

Exhibit L



TIM GRIFFIN

ATTORNEY GENERAL OF ARKANSAS

Christine A. Cryer
Senior Assistant Attorney General

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August 14, 2024

Daniel Bookin
O'MELVENY & MYERS, LLP
Two Embarcadero Center
28th Floor
San Francisco, CA 94111-3823

Re: *Christian Ministerial Alliance, et al v. John Thurston, in his Official Capacity as the Secretary of State of Arkansas*, 4:23CV00471-DPM-DRS-JM

Dear Mr. Bookin,

We are in receipt of your letter dated July 18, 2024, regarding Defendant's Responses to Plaintiffs' Second Set of Interrogatories. Please allow this letter to serve as Defendant's response to same.

In your Amended Complaint (DE 20), plaintiffs allege that race "was the predominant factor in creating Arkansas's Second Congressional District in the 2021 Redistricting Plan (the 'Plan'), intentionally singling out Black voters for unequal treatment and dilution of their electoral power" in violation of their 5th and 14th Amendment rights. The specific relief sought as to Defendant Thurston is for this Court to preliminarily and permanently enjoin him "from enforcing or giving any effect to the boundaries of the Second Congressional District in the 2021 Redistricting Plan, including enjoining Defendant from calling, holding, supervising, or certifying any elections under the 2021 Redistricting Plan boundaries until a constitutionally compliant remedial plan is adopted elections beginning in 2024 Preliminarily and permanently enjoin Defendant from calling, holding, supervising, or certifying any elections under the current configuration of Arkansas's U.S. congressional districts until a constitutionally compliant remedial plan is adopted for elections beginning in 2024." (Am. Compl. Pp. 54-55.)

It is obvious from the Amended Complaint that plaintiffs recognize Defendant Thurston was not involved with the creation of the Redistricting Plan, and yet discovery is being sought from him to provide information, testimony, and documents that would establish an alleged motivation by

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members of the Arkansas Legislature. Defendant Thurston has stated in response to discovery requests that he does not possess this information, nor should he be expected to have any. What documents Defendant Thurston does have access to, have been provided to plaintiffs. Further, Defendant Thurston has agreed to make members of his staff available for depositions. Those have been scheduled for this week and next week.

Per the plaintiffs' request, Defendant Thurston provides the attached Supplemental Responses to the Plaintiffs' Second Set of Interrogatories.

The burden in this case resides with the plaintiffs, not Defendant Thurston.

Sincerely,

A handwritten signature in blue ink, appearing to read "Christine A. Cryer", with a stylized flourish at the end.

Christine A. Cryer
Senior Assistant Attorney General

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**THE CHRISTIAN MINISTERIAL
ALLIANCE, PATRICIA BREWER,
CAROLYN BRIGGS, LYNETTE BROWN,
MABLE BYNUM, and VELMA SMITH,
on behalf of themselves and all other
similarly situated persons,**

PLAINTIFFS

v.

CASE NO. 4:23-CV-471-DPM

**JOHN THURSTON, in his official capacity
as the Secretary of State of Arkansas,**

DEFENDANT

**DEFENDANT'S SUPPLEMENTAL RESPONSES TO PLAINTIFF'S SECOND SET OF
INTERROGATORIES TO DEFENDANT**

COMES NOW Defendant John Thurston, by and through his attorneys, Attorney General Tim Griffin and Senior Assistant Attorney General Christine A. Cryer, and for his Supplemental Responses to Plaintiff's Second Set of Interrogatories, states as follows:

INTRODUCTORY STATEMENT

Defendant Thurston was not involved in the drafting of the 2021 Proposed Congressional Redistricting Plan and thus has no independent knowledge of any criteria applied by the General Assembly in its redistricting process or the General Assembly's motivations behind its redistricting decisions. Defendant Thurston expects to rely on information obtained through discovery and expert-witness testimony in arguing that partisan, as opposed to racial, motivations better explain the General Assembly's redistricting decisions related to the drafting of the 2021 Proposed Congressional Redistricting Plan. Defendant Thurston will supplement his answers to the extent necessary under the rules as discovery proceeds.

INTERROGATORY NO. 4: Describe the role the partisan advantage played in the creation and adoption of the 2021 Congressional Redistricting Plan.

ANSWER TO INTERROGATORY NO. 4: Defendant Thurston was not involved in the drafting of the 2021 Proposed Congressional Redistricting Plan. Further Defendant Thurston has no partisan leaning when it came to congressional Redistricting. As stated in Defendant Thurston's Answers to Plaintiff's First set of Interrogatories, Defendant Thurston's office's only involvement with Redistricting Maps is to print a map upon request.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 4: Defendant Thurston reasserts the response to his original Answer. It is anticipated this information will be discovered during the discovery process, including the depositions currently scheduled.

INTERROGATORY NO. 5: To the extent You contend that a desire to confer partisan advantage on Republican Congressional candidates motivate the Arkansas General Assembly's redistricting efforts for the 2021 proposed Congressional Redistricting Maps, please describe all the facts and evidence supporting Your contention.

ANSWER TO INTERROGATORY NO. 5: See Defendant Thurston's Answer to Interrogatory No. 4.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 5: Defendant Thurston does not have a supplemental response to add to his original response to this interrogatory.

INTERROGATORY NO. 6: To the extent You contend that a desire to confer partisan advantage on Republican Congressional candidates motivate the Arkansas General Assembly's redistricting efforts for the 2021 proposed Congressional Redistricting Plan, please describe all the facts and evidence supporting Your contention.

ANSWER TO INTERROGATORY NO. 6: Defendant Thurston was not involved in the drafting of the 2021 Proposed Congressional Redistricting Plan. Further Defendant Thurston has no partisan leaning when it came to congressional Redistricting, and has no information or knowledge to the motivation of the Arkansas General Assembly's redistricting efforts for the 2021 proposed Congressional Redistricting Plan.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 6: This information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 7: To the extent You contend that a desire to confer partisan advantage on Republican Congressional candidates motivate the Arkansas General Assembly's redistricting efforts for the contours of the District Boundaries of Congressional District 2, please describe all the facts and evidence supporting Your contention.

ANSWER TO INTERROGATORY NO. 7: See Answer to Interrogatory No. 6.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 7: This information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 8: To the extent You contend that a desire to confer partisan advantage in the re-election of incumbent Congressional Representatives as of 2021 motivated the Arkansas General Assembly's creation and adoption of the 2021 Congressional Redistricting Plan, please describe all the facts and evidence supporting Your contention.

ANSWER TO INTERROGATORY NO. 8: See Answer to Interrogatory No. 6.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 8: This information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 9: To the extent You contend that race and partisan preferences are very closely correlated in Congressional District 2, please describe all the facts and evidence supporting Your contention.

ANSWER TO INTERROGATORY NO. 9: See Answer to Interrogatory No. 6.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 9: This information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 10: To the extent You contend that race and partisan preferences are very closely correlated in Pulaski County, please describe all the facts and evidence supporting Your contention.

ANSWER TO INTERROGATORY NO. 10: See Answer to Interrogatory No. 6.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 10: This information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 11: To the extent you contend that a desire to confer partisan advantage on Republican Congressional candidates motivated moving over 41,000 residents in portions of Pulaski County out of Congressional District 2 to address an overpopulation of fewer than 16,510 residents, please describe all the facts and evidence supporting Your contention.

ANSWER TO INTERROGATORY NO. 11: Defendant Thurston was not involved in the drafting of the 2021 Proposed Congressional Redistricting Plan. Further Defendant Thurston has no partisan leaning when it came to congressional Redistricting and has no information or knowledge to the motivation referenced in Interrogatory No. 11.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 11: This information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this information.

Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 12: To the extent you contend that a desire to confer partisan advantage on Republican Congressional candidates motivated moving over 25,000 residents in portions of Cleburne County into Congressional District 2 to address an overpopulation of fewer than 16,510 residents, please describe all the facts and evidence supporting Your contention.

ANSWER TO INTERROGATORY NO. 12: Defendant Thurston was not involved in the drafting of the 2021 Proposed Congressional Redistricting Plan. Further Defendant Thurston has no partisan leaning when it came to congressional Redistricting and has no information or knowledge to the motivation referenced in Interrogatory No. 12.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 12: This information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 13: To the extent You contend that a tight correlation between race and partisan preferences, rather than racial targeting, motivated the fact that twelve of the fourteen Pulaski County precincts moved from Congressional District 2 in the 2021 Congressional Redistricting Plan had African-American voters as the largest demographic group with either a majority or plurality, as alleged on Paragraph 9 of the Amended Complaint, please describe all facts and evidence supporting Your contention.

ANSWER TO INTERROGATORY NO. 13: Defendant Thurston was not involved in the drafting of the 2021 Proposed Congressional Redistricting Plan. Further Defendant Thurston has no partisan leaning when it came to congressional Redistricting and has no information or knowledge to the motivation referenced in Interrogatory No. 13.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 13: This information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 14: To the extent You contend that a tight correlation between race and partisan preferences, rather than racial targeting, motivated the fact that ten of the fourteen Pulaski County precincts moved from Congressional District 2 in the 2021 Congressional Redistricting Plan fall completely or partially within a Hunt District, as alleged on Paragraph 9 of the Amended Complaint, please describe all facts and evidence supporting Your contention.

ANSWER TO INTERROGATORY NO. 14: Defendant Thurston was not involved in the drafting of the 2021 Proposed Congressional Redistricting Plan. Further Defendant Thurston has no partisan leaning when it came to congressional Redistricting and has no information or knowledge to the motivation referenced in Interrogatory No. 14.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 14: This information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the

deciding factor), or any person outside of Defendant Thurston's office who may have this information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 15: To the extent You contend that a desire to confer partisan advantage on Republican Congressional candidates motivated the 2021 Proposed Congressional Redistricting Maps and the 2021 Proposed Congressional Redistricting Plan's three-way split of Pulaski County, please describe all facts and evidence supporting Your contention.

ANSWER TO INTERROGATORY NO. 15: Defendant Thurston was not involved in the drafting of the 2021 Proposed Congressional Redistricting Plan. Further Defendant Thurston has no partisan leaning when it came to congressional Redistricting and has no information or knowledge to the motivation referenced in Interrogatory No. 15. As stated in Defendant Thurston's Answers to Plaintiff's First set of Interrogatories, Defendant Thurston's office's only involvement with Redistricting Maps is to print a map upon request.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 15: This information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 16: Identify all criteria that You contend the Arkansas General Assembly applied to evaluate and prepare the 2021 Congressional Redistricting Plan.

information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 20: To the extent You contend the Arkansas General Assembly considered protection of incumbent Republican Congressional candidates as a criterion, as identified in Your response to Interrogatory Nos. 16 and 17, please identify all documents, including data, and measures of partisan voting behavior You contend were considered by the Arkansas General Assembly to assess the projected (pro-incumbent) voting behavior in the creation or adoption of the 2021 Congressional Redistricting Plan.

ANSWER TO INTERROGATORY NO. 20: Please see Defendant Thurston's answer to Interrogatory Nos. 16 and 17.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 20: This information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 21: Identify all individuals You contend considered partisan advantage as a criterion during the process of creating and evaluating the 2021 Proposed Congressional Redistricting Maps.

ANSWER TO INTERROGATORY NO. 21: Defendant Thurston was not involved in the drafting of the 2021 Proposed Congressional Redistricting Plan. Further Defendant Thurston is unaware what criteria was applied by the Arkansas General Assembly in deciding to adopt the 2021 Congressional Redistricting Plan.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 21: This

information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 22: For each individual identified in Your response to Interrogatory No. 21, please describe all facts and evidence supporting Your contention that each individual so considered partisan advantage.

ANSWER TO INTERROGATORY NO. 22: See Defendant Thurston's answer to Interrogatory No. 21.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 22: This

information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 23: To the extent You contend the Arkansas General Assembly considered the likely partisan political effects of proposed District Boundaries as a criterion for evaluating the 2021 Proposed Congressional Redistricting Maps, please describe all facts and evidence supporting Your contention.

ANSWER TO INTERROGATORY NO. 23: Defendant Thurston was not involved in the drafting of the 2021 Proposed Congressional Redistricting Maps or of the 2021

ANSWER TO INTERROGATORY NO. 16: Defendant Thurston was not involved in the drafting of the 2021 Proposed Congressional Redistricting Plan. Further Defendant Thurston is unaware what criteria was applied by the Arkansas General Assembly to evaluate and prepare the 2021 Congressional Redistricting Plan.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 16: This information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 17: Identify all criteria that You contend the Arkansas General Assembly applied in deciding to adopt the 2021 Congressional Redistricting Plan.

ANSWER TO INTERROGATORY NO. 17: Defendant Thurston was not involved in the drafting of the 2021 Proposed Congressional Redistricting Plan. Further Defendant Thurston is unaware what criteria was applied by the Arkansas General Assembly in deciding to adopt the 2021 Congressional Redistricting Plan.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 17: This information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 18: For each criterion identified in Your response to Interrogatory Nos. 16 and 17, please describe all facts and evidence supporting Your contention that each criterion was so applied.

ANSWER TO INTERROGATORY NO. 18: No criterion was identified in Defendant Thurston's responses to Interrogatory Nos. 16 and 17.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 18: This information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 19: To the extent You contend the Arkansas General Assembly considered partisan effects as a criterion, as identified in Your response to Interrogatory Nos. 16 and 17, please identify all documents, including data, and measures of partisan voting behavior You contend were considered by the Arkansas General Assembly to assess projected (partisan) voting behavior in the creation or adoption of the 2021 Congressional Redistricting Plan.

ANSWER TO INTERROGATORY NO. 19: Please see Defendant Thurston's answer to Interrogatory Nos. 16 and 17.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 19: This information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this

Congressional Redistricting Plan. Defendant Thurston's office's only involvement with Redistricting Maps is to print a map upon request.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 23: This information is not in the possession of Defendant Thurston. It is believed that this information is in the possession of the plaintiffs (it is their burden to prove their claims that race was the deciding factor), or any person outside of Defendant Thurston's office who may have this information. Depositions are currently scheduled and it is anticipated testimony responsive to this interrogatory will be identified at that time.

INTERROGATORY NO. 24: Other than the specific named individuals identified as potential witnesses in Part A of Plaintiff's Initial Disclosures, please identify all additional individuals or entities, including but not limited to members of the Arkansas General Assembly, You contend have knowledge of the Arkansas General Assembly's reasons for creating and adopting the 2021 Congressional Redistricting Plan.

ANSWER TO INTERROGATORY NO. 24: Defendant Thurston objects to this Interrogatory as vague. Defendant Thurston did not prepare Part A of Plaintiffs Initial Disclosures, and as such, has not identified them as individuals having the knowledge sought in this Interrogatory.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 24: In his Amended Initial Disclosures, which were requested by the plaintiffs, Defendant Thurston provided the following information regarding individuals who each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information:

1. Plaintiffs

2. Anyone identified by the Plaintiffs in their Initial Disclosures *may* have information as set forth in Plaintiffs' Initial Disclosures and may be contacted as designated therein.
3. Defendant and his agents and employees *may* have information regarding the allegations in Plaintiffs' operative complaint and the defenses, denials and affirmative defenses raised in Defendant's Answer.
4. Any person identified in the pleadings, discovery responses, or in depositions in this matter may have information.
5. Any person otherwise identified during the course of discovery may have information.
6. Any person identified in any documents produced during the course of discovery may have information.
7. Any expert witnesses to be disclosed pursuant to Fed. R. Civ. P. 26(1)(2) may have information.
8. Any person needed for impeachment.

Secretary of State Thurston then amended his response and provided the specific identify of the following SOS employee:

Josh Bridges*
Assistant Director of Elections
Arkansas Secretary of State
1401 W. Capitol Avenue, Suite 250
Little Rock, AR 72201
(501) 682-3409

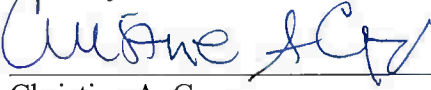
* Mr. Bridges may be contacted through counsel for Defendant Thurston.

Defendant Thurston asserts that he is not in possession of the information requested. He affirmatively states that those individuals identified in plaintiffs' second supplemental initial disclosures may have the information plaintiffs are seeking.

Respectfully submitted,

TIM GRIFFIN
Attorney General

By:



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CERTIFICATE OF SERVICE

I, Christine A. Cryer, hereby certify that on the 14th of August, 2024, I served a copy of the foregoing on the following via electronic mail:

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/s/ Christine A. Cryer
Christine A. Cryer

