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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NATIONAL URBAN LEAGUE; LEAGUE OF WOMEN VOTERS; BLACK ALLIANCE FOR JUST IMMIGRATION; HARRIS COUNTY, TEXAS; KING COUNTY, WASHINGTON; CITY OF LOS ANGELES, CALIFORNIA; CITY OF SALINAS, CALIFORNIA; CITY OF SAN JOSE, CALIFORNIA; RODNEY ELLIS; and ADRIAN GARCIA, Plaintiffs, v. WILBUR L. ROSS, JR., in his official capacity as Secretary of Commerce; U.S. DEPARTMENT OF COMMERCE; STEVEN DILLINGHAM, in his official capacity as Director of the U.S. Census Bureau; and U.S. CENSUS BUREAU, Defendants.	CASE NO. 20-cv-5799-LHK **DECLARATION OF CELINA STEWART IN SUPPORT OF PLAINTIFFS' MOTION FOR STAY AND PRELIMINARY INJUNCTION**

DECLARATION OF CELINA STEWART

I, Celina Stewart, declare as follows:

1. The facts set forth in this declaration are true and correct based upon my own personal knowledge. If called as a witness, I could and would testify competently to each of the facts set forth herein.

2. I am employed by the League of Women Voters, where I serve as Chief Counsel, Senior Director of Advocacy and Litigation. I joined the organization in April 2018.

3. The League of Women Voters is a nonprofit civic organization that encourages informed and active participation in government. For more than one hundred years, the League of Women Voters has sought to empower voters and defend democracy across the country.

4. The League of Women Voters has over 800 state and local affiliates, located in 764 localities across the United States, including affiliates in San Francisco and Monterey County, California; Detroit, Michigan; Miami, Florida; Philadelphia, Pennsylvania; and New York, New York. Dues paying members of local affiliates also have membership in the national League of Women Voters. Altogether, the League of Women Voters has over 65,000 members, residing in every state in the United States, and in all the cities where affiliates are located.

5. The scope of my role at League of Women Voters is similarly nationwide. The job requires working closely with grassroots staff in implementing a national agenda.

6. The League of Women Voters has engaged in significant efforts across the country to ensure historically undercounted communities are enumerated during the 2020 Census. The League launched a three-phase national census plan that included education and community involvement, "get out the count" guidance and activities, and watchdog activities.

7. The League of Women Voters closely coordinated its efforts with partners, and were focused on encouraging participation in particular hard-to-count communities. For months, leading up to the Census reference date of April 1, 2020, the League of Women Voters and its affiliates joined complete count committees, built partnerships, and identified areas that could be defined as hard-to-count. The League supported approximately twenty states and local Leagues in being part of complete count committees. Our work focused on states with greater numbers of

hard-to-count people.

8. As part of the get out the count effort, the League widely publicized information about the importance of participating in the 2020 Census, and how and when individuals could participate. The League of Women Voters and its affiliates also participated in public events across the country aimed at providing information about the census to undercounted communities. These events included townhalls, community forums, tabling events, spring fairs, and more. At these community gatherings, Leagues educated people about the census process, including the 2020 Census timeline.

9. The League also partnered with the American Libraries Association to launch census outreach at more than 30,000 libraries around the country in order to count as many people as possible. We specifically focused on libraries in hard-to-count communities. The League and its affiliates also conducted a "Women Power the Vote" initiative which focused on reaching the New American Majority—a group that includes Americans with limited incomes, communities of color, non-college youth, unmarried women, and new citizens. These groups are most likely to be underrepresented in our electorate and underserved by democratic institutions.

10. Following the onset of the novel coronavirus, the League of Women Voters shifted to a digital public-education campaign, encouraging education and participation through social media, email listservs, webinars, and blog posts. Our field offices informed us that more virtual guidance was needed in response to the coronavirus pandemic. So, in March 2020, we relaunched our Census Action Toolkit and added more than twenty new resources specifically to address this issue. We also held periodic calls and webinars to share new resources and materials.

11. When the Census Bureau extended the deadline for counting operations to October 31, 2020, we published blog posts advertising the new timeline. Additionally, we wrote and shared numerous letters with our state and local affiliates providing information about the new timeline that they could share within their networks of get out the count focused organizations, and we publicized the deadline in letters and digital messaging to our members and to recipients on our listservs.

12. The decision to shorten the deadline for responding to the 2020 Census will cause us to divert limited resources from our existing programs and priorities to address the confusion caused by the new timeline. The League of Women Voters has already had to spend time and financial resources developing and updating public education materials with information on the shortened timeline, distributing those materials digitally and by mail, and discussing the new timeline at pubic digital events. The League is planning still more efforts to alleviate confusion around the timeline, and ensure that its affiliates and partners have up-to-date information, and that households know they have one less month to be counted.

13. The League of Women Voters will also need to plan additional efforts to fulfill its goal of pursuing a complete count of historically undercounted communities, especially in the New American Majority. The League of Women Voters has already begun expanding its outreach campaign, engaging in more digital communication with affiliates, partners and members, and convening and participating in more public events designed to get out the count on the shortened timeframe.

14. This unanticipated need for new outreach in August and September diverts time and money away from other planned programs and projects for the organization. This includes projects related to the organization's mission of ensuring people have the right and the knowledge to participate in democracy.

15. Apart from the harms to the organization, the League of Women Voters' members will also be harmed if the Bureau ends operations one month early. Differential undercounting that results from the Bureau's decision to shorten counting operations during the Census has the potential to deprive states of their fair share of representation in Congress. Currently, there are many states that have low response rates, and are higher risk of losing a seat in the next apportionment because of the decision to cut counting operations short. These include Florida, Georgia, South Carolina, Texas, New Mexico and Arizona. The League of Women Voters has members residing in each of these states who will be harmed if their state loses a seat because of the decision to cut counting operations.

16. Similarly, differential undercounting that results from the Bureau's decision to

shorten the counting operations during the Census has the potential to deprive localities of their fair share of representation in state legislatures. The League of Women Voters has members residing in several localities, such as Miami, Philadelphia, Detroit, New York City, and San Francisco, that are at high risk of being deprived fair representation in their state legislatures if their communities are undercounted relative to the state.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: August 24, 2020 at Washington D.C.

/s/ Celina Stewart

Celina Stewart

ATTESTATION

I, Sadik Huseny, am the ECF user whose user ID and password authorized the filing of this document. Under Civil L.R. 5-1(i)(3), I attest that all signatories to this document have concurred in this filing.

DATED: August 24, 2020

LATHAM & WATKINS LLP

By: */s/ Sadik Huseny*
Sadik Huseny