

APPENDIX A

From: Kimon Manolius <kmanolius@hansonbridgett.com>
Sent: Wednesday, December 10, 2025 1:17 AM
To: Mark Meuser (Dhillon Law) <mmeuser@dhillonlaw.com>; Hamill, Julie (USACAC) <Julie.Hamill@usdoj.gov>
Cc: Samantha Bacon <SBacon@hansonbridgett.com>
Subject: [EXTERNAL] 2025-12-10 Paul Mitchell Resp. and Obj. to Non-Party Subpoena.pdf

Counsel,

My apologies for the late hour but time has been very compressed in terms of preparation for non-party witness Paul Mitchell's deposition in Sacramento later this morning. In any case, attached are my client's objections to the document request portion of the subpoena he received for his December 10 deposition, which I had hoped to get you yesterday, but again time has been short and a great deal of research required. We will need to confer over a reasonable schedule for us to produce relevant non-privileged documents and a privilege log but we are not going to be able to do so before the December 15 hearing concludes.

As you will note, we have asserted a number of objections to this broad request including assertions of legislative privilege, deliberative process privilege, and attorney client communication and work product privileges. There are also proprietary trade and business secrets implicated by the request. The request is over broad and not proportional to the needs of the case.

My client is a nonparty to this proceeding but is nevertheless working to respond as meaningfully as he can within the law in light of the court schedule. Pulling together preparations for such an extensive deposition in this short of time is tremendously burdensome and not proportional to the case-especially in light of the Supreme Court's order in the Texas case.

That being said, there are numerous complicated issues around privilege with respect to Mr. Mitchell's document production and testimony. I have reviewed rulings surrounding the Texas three-judge court proceedings on privilege, including recent Fifth Circuit and other Circuit Court rulings. I have not located Ninth Circuit rulings with the granular guidance in this kind of case. I am happy to look at any authorities people wish to provide me.

I write this to provide fair warning before the deposition, that unless or until this Court orders otherwise, or some other authority is provided to me that changes my opinion,

I will be objecting to deposition inquiries that relate to the mapping work Mr. Mitchell undertook after July 2, the first date he was in conversation with the legislature about drawing the map that would become the Proposition 50 map. I will instruct him not to answer these questions under the protections of the privileges I describe above. This is my understanding of how such inquiries were handled in the Texas case when state officials had not waived privilege. I am informed and believe that California officials have not made the determination to waive – and therefore are asserting - these privileges as they pertain to Mr. Mitchell. However, consistent with my understanding of the law developing around these privileges in this context, Mr. Mitchell will testify about any public statements that he made as to whether he made them and public details about the event at which they were made but he will stand on privilege as to any information not publicly reported.

I look forward to seeing you later this morning.

Thanks for your attention to this matter.

Kimon Manolius

Partner

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Attorneys for Non-Party
Paul Mitchell

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

DAVID TANGIPA, ERIC CHING; SAUL
AYON; PETER HERNANDEZ; ROXANNE
HOGE; JOEL GUITERREZ CAMPOS;
SOLOMON VERDUZCO; PAUL RAMIREZ;
JANE ORTIZ-WILSON; VERNON COSTA;
RACHEL GUNTHER; DOUG BUCHANAN;
SAYRS MORRIS; MIKE NETTER;
CHRISTINA RAUGHTON; KRISTI HAYS;
JAMES REID; MICHAEL TARDIF; ALEX
GALICIA; and CALIFORNIA
REPUBLICAN PARTY,

Plaintiffs,

UNITED STATES OF AMERICA,

Plaintiff-Intervenor,

v.

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

Defendants,

DEMOCRATIC CONGRESSIONAL
CAMPAIGN COMMITTEE,

Intervenor-Defendant.

Case No. 2:25-cv-10616-JLS-WLH-KKL

**NON-PARTY PAUL MITCHELL'S
RESPONSE AND OBJECTIONS TO
PLAINTIFFS' AND PLAINTIFF
INTERVENOR'S SUBPOENAS TO
TESTIFY AND PRODUCE DOCUMENTS,
INFORMATION, OR OBJECTS AT
DEPOSITION IN A CIVIL ACTION**

Place: Remote
Date: December 10, 2025
Time: 9:00 a.m.

1 Pursuant to Rule 45(d)(2)(B) of the Federal Rules of Civil Procedure, Mitchell responds
2 and objects to the Subpoenas issued to him in the above-captioned matter. On November 26, 2025,
3 Plaintiffs David Tangipa, et al. and separately Plaintiff Intervenor United States (collectively,
4 “Plaintiffs”) each served separate, but identical in material provisions, Subpoenas to Testify at
5 Deposition in a Civil Action to Non-Party Paul Mitchell, which contained therein a command to
6 produce documents, electronically stored information, or tangible things for inspection. The
7 Plaintiffs then, on December 3, 2025, issued amended subpoenas with a new date for deposition
8 and compliance, but otherwise identical to the previous subpoenas, which are now operative (the
9 “Subpoenas”). The only discrepancy between the Subpoenas is the issuing party; given the
10 duplicative nature of these two Subpoenas, Mr. Mitchell responds to them collectively here.

11 As detailed below, Mr. Mitchell objects to the Subpoenas as unduly burdensome,
12 overbroad, directed at irrelevant materials, and imposing obligations beyond those permitted by
13 the Federal Rules of Civil Procedure.

14 **RESPONSES AND OBJECTIONS TO REQUESTS FOR PRODUCTION**
15 **REQUEST FOR PRODUCTION NO. 1:**

16 Your files, including, without limitation, all correspondence, memoranda, analyses,
17 reports, tables, figures, charts, invoices, slide decks, talking points, electronic maps and data files,
18 and other documents, relating to your conception, drafting, revision, analysis, or presentation of
19 the California congressional map placed on the November 2025 ballot as Proposition 50.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

21 Mr. Mitchell objects to this Request as it seeks documents obtainable from other sources
22 that are more convenient, to the extent it seeks documents that are cumulative and/or duplicative,
23 and to the extent it seeks documents outside of Mr. Mitchell’s possession, custody, or control. Mr.
24 Mitchell further objects to this Request as overbroad and harassing because Mitchell is informed
25 and believes that at least some of the documents sought are in the possession, custody, or control
26 of actual Parties to the lawsuit—Defendants GAVIN NEWSOM, in his official capacity as the
27 Governor of California, and/or SHIRLEY WEBER, in her official capacity as California Secretary
28 of State. Mr. Mitchell further objects to this Request to the extent that it seeks documents that are

1 not relevant to any claim or defense. Mr. Mitchell further objects to this Request to the extent it
2 requires disclosure of information protected by the First Amendment privilege, attorney-client
3 privilege, attorney work product protection, the associational privilege, and/or any other privilege
4 or immunity. Mr. Mitchell further objects to this Request as it would reveal legislators'
5 deliberations and/or information relied on by legislators within the legislative process and as such
6 is protected by the legislative and/or deliberative process privileges. Mr. Mitchell further objects
7 to this Request as it seeks the disclosure of confidential, proprietary, or otherwise trade secret
8 information. Mr. Mitchell further objects to this Request as overbroad in scope as it covers
9 multiple categories of documents and information that span a wide range of time across several
10 data sources, therefore imposing an undue burden on Mr. Mitchell in collecting, reviewing, and
11 producing the documents requested in the brief time period allowed for such collection and
12 review. Such a broad request with a short time provided to respond is not proportional to needs of
13 the parties for this proceeding especially in light of the Supreme Court's recent ruling in the Texas
14 redistricting case that it is now too late for a court to order changes for the 2026 elections. Mr.
15 Mitchell further objects to Plaintiffs use of the undefined terms "analyses", "figures", "talking
16 points", and "conception" as vague and ambiguous, rendering this Request unduly burdensome.
17 Mr. Mitchell further objects to this Request as it fails to describe with reasonable particularity each
18 item or category of items to be inspected nor the form(s) in which electronically stored
19 information is to be produced as required by Federal Rules of Civil Procedure Rule 34 sections
20 (b)(1) and (c), and in turn, Rule 45. Mr. Mitchell further objects to this Request as vague,
21 overbroad, and therefore unduly burdensome in that the Request has no limitations as to time.

22
23 DATED: December 10, 2025

HANSON BRIDGETT LLP

24
25 By: /s/ Kimon Manolius

26 KIMON MANOLIUS

27 SAMANTHA M. BACON

Attorneys for Non-Party

28 Paul Mitchell

PROOF OF SERVICE

2:25-cv-10616-JLS-WLH-KKL

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of San Francisco, State of California. My business address is 425 Market Street, 26th Floor, San Francisco, CA 94105.

On December 10, 2025, I served true copies of the following document(s) described as **NON-PARTY PAUL MITCHELL'S RESPONSE AND OBJECTIONS TO PLAINTIFFS' AND PLAINTIFF INTERVENOR'S SUBPOENAS TO TESTIFY AND PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS AT DEPOSITION IN A CIVIL ACTION** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address kmanolius@hansonbridgett.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on December 10, 2025, at San Francisco, California.

/s/ Kimon Manolius

Kimon Manolius

SERVICE LIST

2:25-cv-10616-JLS-WLH-KKL

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