. The reason why that eligible voter could not vote; and,
  - c. Your efforts to assist that eligible voter to vote.
- 14. Your members who have run for public office since your founding in 1969, including but not limited to:
  - a. The identity of those members; and,
  - b. The result of their campaigns.
- 15. Your efforts to “advanc[e] social justice through political participation across Alabama.” (First Amended Complaint ¶22).

16. Your understanding of what activities constitute “political participation.” (First Amended Complaint ¶22).
17. Your efforts to assess who, among your members, are hindered from participating in the political process.
18. Your communications since January 1, 2016, with any person who said they would like to become more politically engaged but felt shut out or were in fact shut out by the Democratic Party.
19. Your communications since January 1, 2016, with any person who said they would like to become more politically engaged but felt shut out or were in fact shut out by the Republican Party.
20. Your efforts to “increase voter turnout and efficacy” “among Black and low-income people.” (First Amended Complaint ¶22).
21. Your efforts to “educate” “Black and low-income people” on registering to vote, voting, and engaging in the political process. (First Amended Complaint ¶22).
22. All bases for your statement that “significant racial disparities in voter turnout and voter registration rates remain” in Alabama. (*Stone v. Allen* Fourth Amended Complaint ¶153).
23. Your requests for relief.
24. Your issuance of public statements since January 1, 2019 concerning redistricting or the 2020 United States census, including but not limited to the contents of your public statements and the person(s) who draft, authorize, and release your public statements.
25. Whether, and if so, how, the historical events discussed in paragraphs 104 through 128 of your First Amended Complaint affect the opportunity of black voters in the present to participate in the political process and elect their candidates of choice.

\* \* \*

All terms within these topics shall have the same meaning that you gave them in your First Amended Complaint. Should you believe that any of these topics require clarification, please notify the undersigned counsel in writing at least 10 days in advance of the deposition.

This deposition shall be conducted at the following time and place unless otherwise agreed upon by the Parties:

Date: Tuesday, April 23, 2024  
Time: 10:00am (central)  
Place: **Wiggins Childs Pantazis Fisher & Goldfarb LLC**  
**301 19<sup>th</sup> Street North**  
**Birmingham, Alabama 36104**

This deposition shall be conducted before a Court Reporter authorized by law to administer oaths in the State of Alabama. The deposition will be stenographically recorded.

*Respectfully Submitted,*

Steve Marshall  
*Attorney General*

/s/ James W. Davis  
Edmund G. LaCour Jr. (ASB-9182-U81L)  
*Solicitor General*  
A. Barrett Bowdre (ASB-2087-K29V)  
*Deputy Solicitor General*  
Soren A. Geiger (ASB-0336-T31L)  
*Assistant Solicitor General*  
James W. Davis (ASB-4063-I58J)  
*Deputy Attorney General*  
Misty S. Fairbanks Messick (ASB-1813-T71F)  
Brenton M. Smith (ASB-1656-X27Q)  
Benjamin M. Seiss (ASB-2110-O00W)



Charles A. McKay (ASB-7256-K18K)  
*Assistant Attorneys General*

OFFICE OF THE ATTORNEY GENERAL  
STATE OF ALABAMA  
501 Washington Avenue  
P.O. Box 300152  
Montgomery, Alabama 36130-0152  
Telephone: (334) 242-7300  
Fax: (334) 353-8400  
Edmund.LaCour@AlabamaAG.gov  
Barrett.Bowdre@AlabamaAG.gov  
Soren.Geiger@Alabama.AG.gov  
Jim.Davis@AlabamaAG.gov  
Misty.Messick@AlabamaAG.gov  
Brenton.Smith@AlabamaAG.gov  
Ben.Seiss@AlabamaAG.gov  
Charles.McKay@AlabamaAG.gov

*Counsel for Secretary Allen*

Dorman Walker (ASB-9154-R81J)  
BALCH & BINGHAM LLP  
Post Office Box 78 (36101)  
445 Dexter Avenue  
Montgomery, Alabama 36101  
Telephone: (334) 269-3138  
Email: [dwalker@balch.com](mailto:dwalker@balch.com)

Michael P. Taunton (ASB-6853-H00S)  
BALCH & BINGHAM LLP  
Post Office Box 306  
Birmingham, Alabama 35201  
Telephone: (205) 251-8100  
Facsimile: (205) 226-8799  
[mtaunton@balch.com](mailto:mtaunton@balch.com)

***Counsel for Senator Livingston and  
Representative Pringle***

**CERTIFICATE OF SERVICE**

I certify that on April 9, 2024, I served the foregoing document electronically upon Plaintiffs' counsel of record.

/s/ James W. Davis

James W. Davis

Counsel for Secretary Allen

**BY-LAWS**  
**OF**  
**GREATER BIRMINGHAM MINISTRIES, INC.**

**ARTICLE I**  
**Name, Relationship, Office, and Purpose**

## Section 1.1 Name

The name of this non-profit corporation shall be **Greater Birmingham Ministries, Inc.**

## Section 1.2 Relationships

This corporation may join with those denominations, congregations, synagogues, temples, mosques, other worshipping communities, ecumenical partnerships or welfare associations representing various faith traditions (herein also referred to as Members), and individuals primarily from the Birmingham metropolitan area, who choose to participate and who (except for individual members) are admitted by a two-thirds vote of the corporation's Board of Directors. No single Member category shall have sufficient voting strength to cause or prevent actions or decisions of the Board of Directors.

## Section 1.3 Office

The principal office shall be in the City of Birmingham, Alabama. The corporation may also have offices at such other places within the Birmingham metropolitan area as the directors may, from time to time, determine.

## Section 1.4      Purpose

The corporation is a non-profit, charitable, religious organization, and the purposes and powers for which it is formed are as follows:

- (A) The fundamental purpose of this organization is to be a channel for the Purpose and Power of God to focus upon the varied relationships between the Members and the metropolitan Birmingham world, to assist in making systems more human and people more faithful in their relationships with each other and with their Creator.
- (B) This ministry exists to elicit the aid of people of varied faith traditions for and in partnership with the poor and others who are disenfranchised and victimized in our society, and to evoke the best efforts by and on behalf of all who respond, to remedy the social conditions which continue to victimize any of God's children.
- (C) The Board will seek for a balance of these two aims, seeking to discover ways in which each may be more fully supportive of and informed by the other.



## **ARTICLE II**

### **Directors**

#### **Section 2.1 Board Membership**

The Board of Directors shall be constituted as follows:

- (A) If a Member has more than one local community, congregation, or the like, the highest local governing body of that Member may nominate one to six representatives for confirmation by the Board of Directors.
- (B) If a Member has only one local community, congregation, or the like, that Member may nominate two representatives for confirmation by the Board of Directors.
- (C) If a Member has more than one local community, congregation, or the like or a higher governing body who are not Members, that Member may nominate one representative for confirmation by the Board of Directors.
- (D) The Board of Directors may elect eight to fifteen at-large members.
- (E) If any Member does not fill its allotment of representatives, the Board of Directors shall have the privilege of filling those positions.

#### **Section 2.2 Meeting of Directors**

- (A) The annual meeting of the corporation shall be on the fourth Tuesday in January, or as close thereto as possible with 10-day notice of change.
- (B) The Board of Directors shall meet regularly once a month; except when the Board directs otherwise.
- (C) It shall also meet at the call of the President or five Board members with at least one week's notice.

#### **Section 2.3 Quorum Voting**

At all meetings of the directors, one-third (1/3) of all directors then serving shall constitute a quorum for the transaction of business and a vote of the majority of the directors present at the time of the vote, shall be the act of the directors, except as otherwise specifically provided by these by-laws.

#### **Section 2.4 Organization**

The president, or in his/her absence, the vice-president, shall preside at all meetings of directors. In the absence or the inability to act of the president or vice-president, another director selected by the directors shall preside. The secretary shall act as secretary to all meetings of the directors, or in his/her absence or inability to act, the president of the meeting may designate any person to act as secretary.



**Section 2.5 Conduct of Business**

The directors may adopt such rules and regulations for the conduct of its meetings and the management of the affairs of the corporation as it may from time to time deem proper, consistent with law and these by-laws. The directors shall cause to be kept minutes of its proceedings, copies of which shall be mailed to all directors as soon as practicable following such a meeting.

**Section 2.6 Powers and Duties of Directors**

The property, affairs, business, and concerns of the corporation shall be vested in and managed by the directors. The directors shall have the specific duty of approving the corporation's budget.

**Section 2.7 Resignation**

Any director may resign at any time by giving written notice to the directors or to the president, whereupon his or her office shall be vacant. The continuing directors, if one-third (1/3) of the directors, may act notwithstanding a vacancy.

**Section 2.8 Vacancies.**

Whenever a vacancy occurs in the membership of the Board, it shall be filled as soon as possible by the same methods as outlined for selection in Section 1 of this Article.

**ARTICLE III  
Officers**

**Section 3.1 Number.**

The officers of the corporation shall be President, Vice-President, Secretary and Treasurer. Non-voting officers shall be the Executive Director and Associate Executive Director.

**Section 3.2 Election**

The directors shall elect all officers and the chairpersons of the standing committees for a term of one (1) year, by a majority vote of those present in a meeting of the directors no later than in the month of December each year. Officers shall be installed at the January annual meeting. No person shall hold more than one office at a time.

**Section 3.3 Duties of Officers**

The duties and powers of the officers of the corporation shall be as follows:

- (A) **President.** The president shall preside at all meetings of the directors. He/she shall perform such duties as are necessary and incident to the office of president and may be assigned from time to time by the directors.

- (B) **Vice-President.** In case of the death or absence of the president or of his/her inability from any cause to act, the vice-president shall perform the duties of his/her office. In addition, he/she shall perform such other duties as may be prescribed from time to time by the directors or executive committee or the president.
- (C) **Secretary.** The secretary shall issue notice of all meetings of the directors, shall keep the minutes of such meetings, and shall perform such other duties as may be prescribed from time to time by the directors or the executive committee.
- (D) **Treasurer.** The treasurer shall be responsible for the financial affairs of the corporation and shall be responsible for its money and securities. He or she shall ascertain that an account is kept of all monies received and expended for the use of the corporation, and that all sums be deposited in a Federally insured financial institution or a Federally insured investment instrument approved by the Executive Committee, and shall make a report at the annual meeting of the Board and at other times when called upon by the president. The Board shall appoint such assistant treasurers as they deem necessary. Withdrawal and disbursement of funds shall be under a counter-signature procedure, including any two (2) of the following signatures: Treasurer, President, Executive Director, and one additional staff and Board member designated by the Finance Committee. The funds, books and vouchers in his or her hands shall at all times be under the supervision of the Executive Committee and subject to its inspection and control. The books shall be audited annually.
- (E) **Executive Director.** The executive director shall be the officer charged with and responsible for the day-to-day operation of the corporation's affairs. He or she shall serve as a member of all personnel Search Committees formed by the Board. He or she may suspend an employee with cause, and may recommend termination to the Personnel Committee. The disciplinary system shall be specified in a Personnel Policy adopted by the Board.
- (F) **Associate Executive Director.** The associate executive director, in the absence or disability of the executive director, shall perform the duties of his/her office. In addition, he/she shall perform such other duties as may be prescribed from time to time by the executive director.
- (G) **Other Officers.** Any other officers and associate directors who may be elected or appointed by the directors shall perform such duties as shall be assigned to them by the executive director.

**Section 3.4      Resignation**

Any officer may resign at any time by giving written notice to the Board of Directors, and such resignation shall be effective when approved by the Board or by the Executive Committee.

**Section 3.5      Removal of Officers**

Any officer may be removed from office with cause at any time by a vote of two-thirds (2/3) of the directors present at a regular meeting or special meeting called upon notice specifying such purpose.

**Section 3.6      Vacancies**

All vacancies in any office shall be filled for the unexpired term by the directors without undue delay at a regular meeting or a special meeting called for that purpose.

**ARTICLE IV**  
**Committees**

**Section 4.1      Executive Director's Role**

The Executive Director (or designated staff representative) shall give staff leadership on all committees and task forces relating to their responsibilities and shall be an advisory member of each committee or task force.

**Section 4.2      Executive Committee**

The president, vice-president, secretary, treasurer, the chairpersons of each task force and committee established by the Board of Directors, plus five (5) persons chosen from and by the Board of Directors, shall constitute the Executive Committee. It may act on any matter on behalf of the Board of Directors when the directors are not in session. The officers of the Board shall constitute the officers of the Executive Committee. Five members of the Executive Committee shall constitute a quorum for the transaction of business. Meetings shall normally be held monthly, and may be called by the President, or the Executive Director, or by any three members.

**Section 4.3      Membership and Nominating Committee**

The Membership and Nominating Committee shall consist of a Chair, elected at the annual meeting, and other directors, nominated by the President and elected by the Board at the next regular meeting. The Executive Director shall be an advisory member of the committee. The Membership and Nominating Committee shall have the duty of securing membership representation on the Board of Directors, and of nominating officers and chairpersons of committees and task forces and directors-at-large, insuring that, insofar as possible the Executive Committee shall have at least one representative from each member organization. Consent of persons nominated shall be secured. Effort shall be made to assign persons to committees and task forces of

their choice and to give balance in the distribution of skills and membership representation. The committee shall have the duties of developing and keeping current information on all Board members concerning their interests, skills, talents, etc. It shall develop helpful criteria for Board membership to communicate to constituent members. It shall lead orientation and training for new Board members. It shall keep attendance records current for the Board. It shall counsel with inactive Board members and shall recommend removal of inactive members when they deem it necessary.

#### **Section 4.4 Finance, Budget, and Fund-Raising Committee**

This committee shall consist of a chairperson, the treasurer and other members. It shall be responsible to see that funds of the corporation are properly handled and that an annual audit is conducted and presented to the Board of Directors. It shall present to the Board for adoption an annual budget, working closely with the personnel committee on the matter of salaries for staff. This committee shall be responsible to:

- (A) Develop a comprehensive and broadly based plan for the funding of Greater Birmingham Ministries.
- (B) Maintain certification of GBM by the Internal Revenue Service as a non-profit organization eligible for grants from charitable foundations.
- (C) Develop plans for seeking foundation grants and of broadening the base of local membership support.
- (D) Explore plans under which GBM may serve as conduit for funds for appropriate agencies.

#### **Section 4.5 Personnel**

This committee shall consist of a chairperson and other members of the Board. The Executive Director shall be available to assist this committee in an advisory capacity when so requested. This committee shall have the following responsibilities:

- (A) To work out with each program committee or task force and the Executive Director a general job description for each staff member, together with annual work objectives. Each staff member shall have the opportunity to make recommendations in regard to his or her work requirements.
- (B) To make annual staff evaluation reports to the Board. The Executive Director shall evaluate at least annually and report to the Personnel Committee.
- (C) To develop policies regarding staff compensation, time off, outside activities, and outside compensation through processes of interaction between the Committee and staff, taking into full account the effect on all staff of decisions regarding each staff member. Specific salary changes shall be recommended through Finance and Budget Committee.

- (D) To concern itself in general with the way the staff is working together as a team, to see that problems are regularly aired, and that solutions are promptly sought.
- (E) To be responsible for recommending new personnel and positions

#### **Section 4.6 Buildings and Grounds**

This committee shall consist of a chairperson and other members. The Executive Director shall be an advisory member. This Committee shall be:

- (A) Responsible for supervision and maintenance of the real property of GBM.
- (B) Authorized, within the limits of the budget, to see that the buildings and grounds are kept clean and in good repair.
- (C) Requested to recommend to the Board through the Executive Committee any major adjustments needed not covered by the budget.

#### **Section 4.7 Task Forces**

The programmatic work of the corporation shall be carried out by the Board and staff through Task Forces, as listed below. With the approval of the Board, each Task Force may create permanent or ad hoc work groups, committees or other structures as necessary to conduct the program of the corporation. Each Board member shall be assigned to one or more Task Force(s). The chairperson of each Task Force shall be elected by the Board and shall be a Board member.

- (A) Direct Services. This Task Force shall be responsible for supervising the work of the Direct Services Program and its relations with members and other interested organizations. It shall recommend to the Board policy decisions concerning this program area.
- (B) Systematic Change. This Task Force shall monitor the efforts of GBM in the area of Systematic Change. It shall recommend to the Board for approval the areas of such efforts and any policies concerning the strategy or approach.
- (C) Faith in Community. This Task Force shall be responsible for discovering and expediting ways in which the resources of GBM may be made available to the Membership organizations at all levels, and ways in which the resources (human and material) of the Members may be channeled through GBM. Public relations functions shall be the responsibility of this Task Force.



**Section 4.8 Other Task Forces, Work Groups and Committees**

The directors or Executive Committee may appoint such other task forces, work groups and committees as it shall deem necessary and appropriate, and shall designate the members of such task forces, work groups and committees and duties of same. The chairperson of any such task force, work group or committee shall be an advisory member of the Executive Committee.

**ARTICLE V  
Fiscal Year**

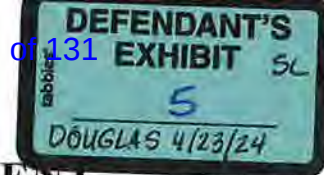
**Section 5.1**

The fiscal year of the corporation shall be the calendar year.

**ARTICLE VI  
Amendments**

**Section 6.1**

These by-laws may be amended only by a majority vote of the directors present at a regular or special meeting of the directors, provided notice of the purpose of the proposed amendment has been stated in the notice of the meeting.



## GBM INDIVIDUAL MEMBER BY-LAWS AMENDMENT

### RELEVANT GBM BY-LAWS INFORMATION (Amended in Red):

#### ARTICLE I

**Section 2. (A) Relationships.** This corporation may join with those denominations, congregations, synagogues, temples, mosques, other worshipping communities, ecumenical partnerships or welfare associations representing various faith traditions (herein also referred to as **Sponsoring** Members), primarily from the Birmingham metropolitan area, which choose to participate, and which are admitted by a two-thirds vote of the corporation's Board of Directors. No single **Sponsoring** Member shall have sufficient voting strength to cause or prevent actions or decisions of the Board of Directors.

**(B) Individual Members.** This corporation may be joined by non-governing individual members who agree with the mission and provide financial and programmatic support. Individual memberships are for one year and are annually renewed with GBM board determined minimal annual contributions. Other individual member duties and benefits may be determined by the Board of Directors at a regular or special meeting.

#### ARTICLE IV

**Section 2. Sponsoring Membership and Nominating Committee** The Membership and Nominating Committee shall consist of a Chair, elected at the annual meeting, and other directors, nominated by the President and elected by the Board at the next regular meeting. The Executive Director shall be an advisory member of the committee. The **Sponsoring** Membership and Nominating Committee shall have the duty of securing **sponsoring** membership representation on the Board of Directors, and of nominating officers and chairpersons of committees and task forces and directors-at-large, insuring that, insofar as possible the Executive Committee shall have at least one representative from each member organization. Consent of persons nominated shall be secured. Effort shall be made to assign persons to committees and task forces of their choice and to give balance in the distribution of skills and membership representation. The committee shall have the duties of developing and keeping current information on all Board members concerning their interests, skills, talents, etc. It shall develop helpful criteria for Board membership to communicate to constituent members. It shall lead orientation and training for new Board members. It shall keep attendance records current for the Board. It shall counsel with inactive Board members and shall recommend removal of inactive members when they deem it necessary.

#### ARTICLE VI

##### Amendments

These by-laws may be amended only by a majority vote of the directors present at a regular or special meeting of the directors, provided notice of the purpose of the proposed amendment has been stated in the notice of the meeting.

Stone000010

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA**

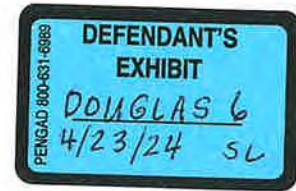
KHADIDAH STONE, et al.,

*Plaintiffs,*

v.

WES ALLEN, et al.,

*Defendants.*



Case No. 2:21-CV-01531-AMM

**PLAINTIFFS' RESPONSES TO DEFENDANT ALLEN'S  
DISCOVERY REQUESTS**

Pursuant to Rules 26, 33, 34, and 36 of the Federal Rules of Civil Procedure, Plaintiffs Khadidah Stone, Evan Milligan, Greater Birmingham Ministries, and Alabama State Conference of the NAACP (collectively "Plaintiffs"), submit the following objections and responses to Defendant Secretary of State Wes Allen's Discovery Requests to the Plaintiffs ("Requests").

These responses are based on the information and documents currently available to Plaintiffs, and Plaintiffs reserve the right to alter, supplement, amend, or otherwise modify these responses in light of additional facts revealed through subsequent inquiry and as appropriate under the Rules. These responses and objections are also based on Plaintiffs' understanding of each individual Request and not an admission or agreement with Defendant Allen's use or interpretation of terms. To the extent Defendant Allen asserts an interpretation of any Request that is inconsistent with Plaintiffs' understanding, Plaintiffs reserve the right to supplement its responses and objections.

Information contained in any responses and objections pursuant to these Requests are not an admission or acknowledgment by Plaintiffs that: (1) such information is relevant to any claim or defense in this action; (2) is without prejudice to Plaintiffs' right to contend at any trial or in any other proceeding,

in this action or otherwise, that such information is inadmissible, irrelevant, immaterial, or not the proper basis for discovery; and (3) is without prejudice to or waiver of any objection to any future use of such information.

In responding to the requests, whenever Plaintiffs agree to produce documents, such an agreement does not constitute a representation or concession that such documents are relevant or admissible as evidence. Further, Plaintiffs' responses to the requests shall not be construed in any way as an admission that any definition provided by Defendant Allen is either factually correct or legally binding.

**OBJECTIONS AND RESPONSES TO INTERROGATORIES**

**INTERROGATORY NO. 1:** (Plaintiffs Stone and Milligan only): Identify your residential address, place of employment, and social media accounts.

**OBJECTIONS TO INTERROGATORY NO. 1:** Plaintiffs object that this Interrogatory is overly broad, unduly burdensome, and seeks information that is neither relevant to any party's claims or defenses nor proportional to the needs of the case. Plaintiffs also object to the extent this Interrogatory invades Plaintiffs' privacy interests in violation of the U.S. Constitution, including the associational privilege of the First Amendment, and other applicable law. *See Ams. for Prosperity Found. v. Bonta*, 141 S. Ct. 2373 (2021); *Buckley v. Valeo*, 424 U.S. 1, 66 (1976); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Louisiana ex rel. Gremillion v. NAACP*, 366 U.S. 293, 296 (1961); *NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958).

**RESPONSES TO INTERROGATORY NO. 1:** Subject to and without waiving these objections, Plaintiffs respond as follows:

Khadidah Stone: Ms. Stone resides at 3037 Pinehaardt Drive, Montgomery, AL 36109. She is employed by Alabama Forward. She has social media accounts on Instagram, X.com [Twitter], TikTok, Facebook, LinkedIn, and Pinterest.

Evan Milligan: Mr. Milligan resides at 4601 Vanderbilt Drive, Montgomery, AL 36116. He is self-employed as an independent contractor. He has social media accounts on Instagram and LinkedIn.

**INTERROGATORY NO. 2:** (Plaintiffs Greater Birmingham Ministries and Alabama State Conference of the NAACP only): State with specificity the facts supporting your assertion of standing to bring the claims you press in the Fourth Amended Complaint.

**OBJECTIONS TO INTERROGATORY NO. 2:** Plaintiffs object to the extent that this Interrogatory calls for a legal conclusion. Plaintiffs further object that this Interrogatory is premature as discovery is ongoing, and Plaintiffs reserve the right to supplement this response. Plaintiffs also object to



the extent this Interrogatory invades Plaintiffs' privacy interests in violation of the U.S. Constitution, including the associational privilege of the First Amendment, and other applicable law. *See Buckley v. Valeo*, 424 U.S. 1, 66 (1976); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Louisiana ex rel. Gremillion v. NAACP*, 366 U.S. 293, 296 (1961); *NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958).

**RESPONSES TO INTERROGATORY NO. 2:** Without waiving these objections, Organizational Plaintiffs assert standing based "associational standing," that is, on behalf of impacted members.

Alabama NAACP: To support their claim of associational standing, Organizational Plaintiffs identify the following Black members who are registered to vote and reside in the Montgomery and Huntsville-Decatur areas, where Section 2 of the VRA requires the drawing of new Senate districts in which Black voters can elect candidates of choice, including the following:

- James E. Lovejoy, 9056 Black Cherry Trail, Pike Road, AL 36064
- Benard Simelton, 15376 Pepper Creek Rd., Harvest, AL 35749
- Jerry Burnet, 2405 Greenhill Drive, Huntsville, AL 35810
- Bobby Diggs, 227 Graves Blvd., Hillsboro, AL 35643
- Jo Ann Williams, 517 Southlawn Drive, Montgomery, AL 36198

Greater Birmingham Ministries: Greater Birmingham Ministries has individual members who live in the City of Huntsville and Montgomery County who identify as Black and are registered voters. GBM also has congregational members in the Ninth Episcopal District of the AME Church, which includes churches such as St. John AME Church (Huntsville), Grady - Madison AME Church (Madison), Wayman Chapel AME Church (Decatur), St. John, St. Paul, and St. Peter AME Churches (all in Montgomery), which have individual members who are Black registered voters who live in Madison County, Decatur, and Montgomery County. GBM reserves the right to amend this response to provide additional information about members who consent to having their identity disclosed.

**INTERROGATORY NO. 3:** Identify any Senate maps or districting plans known to you that contain one or more additional majority-BVAP Senate districts as compared to the 2021 Plan, which contains eight majority-BVAP Senate districts.

**OBJECTIONS TO INTERROGATORY NO. 3:** Plaintiffs object that this Interrogatory is premature as discovery is ongoing. Plaintiffs additionally object to this Interrogatory to the extent that it seeks information protected by the attorney-client privilege and/or work product doctrine.

**RESPONSES TO INTERROGATORY NO. 3:** Without waiving these objections, Plaintiffs respond that Anthony E. Fairfax's expert report, served to counsel by email on February 2, 2024, includes a map that adheres to traditional redistricting criteria and contains two more majority-Black Senate districts than the 2021 Plan. Moreover, consistent with the scheduling order, Plaintiffs reserve the right to produce potentially responsive information in connection with the Plaintiffs' rebuttal expert reports.

**INTERROGATORY NO. 4: (Plaintiffs Stone and Milligan only):** Describe your involvement, if any, in any national, State or local political party. Include any leadership role you served in, the responsibilities of the position, and the timeframe that you held/hold the position.

**OBJECTIONS TO INTERROGATORY NO. 4:** Plaintiffs object that this Interrogatory is vague and ambiguous in its use of the terms "involvement" and "leadership role." Plaintiffs object to this Interrogatory because it is overly broad as it is untethered to any temporal limitation, and seeks information that is not relevant to any party's claims or defenses nor proportional to the needs of the case. Plaintiffs also object that this Interrogatory requests information protected by the associational rights of the First Amendment to the U.S. Constitution. *See Ams. for Prosperity Found.*, 141 S. Ct. at 2385-88; *id.* at 2390 (Thomas, J., concurring) ("The text and history of the Assembly Clause suggest that the right to assemble includes the right to associate anonymously."); *Buckley*, 424 U.S. at 66; *Button*, 371 U.S. at 429 ("There [is] a vital relationship between freedom to associate and privacy in one's associations"); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 (9th Cir. 2009) (The "right to associate with others to advance

one's shared political beliefs" entails "the right to exchange ideas and formulate strategy and messages, and to do so in private," as well as "to organize and direct them in the way that will make them most effective."); *see also NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958).

**INTERROGATORY NO. 5: (Plaintiffs Stone and Milligan only):** Identify whether you have been a candidate for any national, State or local office and the party, if any, that you ran under.

**OBJECTIONS TO INTERROGATORY NO. 5:** Plaintiffs object that this Interrogatory is vague and ambiguous in that it does not define the term "office." Plaintiffs further object to this Interrogatory because it is overly broad, unduly burdensome, untethered to any temporal limitation, and seeks information that is not relevant to any party's claims or defenses nor proportional to the needs of the case. Plaintiffs further object to the extent that this Interrogatory requests information protected by the associational privilege of the First Amendment to the U.S. Constitution. *See Buckley*, 424 U.S. at 66; *Button*, 371 U.S. at 429; *Perry*, 591 F.3d at 1142 n.9.

**RESPONSES TO INTERROGATORY NO. 5:** Without waiving these objections, Ms. Stone and Mr. Milligan respond that they have not been candidates for any national, State or local office.

**INTERROGATORY NO. 6:** If you contend it to be true, explain how you—or, in the case of the organizational Plaintiffs, your members—have been prevented from being registered to vote in Alabama at any time since 2010.

**OBJECTIONS TO INTERROGATORY NO. 6:** Plaintiffs object to this Interrogatory because it is vague and ambiguous in that it does not define the term "prevented," and to the extent that it implies that the governing legal standard in this case only concerns who Alabamians have been outright denied the right to vote rather than subjected to burdensome and discriminatory restrictions and districts that provide them unequal access to political power. Plaintiffs further object to this Interrogatory because it is overly broad, unduly burdensome, and seeks information that is not proportional to the needs of the case.

Plaintiffs also object that this Interrogatory is premature as discovery is ongoing, and Plaintiffs reserve the right to supplement this response with expert reports and testimony or other discovery responses, including, but not limited to, depositions. Plaintiffs object to the extent that this Interrogatory calls for a legal conclusion. Plaintiffs further object to the extent this Interrogatory invades organizational Plaintiffs' members' privacy interests—including to the extent it requests the identification of individual members—protected by the U.S. Constitution, including the associational privilege of the First Amendment, and other applicable law.

**RESPONSES TO INTERROGATORY NO. 6:** Subject to and without waiving the foregoing objections, Plaintiffs respond as follows:

Khadidah Stone: Ms. Stone has not been outright denied in any attempt to register to vote in Alabama since 2010.

Evan Milligan: Mr. Milligan has not been outright denied in any attempt to register to vote in Alabama since 2010.

Greater Birmingham Ministries: GBM is not aware of whether its members have been prevented from registering to vote since 2010 but it has assisted dozens of individuals who had been denied the right to register to vote or erroneously dropped from the voting rolls successfully register to vote. Much of GBM's work and knowledge in this area involves formerly incarcerated populations. At least in part because of its involvement as a plaintiff in *Thompson v. Alabama*, No. 2:16-cv-783-ECM-SMD (M.D. Ala.), in 2017, the Alabama Legislature passed a bill to define what crimes involved "moral turpitude" for the purposes of determining which citizens can vote, which had the effect of 140,000 Alabama citizens who had previously been denied the right to vote eligible to register and vote. Even in the midst of this, however, the Alabama Secretary of State refused to provide outreach or education to these newly eligible individuals, so many of these Alabamians remain unregistered because the State never informed them

that their prior criminal convictions no longer prohibit them from voting. GBM has assisted hundreds of these people in understanding their rights and successfully registering to vote.

GBM has also assisted more than 100 individuals who were mistaken about their eligibility to register to vote, denied the right to register, and/or erroneously denied registration or dropped from the voter rolls erroneously. For example, several such individuals were erroneously denied registration as a result of a State database error that incorrectly codes eligible Alabamians as not ineligible to vote. A conviction for an attempted crime is not considered a crime of moral turpitude under Alabama law and does not take away a citizen's voting rights. GBM has assisted in many cases where county registrars denied a citizen's voter registration application because their database erroneously showed the applicant as having been convicted of a completed crime that does result in the loss of voting rights, rather than an attempted crime. GBM must address such matters on a case-by-case basis and is one of only a few organizations that do so. Accordingly, there are many Alabamians in similar situations who have lost their voting rights erroneously and that GBM has not yet been able to help or identify.

Many other types of database errors have resulted in erroneous denials of voting rights and registrations. GBM has assisted applicants for Certificates of Eligibility to Register to Vote ("CERV") who the Alabama Bureau of Pardons and Paroles ("ABPP") erroneously confused with other people. According to ABPP, they do not have unique identifiers to distinguish one applicant from another. In one case, GBM worked with an individual ("Alvin") who had spent decades in prison. Upon his release, Alvin became eligible to restore his voting rights and register to vote. Yet ABPP confused Alvin with his brother for more than six months, erroneously attributing his brother's convictions to Alvin. GBM was able to persuade ABPP that these were two different people and Alvin was CERV-eligible. Alvin was issued a CERV many months after state law required ABPP to issue it.

Based on further experience, GBM also responds that they are aware of other arbitrary actions by ABPP result in the erroneous denial of voting rights and registration. To provide one example, GBM



representatives had attended a “second chance job fair” and met about ten individuals who had lost their voting rights but were eligible to have them restored. GBM left the job fair and submitted applications on behalf of these individuals. However, ABPP later notified GBM that the agency would not accept or process these applications because ABPP had changed their application form without any notice or grace period. For several of these applications, GBM was unable to relocate the applicants to have them fill out the exact same information on a new ABPP form.

GBM is aware of another form arbitrary denial of voting rights and registration. When voter registration applicants have out-of-state convictions or federal convictions, county registrars or ABPP compare those out-of-state or federal convictions to Alabama’s list of disqualifying convictions. If there is a perceived “match,” the applicant must satisfy additional conditions (*e.g.*, repayment of legal financial obligations, sentence completion) to have their voting rights restored. However, Alabama does not have any published standards for making such a “matching” determination. This results in arbitrary applications of eligibility rules and erroneous denials. Further, if an applicant has very old convictions or out-of-state or federal convictions that are not easily or immediately retrievable, ABPP presumptively denies voting rights restoration until the applicant can retrieve all requested records and affirmatively prove their eligibility. ABPP’s arbitrary placement of the burden of proving eligibility on the applicant results in excruciating and extended delays in the restoration of voting rights of eligible applicants.

NAACP of Alabama: The NAACP of Alabama is not aware of whether its members have been prevented from registering to vote since 2010 but it through its work enforcing Section 7 of the National Voter Registration Act of 1993 (“NVRA”),<sup>1</sup> it is aware of serious deficiencies in the administration of voter registration by the Department of Human Resources and the Medicaid Agency that likely prevented many eligible Alabamians from receiving voter registration opportunities. Due to the NAACP of

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<sup>1</sup> See Letter from NAACP of Alabama to Ms. Beth Chapman, June 12, 2013, <https://www.lawyerscommittee.org/wp-content/uploads/2015/06/0395.pdf>.

Alabama's work, the Governor, Secretary of State, Department of Human Resources, and the Medicaid Agency entered into settlement agreements to ensure NVRA compliance.<sup>2</sup>

In 2018, the NAACP of Alabama, along with the Brennan Center and the League of Women Voters of Alabama, sent a letter notifying the Secretary of State's Office that Alabama's policy of immediately removing voters from registration lists based on an interstate crosscheck program violated Section 8 of the NVRA, which establishes clear requirements that states must meet before removing voters from the rolls.<sup>3</sup> This use of Crosscheck almost certainly resulted in the erroneously removal of qualified voters from the voter rolls.

Organizational Plaintiffs are also generally aware of other findings which may have affected its members' ability to participate in the political process, including the U.S. Department of Justice finding in 2015 that Alabama had "widespread noncompliance with the requirements of Section 5" of the National Voter Registration Act,<sup>4</sup> and the D.C. Circuit's finding in 2016, that the mismatch between Alabama's voter registration form and practices at the time and the federal voter registration form "is very likely to confuse the public," which "will create a disincentive for citizens who would otherwise attempt to register to vote." *League of Women Voters v. Newby*, 838 F.3d 1, 13 (D.C. Cir. 2016).

**INTERROGATORY NO. 7:** If you contend it to be true, explain how you—or, in the case of the organizational Plaintiffs, your members—have been prevented from voting in Alabama at any time since 2010.

**OBJECTIONS TO INTERROGATORY NO. 7:** Plaintiffs object to this Interrogatory because it is vague and ambiguous in that it does not define the term "prevented," and to the extent that it implies

<sup>2</sup> See Settlement Agreement Regarding Department of Human Resources (Dec. 2013), <https://www.lawyerscommittee.org/wp-content/uploads/2015/06/0396.pdf>; Settlement Agreement Regarding Medicaid Agency (Dec. 2013), <https://www.lawyerscommittee.org/wp-content/uploads/2015/06/0397.pdf>.

<sup>3</sup> See Letter regarding Alabama's Non-Compliance with Section 8, July 20, 2018.

<sup>4</sup> U.S. Dept. of Justice, *State of Alabama Agrees to Resolve Claims of National Voter Registration Act Violations* (Nov. 13, 2015)

that the governing legal standard in this case only concerns who Alabamians have been outright denied the right to vote rather than subjected to burdensome and discriminatory restrictions and districts that provide them unequal access to political power. Plaintiffs further object to this Interrogatory because it is overly broad, unduly burdensome, and seeks information that is not proportional to the needs of the case. Plaintiffs also object that this Interrogatory is premature as discovery is ongoing, and Plaintiffs reserve the right to supplement this response with expert reports and testimony or other discovery responses, including, but not limited to, depositions. Plaintiffs object to the extent that this Interrogatory calls for a legal conclusion. Plaintiffs further object to the extent this Interrogatory invades organizational Plaintiffs' members' privacy interests—including to the extent it requests the identification of individual members—protected by the U.S. Constitution, including the associational privilege of the First Amendment, and other applicable law.

**RESPONSES TO INTERROGATORY NO. 7:** Subject to and without waiving the foregoing objections, Plaintiffs respond as follows:

Khadidah Stone: Ms. Stone has not been outright prevented from casting a ballot in Alabama since 2010 but has had her right to vote abridged due to living in an area with racially dilutive State Senate and congressional districts.

Evan Milligan: Mr. Milligan has not been outright prevented from casting a ballot in Alabama since 2010 but has had his right to vote abridged due to living in an area with racially dilutive State Senate and congressional districts.

Greater Birmingham Ministries: GBM incorporates by reference its response to Interrogatory No. 6 and also incorporates by reference barriers to voting GBM members experienced during the 2020 election as found in *People First of Alabama v. Merrill*, 491 F.Supp.3d 1076, 1146 (N.D. Al. 2020), and that thousands of Alabamians lack sufficient ID to be able to vote, as found in *Greater Birmingham Ministries v. Sec'y of State for State of Alabama*, 992 F.3d 1299, 1312 (11th Cir. 2021).

NAACP of Alabama: NAACP of Alabama incorporates by reference its response to Interrogatory No. 6 and also incorporates by reference barriers to voting its members experienced during the 2020 election as found in *People First of Alabama v. Merrill*, 491 F.Supp.3d 1076, 1146 (N.D. Al. 2020), and that thousands of Alabamians lack sufficient ID to be able to vote as found in *Greater Birmingham Ministries v. Sec’y of State for State of Alabama*, 992 F.3d 1299, 1312 (11th Cir. 2021).

**INTERROGATORY NO. 8:** If you contend it to be true, explain how you—or, in the case of the organizational Plaintiffs, your members—have been prevented from choosing a political party to support.

**OBJECTIONS TO INTERROGATORY NO. 8:** Plaintiffs object to this Interrogatory because it is vague and ambiguous in that it does not define the term “prevented,” or explain what it sense it means “choosing a political party to support.” To the extent this Interrogatory implies that the governing legal standard in this case only concerns who Alabamians have been outright denied the right to participate in party affairs. Plaintiffs further object to this Interrogatory because it is overly broad, unduly burdensome, and seeks information that is not proportional to the needs of the case. Plaintiffs also object that this Interrogatory is premature as discovery is ongoing, and Plaintiffs reserve the right to supplement this response with expert reports and testimony or other discovery responses, including, but not limited to, depositions. Plaintiffs object to the extent that this Interrogatory calls for a legal conclusion. Plaintiffs further object to the extent this Interrogatory invades Plaintiffs’ and organizational Plaintiffs’ members’ privacy interests—including to the extent it requests that Plaintiffs reveal individuals’ associations with political parties or voting selections, or the identities of organizational Plaintiffs’ individual members—protected by the U.S. Constitution, including the associational privilege of the First Amendment; Alabama law; and all other applicable law. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958); *Buckley*, 424 U.S. at 66; *Button*, 371 U.S. at 429; *Perry*, 591 F.3d at 1142 n.9; Ala. Code § 17-6-34.

**RESPONSES TO INTERROGATORY NO. 8:** Subject to and without waiving the foregoing objections, Plaintiffs respond that none of them understand what the question means in terms of being prevented from choosing a political party to support and so cannot say one way or the other.

**INTERROGATORY NO. 9:** If you contend it to be true, explain how you—or, in the case of the organizational Plaintiffs, your members—have been prevented from participating in the affairs of the political party that you/your members choose to support.

**RESPONSE TO INTERROGATORY NO. 9:** Plaintiffs object to this Interrogatory because it is vague and ambiguous in that it does not define the term “prevented” or the phrases “participating in the affairs.” Plaintiffs object to this Interrogatory because it is overly broad, unduly burdensome, untethered to any temporal limitation, and seeks information that is not relevant to any party’s claims or defenses nor proportional to the needs of the case. Plaintiffs also object that this Interrogatory is premature as discovery is ongoing, and Plaintiffs reserve the right to supplement this response with expert reports and testimony or other discovery responses, including, but not limited to, depositions. Plaintiffs object to the extent that this Interrogatory calls for a legal conclusion. Plaintiffs further object to the extent this Interrogatory invades Plaintiffs’ and organizational Plaintiffs’ members’ privacy interests—including to the extent it requests that Plaintiffs reveal individuals’ associations with political parties or voting selections, or the identities of organizational Plaintiffs’ individual members—protected by the U.S. Constitution, including the associational privilege of the First Amendment; Alabama law; and all other applicable law. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958); *Buckley*, 424 U.S. at 66; *Button*, 371 U.S. at 429; *Perry*, 591 F.3d at 1142 n.9; Ala. Code § 17-6-34.

**RESPONSES TO INTERROGATORY NO. 9:** Subject to and without waiving the foregoing objections, Plaintiffs respond that none of them understand what the question means in terms of being prevented from choosing a political party to support and so cannot say one way or the other.



**INTERROGATORY NO. 10:** If you contend it to be true, detail when and in what manner black candidates have been excluded, on account of race, as candidates of the Alabama Democratic Party.

**OBJECTIONS TO INTERROGATORY NO. 10:** Plaintiffs object to this Interrogatory because it is vague and ambiguous in that it does not define the term “excluded.” Plaintiffs object to this Interrogatory because it is irrelevant, overly broad, unduly burdensome, untethered to any temporal limitation, and seeks information that is not relevant to any party’s claims or defenses nor proportional to the needs of the case. Plaintiffs further object that this Interrogatory is burdensome to the extent the information it seeks is publicly available or equally accessible to Defendant as it is to Plaintiffs. Plaintiffs also object that this Interrogatory is premature as discovery is ongoing, and Plaintiffs reserve the right to supplement this response with expert reports and testimony or other discovery responses, including, but not limited to, depositions.

**RESPONSES TO INTERROGATORY NO. 10:** Subject to and without waiving the foregoing objections, Plaintiffs respond that none of them are part of the leadership or inner workings of the Alabama Democratic Party so lack knowledge of the extent to which the Party has discriminated against Black candidates. Plaintiffs are generally aware that, from the 1960s through today, Black voters have sued the Alabama Democratic Party over a lack of equal access to the party’s electoral processes and the party’s failure to comply with the Voting Rights Act. *See, e.g., Hadnott v. Amos*, 394 U.S. 358 (1969); *Gilmore v. Greene Cnty. Democratic Party Exec. Comm.*, 435 F.2d 487 (5th Cir. 1970); *Foster v. Jones*, No. 03-0574, 2004 WL 7344991, at \*1–2 (S.D. Ala. June 17, 2004); *Henderson v. Harris*, 804 F. Supp. 288 (M.D. Ala. 1992) (three-judge court); *Henderson v. Graddick*, 641 F. Supp. 1192 (M.D. Ala. 1986) (three-judge court); *Harris v. Graddick*, 615 F. Supp. 239 (M.D. Ala. 1985), 593 F. Supp. 128 (M.D. Ala. 1984); *MacGuire v. Amos*, 343 F. Supp. 119 (M.D. Ala. 1972) (three-judge court); *United States v. Democratic Exec. Comm. of Barbour Cnty., Ala.*, 288 F. Supp. 943 (M.D. Ala. 1968); *Smith v. Paris*, 257 F.Supp. 901 (M.D. Ala. 1966), *aff’d*, 386 F.2d 979 (5th Cir. 1967); *Gray v. Main*, 291 F. Supp. 998 (M.D.

Ala. 1966); *United States v. Exec. Comm. of Democratic Party of Dallas Cnty.*, 254 F. Supp. 537 (S.D. Ala. 1966); *see also Hawthorne v. Baker*, 750 F. Supp. 1090, 1092 (M.D. Ala. 1990) (three-judge court), *vacated*, 499 U.S. 933 (1991); *Harper v. Vance*, 342 F. Supp. 136 (N.D. Ala. 1972) (three-judge court); *Gray v. Main*, 291 F. Supp. 998 (M.D. Ala. 1966). Plaintiffs are further aware that the U.S. Department of Justice objected to numerous racially discriminatory changes to the Alabama Democratic Party's election procedures under Section 5 of the Voting Rights Act in 1974, 1976, 1982, 1989, 1990, and 1991. *See* U.S. Dep't of Justice, Civil Rights Div., Voting Determination Letters for Alabama, <https://www.justice.gov/crt/voting-determination-letters-alabama>. The Alabama Democratic Party did not remove "white supremacy" from its logo until 1966 and, that as of 1989, the governing body of the Party "was largely controlled by White Democrats in numbers disproportionate to the racial makeup of the Alabama Democratic Party electorate" and that this exclusion led to a consent decree.<sup>5</sup> Plaintiffs are also aware but lack knowledge of the veracity of the allegations in *Kelley v. Harrison*, No. 1:21-CV-56 and the statements made in 2023 by the Alabama Democratic Party Chair Kelley, which allege that some party officials were engaged in a "racist plot to divide, dilute, undermine and weaken the Black vote" on the State Democratic Executive Committee.

**INTERROGATORY NO. 11:** Detail any efforts you—or, in the case of the organizational Plaintiffs, your members—have made to join the Alabama Republican Party and explain how those efforts were met by the Alabama Republican Party.

**OBJECTIONS TO INTERROGATORY NO. 11:** Plaintiffs object to this Interrogatory because it is vague and ambiguous in that it does not define the phrase "join the Alabama Republican Party." Plaintiffs object to this Interrogatory because it is overly broad, unduly burdensome, untethered to any temporal limitation, and seeks information that is not relevant to any party's claims or defenses nor proportional to the needs of the case. Plaintiffs further object that this Interrogatory is oppressive and

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<sup>5</sup> *Kelley v. Harrison*, No. 1:21-CV-56-RAH-SMD, 2021 WL 3200989, at \*1 (M.D. Ala. July 28, 2021).

burdensome to the extent the information it seeks is publicly available or equally accessible to Defendant as it is to Plaintiffs. Plaintiffs also object that this Interrogatory is premature as discovery is ongoing, and Plaintiffs reserve the right to supplement this response. Plaintiffs further object to the extent this Interrogatory invades Plaintiffs' and organizational Plaintiffs' members' privacy interests—including to the extent it requests that Plaintiffs reveal individuals' associations with political parties or voting selections, or the identities of organizational Plaintiffs' individual members—protected by the U.S. Constitution, including the associational privilege of the First Amendment; Alabama law; and all other applicable law. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958); *Buckley*, 424 U.S. at 66; *Button*, 371 U.S. at 429; *Perry*, 591 F.3d at 1142 n.9; Ala. Code § 17-6-34.

**RESPONSES TO INTERROGATORY NO. 11:** Subject to and without waiving the foregoing objections, Plaintiffs respond as follows:

Khadidah Stone: Ms. Stone has no efforts to report that she believes responds to this Interrogatory.

Evan Milligan: Mr. Milligan has no efforts to report that he believes responds to this Interrogatory.

Greater Birmingham Ministries: Greater Birmingham Ministries does not monitor the political affiliation of its individual members or of the individual members of its congregational members and therefore lacks sufficient knowledge to respond to this Interrogatory.

NAACP of Alabama: The NAACP of Alabama does not monitor the political affiliation of its members and therefore lacks sufficient knowledge to respond to this Interrogatory.

**INTERROGATORY NO. 12:** Identify the name, contact information, and race of each person you—or, in the case of the organizational Plaintiffs, your members—consider to be a leader of the Alabama Democratic Party.

**OBJECTIONS TO INTERROGATORY NO. 12:** Plaintiffs object to this Interrogatory because it is vague and ambiguous in that it does not define the term “leader.” Plaintiffs object to this Interrogatory because it is overly broad, unduly burdensome, and seeks information that is not relevant to any party’s

claims or defenses nor proportional to the needs of the case. Plaintiffs further object that this Interrogatory is oppressive and burdensome to the extent the information it seeks is publicly available or equally accessible to Defendant as it is to Plaintiffs. Plaintiffs further object to the extent this Interrogatory invades Plaintiffs' and organizational Plaintiffs' members' privacy interests—including to the extent it requests that Plaintiffs reveal individuals' associations with political parties or the identities of organizational Plaintiffs' individual members—protected by the U.S. Constitution, including the associational privilege of the First Amendment, and all other applicable law. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958); *Buckley*, 424 U.S. at 66; *Button*, 371 U.S. at 429; *Perry*, 591 F.3d at 1142 n.9.

**RESPONSES TO INTERROGATORY NO. 12:** Subject to and without waiving the foregoing objections, Plaintiffs respond as follows:

Khadidah Stone: I know Tabitha Isner as a leader in the Alabama Democratic Party. She identifies as white. Her email address is tabitha@tabithaisner.com.

Evan Milligan: Tabitha Isner, a white woman, is the vice chair of the Alabama Democratic Party. Ms. Isner may be reached at tabitha@tabithaisner.com.

Greater Birmingham Ministries: Greater Birmingham Ministries does not monitor the views of its members as to who they consider to be leaders of political parties so lacks a basis to answer this Interrogatory.

NAACP of Alabama: The NAACP of Alabama does not monitor the views of its members as to who they consider to be leaders of political parties so lacks a basis to answer this Interrogatory.

**OBJECTIONS & RESPONSES TO REQUESTS FOR PRODUCTION**

Without waiving or limiting in any manner any of the foregoing Continuing Objections and Objections to Definitions, but rather incorporating them into each of the following responses to the extent applicable, Plaintiffs respond to Secretary Allen's Requests for Production as follows:

**REQUEST FOR PRODUCTION NO. 1:** Produce any documents depicting or concerning "this illustrative map" referenced in Paragraph 88 of the Fourth Amended Complaint.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 1:** Plaintiffs refer Defendant Allen to the illustrative map provided in Anthony E. Fairfax's expert report, served to counsel by email on February 2, 2024, and accompanying materials. Plaintiffs reserve the right to supplement this response based on further discovery and expert analysis according to the scheduling order in this case.

**REQUEST FOR PRODUCTION NO. 2:** Produce any documents concerning any effort you undertook to draw an Alabama Senate districting plan containing one or more additional majority-BVAP districts as compared to the 2021 Plan.

**OBJECTIONS & RESPONSE TO REQUEST FOR PRODUCTION NO. 2:** Plaintiffs object that this Request is premature as discovery is ongoing. Plaintiffs additionally object to this Interrogatory to the extent that it seeks information protected by the attorney-client privilege and/or work product doctrine. Subject to and without waiving these objections, Plaintiffs refer to Defendant Allen to Anthony E. Fairfax's expert report, served to counsel by email on February 2, 2024, and accompanying materials. Plaintiffs reserve the right to supplement this response based on further discovery and expert analysis according to the scheduling order in this case.

**REQUEST FOR PRODUCTION NO. 3:** Produce any documents concerning any maps or analysis that provides the basis for your contention that additional majority-BVAP Senate districts can be drawn in Alabama and that any such district can be reasonably constructed consistent with traditional districting criteria.



**OBJECTIONS & RESPONSE TO REQUEST FOR PRODUCTION NO. 3:** Plaintiffs object that this Request is premature as discovery is ongoing. Plaintiffs additionally object to this Request to the extent that it seeks information protected by the attorney-client privilege and/or work product doctrine. Subject to and without waiving these objections, Plaintiffs refer to Defendant Allen to Anthony E. Fairfax’s expert report, served to counsel by email on February 2, 2024, and accompanying materials. Plaintiffs reserve the right to supplement this response based on further discovery and expert analysis according to the scheduling order in this case.

**REQUEST FOR PRODUCTION NO. 4:** (Plaintiffs Greater Birmingham Ministries and Alabama State Conference of the NAACP) Produce any documents concerning how one becomes a “member” of your organization including, but not limited to, any process that is followed and any criterion that is applied.

**OBJECTIONS & RESPONSE TO REQUEST FOR PRODUCTION NO. 4:** Plaintiffs object to the extent that this Requests information protected by the associational privilege of the First Amendment to the U.S. Constitution, including unredacted membership lists. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958); *Buckley*, 424 U.S. at 66; *Button*, 371 U.S. at 429; *Perry*, 591 F.3d at 1142 n.9. Plaintiffs further object to the extent this Request invades organizational Plaintiffs’ members’ privacy interests—including to the extent it requests the identification of individual members—protected by the U.S. Constitution, including the associational privilege of the First Amendment, and other applicable law.

Subject to and without waiving these objections, Plaintiffs will produce any responsive documents.

**REQUEST FOR PRODUCTION NO. 5:** (Plaintiffs Greater Birmingham Ministries and Alabama State Conference of the NAACP) Produce any documents concerning your standing to bring the claims you assert in the Fourth Amended Complaint.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 5:** Plaintiffs object to the extent that this Request information protected by the associational privilege of the First Amendment to the U.S. Constitution, including unredacted membership lists. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958); *Buckley*, 424 U.S. at 66; *Button*, 371 U.S. at 429; *Perry*, 591 F.3d at 1142 n.9. Plaintiffs further object to the extent this Request invades organizational Plaintiffs' members' privacy interests—including to the extent it requests the production of membership lists—protected by the U.S. Constitution, including the associational privilege of the First Amendment, and other applicable law.

Subject to and without waiving these objections, Plaintiffs refer Defendants to their Answer to Interrogatory No. 2.

**REQUEST FOR PRODUCTION NO. 6:** If you contend that you—or, in the case of the organizational Plaintiffs, your members—have been prevented from being registered to vote in Alabama at any time since 2010, produce any documents you have concerning that contention.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 6:** Plaintiffs object to the extent this Request invades organizational Plaintiffs' members' privacy interests—including to the extent it requests the identification of individual members—protected by the U.S. Constitution, including the associational privilege of the First Amendment, and other applicable law.

Plaintiffs also refer to documents referred to and equally available to Defendants concerning the settlement of NVRA claims and from litigation referred to in Responses to Interrogatory No. 7.

**REQUEST FOR PRODUCTION NO. 7:** If you contend that Black candidates have been excluded, on account of race, as candidates of the Alabama Democratic Party, produce any documents you have concerning that contention.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 7:** Plaintiffs object to the extent that this Request call for information equally available to Defendants. Plaintiffs further object to the extent this Request invades organizational Plaintiffs' members' privacy interests—including to the extent it

requests the identification of individual members—protected by the U.S. Constitution, including the associational privilege of the First Amendment, and other applicable.

Subject to and without waiving the foregoing objections, Plaintiffs do not have any responsive documents.

**REQUEST FOR PRODUCTION NO. 8:** If you contend that the Alabama Democratic Party refuses to associate with Black voters and/or Black candidates on account of race, produce any documents you have concerning that contention.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 8:** Plaintiffs object to this Request because it is vague and ambiguous in that it does not define the phrase “associate.” Plaintiffs also object to the extent that this Requests information protected by the associational privilege of the First Amendment to the U.S. Constitution, including unredacted membership lists. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958); *Buckley*, 424 U.S. at 66; *Button*, 371 U.S. at 429; *Perry*, 591 F.3d at 1142 n.9. Plaintiffs further object to the extent this Request invades organizational Plaintiffs’ members’ privacy interests—including to the extent it requests the identification of individual members—protected by the U.S. Constitution, including the associational privilege of the First Amendment, and other applicable.

Subject to and without waiving the foregoing objections, Plaintiffs do not have any responsive documents.

**REQUEST FOR PRODUCTION NO. 9:** If you contend that the Alabama Republican Party refuses to associate with Black voters and/or Black candidates on account of race, produce any documents you have concerning that contention.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 9:** Plaintiffs object to this Request because it is vague and ambiguous in that it does not define the phrase “associate.” Plaintiffs also object to the extent that this Requests information protected by the associational privilege of the First

Amendment to the U.S. Constitution, including unredacted membership lists. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958); *Buckley*, 424 U.S. at 66; *Button*, 371 U.S. at 429; *Perry*, 591 F.3d at 1142 n.9. Plaintiffs further object to the extent this Request invades organizational Plaintiffs' members' privacy interests—including to the extent it requests the identification of individual members—protected by the U.S. Constitution, including the associational privilege of the First Amendment, and other applicable.

Subject to and without waiving the foregoing objections, Plaintiffs do not have any responsive documents in their possession.

**REQUEST FOR PRODUCTION NO. 10:** If you contend that you—or, in the case of the organizational Plaintiffs, your members—have been prevented from choosing a political party to support, produce any documents you have concerning that contention.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 10:** Plaintiffs object to this Request because it is vague and ambiguous in that it does not define the phrase “choosing.” Plaintiffs also object to the extent that this Requests information protected by the associational privilege of the First Amendment to the U.S. Constitution, including unredacted membership lists. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958); *Buckley*, 424 U.S. at 66; *Button*, 371 U.S. at 429; *Perry*, 591 F.3d at 1142 n.9. Plaintiffs further object to the extent this Request invades organizational Plaintiffs' members' privacy interests—including to the extent it requests the identification of individual members—protected by the U.S. Constitution, including the associational privilege of the First Amendment, and other applicable.

Subject to and without waiving the foregoing objections, Plaintiffs do not have any responsive documents.

**REQUEST FOR PRODUCTION NO. 11:** If you contend that you—or, in the case of the organizational Plaintiffs, your members—have been prevented from participating in the affairs of the

political party or parties that you/your members choose to support, produce any documents you have concerning that contention.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 11:** Plaintiffs object to this Request because it is vague and ambiguous in that it does not define the phrase “participating.” Plaintiffs object to this Request because it is overly broad, unduly burdensome, untethered to any temporal limitation, and seeks information that is not relevant to any party’s claims or defenses nor proportional to the needs of the case as well. Plaintiffs further object to the extent that this Requests information protected by the associational privilege of the First Amendment to the U.S. Constitution, including unredacted membership lists. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958); *Buckley*, 424 U.S. at 66; *Button*, 371 U.S. at 429; *Perry*, 591 F.3d at 1142 n.9. Plaintiffs also object to the extent this Request invades organizational Plaintiffs’ members’ privacy interests—including to the extent it requests the identification of individual members—protected by the U.S. Constitution, including the associational privilege of the First Amendment, and other applicable.

Subject to and without waiving the foregoing objections, Plaintiffs do not have any responsive documents.

**REQUEST FOR PRODUCTION NO. 12:** If you contend that you—or, in the case of the organizational Plaintiffs, your members—have been prevented from choosing a political party to support, produce any documents you have concerning that contention.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 12:** Plaintiffs object to this Request because it is vague and ambiguous in that it does not define the phrase “choosing.” Plaintiffs object to this Request because it is overly broad, unduly burdensome, untethered to any temporal limitation, and seeks information that is not relevant to any party’s claims or defenses nor proportional to the needs of the case as well. Plaintiffs further object to the extent that this Requests information protected by the associational privilege of the First Amendment to the U.S. Constitution, including unredacted



membership lists. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958); *Buckley*, 424 U.S. at 66; *Button*, 371 U.S. at 429; *Perry*, 591 F.3d at 1142 n.9. Plaintiffs also object to the extent this Request invades organizational Plaintiffs' members' privacy interests—including to the extent it requests the identification of individual members—protected by the U.S. Constitution, including the associational privilege of the First Amendment, and other applicable.

Subject to and without waiving the foregoing objections, Plaintiffs do not have any responsive documents.

**REQUEST FOR PRODUCTION NO. 13:** If you—or, in the case of the organizational Plaintiffs, your members—have made any effort to join the Alabama Republican Party, produce any documents you have concerning that effort, including any response from the Alabama Republican Party.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 13:** Plaintiffs object to the extent that this Request information protected by the associational privilege of the First Amendment to the U.S. Constitution, including unredacted membership lists. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958); *Buckley*, 424 U.S. at 66; *Button*, 371 U.S. at 429; *Perry*, 591 F.3d at 1142 n.9. Plaintiffs also object to the extent this Request invades organizational Plaintiffs' members' privacy interests—including to the extent it requests the identification of individual members—protected by the U.S. Constitution, including the associational privilege of the First Amendment, and other applicable.

Subject to and without waiving the foregoing objections, Plaintiffs do not have any responsive documents.

**REQUEST FOR PRODUCTION NO. 14:** If you refuse to admit that many white voters in Alabama prefer Republican candidates for reasons that have nothing to do with race, produce any documents you have supporting that refusal.

**RESPONSE TO REQUEST FOR PRODUCTION NO. 14:** Plaintiffs object to this Request because it is vague and ambiguous in that it does not define the phrase “nothing to do with race.” Plaintiffs

object to this Request because it is overly broad, unduly burdensome, untethered to any temporal limitation, and seeks information that is not relevant to any party's claims or defenses nor proportional to the needs of the case as well. Plaintiffs further object to the extent that this Request information protected by the associational privilege of the First Amendment to the U.S. Constitution, including unredacted membership lists. *See NAACP v. Alabama ex rel. Patterson*, 357 U.S. 449 (1958); *Buckley*, 424 U.S. at 66; *Button*, 371 U.S. at 429; *Perry*, 591 F.3d at 1142 n.9. Plaintiffs also object to the extent this Request invades organizational Plaintiffs' members' privacy interests—including to the extent it requests the identification of individual members—protected by the U.S. Constitution, including the associational privilege of the First Amendment, and other applicable.

Subject to and without waiving the foregoing objections, Plaintiffs do not have any responsive documents except to the extent such documents are relied upon in expert reports.

**RESPONSES TO REQUESTS FOR ADMISSION**

Without waiving or limiting in any manner any of the foregoing Continuing Objections, but rather incorporating them into each of the following responses to the extent applicable, Plaintiffs respond to Secretary Allen's Requests for Admission as follows:

**REQUEST FOR ADMISSION NO. 1:** Admit that since at least 2000, support of Black voters has been critical to the electoral success of Democratic candidates in Alabama elections.

**RESPONSE TO REQUEST FOR ADMISSION NO. 1:** Plaintiffs object to Request for Admission No. 1 as vague and ambiguous in that it does not define the term "critical." Subject to and without waiving the foregoing objections, Plaintiffs admit that Black voters have tended to support Democratic candidates in general, partisan elections in the elections analyzed in Alabama elections dating back to 2014, although the level of support has varied in some races depending on the race of the candidates and that Democratic candidates have only seen success when the relevant district has a majority BVAP or BCVAP or close to it, or in the rare instances when white voters support Black-preferred candidates in greater numbers than usual. As to general election races between 2000 and 2012, Plaintiffs have anecdotal and experiential information that Black voters have tended to support Democratic more than Republican candidates, but lack sufficient knowledge beyond that. For all years, Plaintiffs admit that whereas Black Democratic candidates only found success in majority-BVAP districts in state legislative races, white Democrats had success in some circumstances in majority-white districts or voter populations, strongly indicating that the race of the candidate matters above and beyond political affiliation.

**REQUEST FOR ADMISSION NO. 2:** Admit that the support of Black voters was critical to the success of Doug Jones when he was elected, as a Democrat, to the U.S. Senate from Alabama in 2017.

**RESPONSE TO REQUEST FOR ADMISSION NO. 2:** Plaintiffs object to Request for Admission No. 2 as vague and ambiguous in that it does not define the term "critical." Subject to and

without waiving the foregoing objections, Plaintiffs admit that a significant majority of Black voters voted for Doug Jones in the 2017 U.S. Senate race over his opponent, but deny the Request to the extent it overlooks the fact that his rare election as a statewide Democrat was made possible by far greater than usual white support of his candidacy as a white Democrat running against a controversial candidate.

**REQUEST FOR ADMISSION NO. 3:** Admit that, since at least 2000, Black candidates in Alabama have routinely run for elected offices in Democratic primaries and have routinely won Democratic primaries.

**RESPONSE TO REQUEST FOR ADMISSION NO. 3:** Plaintiffs object to Request for Admission No. 3 as vague and ambiguous in that it does not define the term “routinely.” Subject to and without waiving the foregoing objections, Plaintiffs admit that Black candidates for public office in Alabama have won Democratic primary races, though Plaintiffs lack sufficient knowledge of whether they tend to win or lose in greater percentages when they face a white Democrat in the primary or in majority-white electorates.

**REQUEST FOR ADMISSION NO. 4:** Admit that in 2024, Black candidates ran in the Alabama Republican Party primary, including for Alabama Congressional District 2.

**RESPONSE TO REQUEST FOR ADMISSION NO. 4:** Plaintiffs admit that four Black candidates and four white candidates sought the Republican Party nomination for Alabama’s Congressional District 2, and further admit that those four Black candidates finished fifth, sixth, seventh, and eighth, while the white candidates finished first through fourth, with the Black candidates totaling approximately 6% of the votes, and the white candidates garnering the remaining approximately 94% of the votes.

**REQUEST FOR ADMISSION NO. 5:** Admit that, in the State of Alabama, the Black preferred candidate is usually a Democrat.

**RESPONSE TO REQUEST FOR ADMISSION NO. 5:** Plaintiffs object to Request for

Admission No. 5 as vague and ambiguous because it fails to provide the time period of the Request. Given the boundless definition of time, Plaintiffs deny the Request as Black support for candidates of the different political parties has varied over time, place, particular elections, and candidates in the past 50-60 years as Black Alabamians finally gained access to the franchise in meaningful numbers.

**REQUEST FOR ADMISSION NO. 6:** Admit that, nationally, the Black preferred candidate is usually a Democrat.

**RESPONSE TO REQUEST FOR ADMISSION NO. 6:** Plaintiffs object to Request for Admission No. 6 as vague and ambiguous because it fails to provide the time period of the Request. Given the boundless definition of time, Plaintiffs deny the Request as Black support for candidates of the different political parties has varied over the history of this country, with Black political support shifting to some degree in the last half-century due to a number of factors such as differences for political support for civil rights protections, the “Southern Strategy” which relied upon race-based appeals to drive the voting patterns of white voters in the South away from the Democratic Party, and other relevant factors.

**REQUEST FOR ADMISSION NO. 7:** Admit that, in the State of Alabama, the white preferred candidate is usually a Republican.

**RESPONSE TO REQUEST FOR ADMISSION NO. 7:** Plaintiffs object to Request for Admission No. 6 as vague and ambiguous because it fails to provide the time period of the Request. Given the boundless definition of time, Plaintiffs deny the Request as white support for candidates of the different political parties has varied over the history of the State and this country, with white political support shifting significantly even in the last twenty years between political parties and varying to some degree until the past decade or two between local, state, and national races.

**REQUEST FOR ADMISSION NO. 8:** Admit that white voters can prefer Republican candidates for reasons that have nothing to do with race.

**RESPONSE TO REQUEST FOR ADMISSION NO. 8:** Plaintiffs object to Request for



Admission No. 8 as vague and ambiguous due to the term “nothing to do with race.” Plaintiffs can neither admit nor deny it on the grounds that it calls for speculation and/or contains an incomplete hypothetical and requires isolating a political system infused by race in a way not reflected by reality, particularly considering recent overtly racist laws passed with support of most Republicans such as the recent ban on diversity, equity, and inclusion efforts.

**REQUEST FOR ADMISSION NO. 9:** Admit that many white voters in Alabama prefer Republican candidates for reasons that have nothing to do with race.

**RESPONSE TO REQUEST FOR ADMISSION NO. 9:** Plaintiffs object to Request for Admission No. 9 as vague and ambiguous due to the term “nothing to do with race.” Plaintiffs can neither admit nor deny it on the grounds that it calls for speculation and/or contains an incomplete hypothetical because it calls for isolating issues in a political system infused by race in a way not reflected by reality.

**REQUEST FOR ADMISSION NO. 10:** Admit that white voters can prefer Republican candidates for policy reasons, *i.e.*, abortion, gun rights, and immigration.

**RESPONSE TO REQUEST FOR ADMISSION NO. 10:** Plaintiffs object to Request for Admission No. 10 as vague and ambiguous as to the phrase and “policy reasons.” Subject to and without waiving the foregoing and Continuing Objections, Plaintiffs deny any implication that any of these policy positions can be completely separated from race given the dominant role of race in Alabama’s political system.

**REQUEST FOR ADMISSION NO. 11:** Admit that Rep. Kenneth Paschal is a Black Republican elected to represent majority-white Alabama House District 73.

**RESPONSE TO REQUEST FOR ADMISSION NO. 11:** Plaintiffs admit this Request.

**REQUEST FOR ADMISSION NO. 12:** Admit that the Alabama Democratic Party did not have candidates for more than half of the Alabama State Senate seats up for election in 2022.

**RESPONSE TO REQUEST FOR ADMISSION NO. 12:** Plaintiffs object to Request for

Admission No. 12 as vague and ambiguous. Plaintiffs further object to this Request to the extent it seeks information equally or more readily accessible to Secretary Allen. Subject to and without waiving the foregoing and Continuing Objections, this Request is admitted.

**REQUEST FOR ADMISSION NO. 13:** Admit that the Alabama Democratic Party did not have candidates for more than half of the Alabama State Legislature seats up for election in 2022.

**RESPONSE TO REQUEST FOR ADMISSION NO. 13:** Plaintiffs object to Request for Admission No. 13 as vague and ambiguous. Plaintiffs further object to this Request to the extent it seeks information equally or more readily accessible to Secretary Allen. Subject to and without waiving the foregoing and Continuing Objections, this Request is admitted.

**REQUEST FOR ADMISSION NO. 14:** Admit that citizen voting age population (“CVAP”) calculated by the Census Bureau is based on a collection of survey estimates, not a count of the population like the decennial Census.

**RESPONSE TO REQUEST FOR ADMISSION NO. 14:** Plaintiffs admit that the Census Bureau creates a “custom tabulation of the citizen voting age population” from five years of data from the American Community Survey (ACS), which means approximately 17.7 million households receive surveys in a typical five-year period nationwide, as do approximately 315,000 households in Alabama over the same period.

**REQUEST FOR ADMISSION NO. 15:** Admit that the 2020 Census did not ask respondents about whether they were citizens.

**RESPONSE TO REQUEST FOR ADMISSION NO. 15:** Plaintiffs admit that despite the U.S. Department of Commerce attempting to place such a question on the 2020 Decennial Census, the 2020 Decennial Census questionnaire did not ask about citizenship after the Supreme Court found that “the VRA enforcement rationale—the sole stated reason [provided for its addition]—seems to have been contrived,” and thus affirmed the district court’s decision enjoining its addition on that ground. *Dep’t of*

*Com. v. New York*, 139 S. Ct. 2551, 2575 (2019).

**REQUEST FOR ADMISSION NO. 16:** Admit that the ACLU opposed including a question on the 2020 Census asking respondents whether they were citizens.

**RESPONSE TO REQUEST FOR ADMISSION NO. 16:** Plaintiffs admit that the ACLU not only opposed, but successfully litigated the issue before the U.S. Supreme Court, where the Court affirmed the district court's injunction against adding the question, finding that "the VRA enforcement rationale—the sole stated reason [provided for its addition]—seems to have been contrived," and thus affirmed the district court's decision enjoining its addition on that ground, *Dep't of Com. v. New York*, 139 S. Ct. 2551, 2575 (2019)—a decision which including finding that former DOJ official John Gore admitted "that CVAP data collected through the census questionnaire" as opposed to the ACS "is not necessary for [the U.S. Department of Justice's] VRA enforcement efforts." *New York v. U.S. Dep't of Com.*, 351 F. Supp. 3d 502, 556–57 (S.D.N.Y.), *aff'd in part, rev'd in part and remanded sub nom. Dep't of Com. v. New York*, 139 S. Ct. 2551 (2019).

**REQUEST FOR ADMISSION NO. 17:** Admit that the NAACP LDF opposed including a question on the 2020 Census asking respondents whether they were citizens.

**RESPONSE TO REQUEST FOR ADMISSION NO. 17:** Plaintiffs admit that LDF not only opposed adding a citizenship question to the 2020 Decennial Census, but also submitted an amicus brief in the Supreme Court explaining that, among other things, "[e]xisting data sources, including citizenship data obtained through" census surveys, "have proven more than sufficient" for litigating cases under Section 2 of the VRA.

**REQUEST FOR ADMISSION NO. 18:** Admit that Alabama has used single-member districts to elect Members of the Alabama Senate for more than 40 years.

**RESPONSE TO REQUEST FOR ADMISSION NO. 18:** Plaintiffs object to Request for Admission No. 18 to the extent it seeks information equally or more readily accessible to Secretary Allen.

Subject to and without waiving the foregoing and Continuing Objections, this Request is admitted.

**REQUEST FOR ADMISSION NO. 19:** Admit that U.S. Senator Howell Heflin was elected from the State of Alabama in, *inter alia*, 1984, when he received more than 60% of the vote.

**RESPONSE TO REQUEST FOR ADMISSION NO. 19:** Plaintiffs object to Request for Admission No. 19 to the extent it seeks information equally or more readily accessible to Secretary Allen. Subject to and without waiving the foregoing and Continuing Objections, this Request is admitted.

**REQUEST FOR ADMISSION NO. 20:** Admit that Joe Reed and the Alabama Democratic Conference endorsed Hillary Rodham Clinton over Barack Obama in 2008.

**RESPONSE TO REQUEST FOR ADMISSION NO. 20:** Plaintiffs object to Request for Admission No. 20 to the extent it seeks information equally or more readily accessible to Secretary Allen. Subject to and without waiving the foregoing and Continuing Objections, Plaintiffs admit that Joe Reed and the ADC endorsed Hillary Clinton over Barack Obama in 2008 contrary to the preferences of Black voters, 84% of whom voted for then-Senator Obama in the primary, in contrast to the white primary voters, 72% of whom gave then-Senator Hillary Clinton their vote.

DATED this 27th day of March 2024.

/s/ Alison Mollman

Alison Mollman (ASB-8397-A33C)  
AMERICAN CIVIL LIBERTIES UNION OF  
ALABAMA  
P.O. Box 6179  
Montgomery, AL 36106-0179  
510-909-8908  
amollman@aclualabama.org

/s/ Deuel Ross

Deuel Ross\*  
NAACP LEGAL DEFENSE & EDUCATIONAL  
FUND, INC.  
700 14th Street N.W. Ste. 600  
Washington, DC 20005  
(202) 682-1300  
dross@naacpldf.org

Leah Aden\*

Stuart Naifeh\*  
Kathryn Sadasivan (ASB-517-E48T)  
Brittany Carter\*  
NAACP LEGAL DEFENSE & EDUCATIONAL  
FUND, INC.  
40 Rector Street, 5th Floor  
New York, NY 10006  
(212) 965-2200  
laden@naacpldf.org  
snaifeh@naacpldf.org  
ksadasivan@naacpldf.org

David Dunn\*

HOGAN LOVELLS LLP  
390 Madison Avenue  
New York, NY 10017  
(212) 918-3000  
david.dunn@hoganlovells.com

Blayne R. Thompson\*

HOGAN LOVELLS US LLP  
609 Main St., Suite 4200  
Houston, TX 77002  
(713) 632-1400  
blayne.thompson@hoganlovells.com

Respectfully submitted,

/s/ Davin M. Rosborough

Davin M. Rosborough\*  
Julie A. Ebenstein\*  
Dayton Campbell-Harris\*  
AMERICAN CIVIL LIBERTIES UNION FOUNDATION  
125 Broad St.  
New York, NY 10004  
(212) 549-2500  
drosborough@aclu.org  
jebenstein@aclu.org  
dcampbell-harris@aclu.org

Jacob van Leer\*

AMERICAN CIVIL LIBERTIES UNION FOUNDATION  
915 15th St. NW  
Washington, DC 20005  
(202) 457-0800  
jvanleer@aclu.org

/s/ Sidney Jackson

Sidney Jackson (ASB-1462-K40W)  
Nicki Lawsen (ASB-2602-C00K)  
WIGGINS, CHILDS, PANTAZIS, FISHER, & GOLDFARB  
301 19th Street  
North Birmingham, AL 35203  
(205) 314-0500  
sjackson@wigginschilds.com  
nlawsen@wigginschilds.com

/s/ Jack Genberg

Jack Genberg\*  
Jess Unger\*  
SOUTHERN POVERTY LAW CENTER  
PO Box 1287  
Decatur, GA 30031  
(404) 521-6700  
jack.genberg@splcenter.org  
junger@splc.org

Jessica L. Ellsworth\*

Shelita M. Stewart\*  
HOGAN LOVELLS LLP  
555 Thirteenth Street, NW  
Washington, DC 20004  
(202) 637-5600



jessica.ellsworth@hoganlovells.com  
shelita.stewart@hoganlovells.com

Michael Turrill\*  
Harmony R. Gbe\*  
HOGAN LOVELLS US LLP  
1999 Avenue of the Stars  
Suite 1400  
Los Angeles, CA 90067  
(310) 785-4600  
michael.turrill@hoganlovells.com  
harmony.gbe@hoganlovells.com

***Attorneys for Plaintiffs***

Anthony Ashton\*  
Anna-Kathryn Barnes\*  
NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF  
COLORED PEOPLE (NAACP)  
4805 Mount Hope Drive  
Baltimore, MD 21215  
(410) 580-5777  
aashton@naacpnet.org  
abarnes@naacpnet.org

***Attorneys for Plaintiff Alabama State Conference  
of the NAACP***

\*Admitted *pro hac vice*

**VERIFICATION OF INTERROGATORY RESPONSES**

I, Khadidah Stone, believe, based on reasonable inquiry, that the foregoing answers are true and correct to the best of my knowledge, information, and belief. I verify as such under penalty of perjury.

A handwritten signature in black ink, appearing to read 'Khadidah Stone', written over a horizontal line.

Khadidah Stone

Dated: 3/27/24

**VERIFICATION OF INTERROGATORY RESPONSES**

I, Evan Milligan, believe, based on reasonable inquiry, that the foregoing answers are true and correct to the best of my knowledge, information, and belief. I verify as such under penalty of perjury.



Evan Milligan

Date: 3/27/24

**VERIFICATION OF INTERROGATORY RESPONSES**

I, Scott Douglas, believe, based on reasonable inquiry, that the foregoing answers submitted on behalf of Greater Birmingham Ministries are true and correct to the best of my knowledge, information, and belief. I verify as such under penalty of perjury.

A handwritten signature in black ink, appearing to read "Scott Douglas", is written over a horizontal line.

Scott Douglas

Dated: 3/27/24

**VERIFICATION OF INTERROGATORY RESPONSES**

I, Benard Simelton, believe, based on reasonable inquiry, that the foregoing answers are true and correct to the best of my knowledge, information, and belief. I verify as such under penalty of perjury.

  
Benard Simelton

Dated: March 26, 2024



**CERTIFICATE OF SERVICE**

I hereby certify that on March 28, 2024, a true and correct copy of the foregoing was served on all counsel of record by electronic mail.

/s/ Davin Rosborough  
Davin Rosborough

# McClendon Senate Plan 1

