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**Pro hac vice*

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MITCH NOYES, HOLDEN LOMELI,
and ANTHONY MCBROOM,

Plaintiffs,

v.

GAVIN NEWSOM, in his official
capacity as Governor of California; and
SHIRLEY WEBER, in her official
capacity as California Secretary of State,

Defendants.

Case No.: 2:25-cv-11480-SPG-PVC

Three-Judge Court Requested

**DECLARATION OF JOHN B.
MORGAN IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

Date: February 4, 2026
Time: 10:00 a.m.
Courtroom 5C, 5th Floor
Hon. Sherilyn Peace Garnett

1 I, John B. Morgan, declare:

2 1. I have personal knowledge of the matters set forth in this declaration and
3 would be able to testify competently to these facts if called as a witness.

4 2. I have been retained by Plaintiffs to review and analyze the California
5 congressional redistricting plan enacted in 2025 and offer opinions based on that
6 analysis. A complete statement of my opinions and the basis and reasons for them,
7 and the facts and data considered by me in forming those opinions, are laid out in
8 detail in the reports that are attached to this declaration.

9 3. Attached as Exhibit 1 is a true and correct copy of an Expert Report I
10 prepared analyzing the California congressional redistricting plan enacted in 2025,
11 comparing it to the 2022-2024 enacted California congressional redistricting plan, and
12 offering opinions regarding my analysis. As the Expert Report explains, it is my
13 opinion that race was a motivating factor in the drawing of the 2025 congressional
14 plan and that racial intent was evident in the construction of the redistricting plan.
15 Race was utilized in the drawing of the lines.

16 4. Attached as Exhibit 2 is a true and correct copy of a Supplemental Expert
17 Report I prepared further analyzing the California congressional redistricting plan
18 enacted in 2025. When preparing the Supplemental Expert Report, I drew a race-blind
19 California congressional redistricting plan which changes five Republican seats to five
20 Democratic seats, without using race in the drawing of the plan. I then compared this
21 illustrative plan to the 2022-2024 enacted California congressional redistricting plan
22 and the Proposition-50 2025 congressional redistricting plan, and offered opinions
23 regarding my analysis. As the Supplemental Expert Report explains, it is my opinion
24 that it is possible to draw a race-blind California congressional redistricting plan
25 which changes five Republican seats to five Democratic seats, without using race in
26 the drawing of the plan.

27 5. Attached as Exhibit 3 is a true and correct copy of the race-blind
28 illustrative map referenced in the Supplemental Expert Report.

