

EXHIBIT 1

From: [Hollinger, Chris](#)
To: [Graham C. Talley](#)
Cc: [Dylan Jacobs](#); [Christine Cryer](#); [Bookin, Daniel](#); [Li, James Yi](#); [Benjamin, EJ](#)
Subject: Christian Ministerial Alliance v. Thurston -- Depositions (Rapert, Speaks & English)
Date: Thursday, June 6, 2024 10:05:58 PM
Attachments: [CMA v Thurston English Deposition Subpoena.pdf](#)
[CMA v Thurston Rapert Deposition Subpoena.pdf](#)
[CMA v Thurston Speaks Deposition Subpoena.pdf](#)



Graham:

Thank you for your message. I have attached three deposition/document subpoenas for English, Rapert, and Speaks. We understand/assume that all three of these subpoenas will be included within the discovery dispute to be teed up with the Court in the near future. We are serving formal subpoenas to make the record that Plaintiffs did in fact seek to depose the individuals in question.

Please let us know when you think you will be able to provide your draft of the joint report. I don't mean to be pushy (in fact, I hate when other lawyers act that way with me), but we are operating under a relatively-tight schedule in the lawsuit.

Thank you for your professional courtesy and cooperation.

Chris Hollinger

From: Graham C. Talley <gtalley@mwlaw.com>
Sent: Monday, June 3, 2024 12:33 PM
To: Hollinger, Chris <chollinger@omm.com>
Cc: Dylan Jacobs <dylan.jacobs@arkansasag.gov>; Christine Cryer <christine.cryer@arkansasag.gov>; Bookin, Daniel <dbookin@omm.com>; Li, James Yi <jli@omm.com>; Benjamin, EJ <ebenjamin@omm.com>; Kurvers, Erin E. <ekurvers@omm.com>
Subject: RE: Christian Ministerial Alliance v. Thurston -- Depositions (Davenport, Bowen, Rapert, Speaks & English)

[EXTERNAL MESSAGE]

Chris,

Glad we could connect last week. A couple of follow-up items.

First, please send over subpoenas for Michelle and Lori. Notice the depositions for my office. I'd like to start at 9 AM, assuming that works on your end.

Second, with the Legislators, I think we understand each other's position. Again, if there are particular areas of inquiry that the Plaintiffs believe are not protected by legislative privilege, I'm happy to review, consider, and discuss. At this point, though, I believe we'll need the Court to weigh in. As our side was working through these issues, we reviewed

the scheduling order, which instructs the parties to submit a joint report on a discovery issue (rather than filing motions to compel, or for protective order/to quash). Given this directive, we're preparing a draft that we plan to share with you guys, hopefully this week.

Let me know if you have any questions.

Thanks,

Graham



Graham C. Talley

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Mitchell, Williams, Selig, Gates & Woodyard, P.L.L.C.

From: Graham C. Talley <gtalley@mwlaw.com>

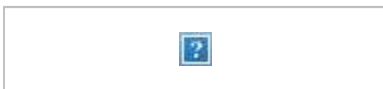
Sent: Wednesday, May 29, 2024 8:20 AM

To: Hollinger, Chris <chollinger@omm.com>

Cc: Dylan Jacobs <dylan.jacobs@arkansasag.gov>; Christine Cryer <christine.cryer@arkansasag.gov>; Bookin, Daniel <dbookin@omm.com>; Li, James Yi <jli@omm.com>; Benjamin, EJ <ebenjamin@omm.com>; Kurvers, Erin E. <ekurvers@omm.com>

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4:30 PM CDT works here, thanks



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From: Hollinger, Chris <chollinger@omm.com>

Sent: Wednesday, May 29, 2024 1:29 AM

To: Graham C. Talley <gtalley@mwlaw.com>

Cc: Dylan Jacobs <dylan.jacobs@arkansasag.gov>; Christine Cryer <christine.cryer@arkansasag.gov>; Bookin, Daniel <dbookin@omm.com>; Li, James Yi <jli@omm.com>; Benjamin, EJ <ebenjamin@omm.com>; Kurvers, Erin E. <ekurvers@omm.com>

Subject: Christian Ministerial Alliance v. Thurston -- Depositions (Davenport, Bowen, Rapert, Speaks & English)

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Graham:

Thank you for your message. Would either 1:30 p.m. or 4:30 p.m. (Central) work for you on Wednesday.

Please let us know. Thanks.

Chris

From: Graham C. Talley <gtalley@mwlaw.com>
Sent: Tuesday, May 28, 2024 2:42 PM
To: Hollinger, Chris <chollinger@omm.com>
Cc: Dylan Jacobs <dylan.jacobs@arkansasag.gov>; Christine Cryer <christine.cryer@arkansasag.gov>; Bookin, Daniel <dbookin@omm.com>; Li, James Yi <jli@omm.com>; Benjamin, EJ <ebenjamin@omm.com>
Subject: RE: Christian Ministerial Alliance v. Thurston -- Depositions (Davenport, Bowen, Rapert, Speaks & English)

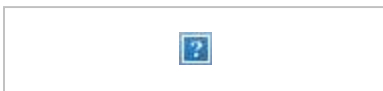
[EXTERNAL MESSAGE]

Chris,

Thanks for your email on this. Let me know if your team has 15-20 minutes for a brief meet and confer. Want to ensure we're all on the same page with respect to the plaintiffs' new position.

Thanks,

Graham



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From: Hollinger, Chris <chollinger@omm.com>
Sent: Wednesday, May 22, 2024 5:18 PM
To: Graham C. Talley <gtalley@mwlaw.com>
Cc: Dylan Jacobs <dylan.jacobs@arkansasag.gov>; Christine Cryer <christine.cryer@arkansasag.gov>; Bookin, Daniel <dbookin@omm.com>; Li, James Yi <jli@omm.com>; Benjamin, EJ <ebenjamin@omm.com>
Subject: Christian Ministerial Alliance v. Thurston -- Depositions (Davenport, Bowen, Rapert, Speaks & English)

Graham:

Thank you for the confirmation re the Bowen and Davenport depositions. We will provide deposition subpoenas for July 2-3 (with Davenport on July 3) and, for these two depositions, we are fine with holding the depositions at your offices and appreciate your hospitality.

Thank you for confirming that you will represent and are authorized to accept service of subpoenas for former Senator Rapert, former Representative Speaks and Senator English. Upon reflection, we have concluded that the procedure discussed in our last meet-and-confer for raising the legislative privilege issue is not the best mechanism for doing so and, instead, we will be moving forward with depositions of these three witnesses. I apologize for the change-of-direction (those things sometimes happen in litigation) and I appreciate your willingness to engage with us on these issues.

In terms of timing for the depositions, and in light of our discovery schedule, we are looking at the weeks of June 10 or 17—except for Senator Rapert, where we are looking at on or before June 25, or June 29 or after. We will, of course, work with your and the witnesses' schedules to the greatest extent feasible in light of the constraints of our litigation schedule. If you or your clients are not available during any of those time periods, please let us know why.

Thank you for your continued professional courtesy and cooperation. And, if you would like to discuss, please let us know.

Thanks.

Chris Hollinger

From: Graham C. Talley <gtalley@mwlaw.com>

Sent: Tuesday, May 21, 2024 6:57 PM

To: Hollinger, Chris <chollinger@omm.com>

Cc: Dylan Jacobs <dylan.jacobs@arkansasag.gov>; Christine Cryer <christine.cryer@arkansasag.gov>; Bookin, Daniel <dbookin@omm.com>; Li, James Yi <jli@omm.com>; Benjamin, EJ <ebenjamin@omm.com>

Subject: Re: Christian Ministerial Alliance v. Thurston -- Depositions (Davenport, Bowen, Rapert, Speaks)

[EXTERNAL MESSAGE]

Chris,

Thanks for your email.

I've worked through these questions with the Bureau. I'll represent both Lori and Michelle and have authority to accept subpoenas on their behalf. Right now, it looks like July 2-3 work (July 3 for Michelle). I'll make these witnesses available at my office in Little Rock.

I'll also be representing both Sen. Rapert and Rep. Speaks. Along with Sen. English, these two intend to invoke privilege. As we discussed on our call last week, let's set these three depositions far enough out so we can get direction from the Court on the privilege issue (I can accept service of all three subpoenas). If the OMM team can share the draft list of questions/areas of inquiry that we discussed, I'll quickly review and confirm our privilege position. We'll then get a motion to quash filed so the parties can tee up the issue sooner rather than later for decision by the panel. Under our local rules, we can get it fully briefed in a period of about three weeks, assuming my folks will seek leave to file a reply. Appreciate everyone's cooperation on the privilege piece.

Of course, give me a call if you have any questions.

Thanks,

Graham

Graham C. Talley

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Mitchell, Williams, Selig, Gates & Woodyard, P.L.L.C.

From: Hollinger, Chris <chollinger@omm.com>

Sent: Monday, May 20, 2024 9:44:10 PM

To: Graham C. Talley <gtalley@mwlaw.com>

Cc: Dylan Jacobs <dylan.jacobs@arkansasag.gov>; Christine Cryer <christine.cryer@arkansasag.gov>; Bookin, Daniel <dbookin@omm.com>; Li, James Yi <jli@omm.com>; Benjamin, EJ <ebenjamin@omm.com>

Subject: Christian Ministerial Alliance v. Thurston -- Depositions (Davenport, Bowen, Rapert, Speaks)

Graham:

As a follow-up to our most recent discussion, I wanted to touch base regarding a few deposition-related matters.

(1) Michelle Davenport. Please let us know whether you will be representing Ms. Davenport for her deposition and are authorized to accept service of a deposition subpoena on her behalf. When we last spoke, you said the answer would probably be “yes”--but you needed to confirm. In terms of the date for the deposition, we can offer June 13-14, June 25,

or July 1-3. Also, as it turns out, we will take Ms. Davenport's deposition in person in Little Rock.

(2) Lori Bowen. As we understand it, you are authorized to accept service of a deposition subpoena on Ms. Bowen's behalf--but, if I am wrong, please let me know. Again, in terms of the date for the deposition, we can offer June 13-14, June 25, or July 1-3, and we will take Ms. Bowen's deposition in person in Little Rock. Please let us know which date(s) work for this deposition, as we would like to pin this down.

(3) Jason Rapert and Nelda Speaks. When we last spoke, you indicated that you would probably be representing these former legislators for purposes of their depositions (on the assumption the deponents intended to invoke legislative privilege)--but needed to confirm. Please let us know by the close of business on Thursday, May 23, if you are authorized to accept service of deposition subpoenas for these two individuals.

Thank you for your professional courtesy and cooperation.

Chris Hollinger

O'Melveny

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