

# **Appendix C**

## Deposition of Palmer

**\*\*UNCERTIFIED REALTIME ROUGH DRAFT\*\***

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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

DAVID TANGIPA; et al,

Plaintiffs,

vs. No. 2:25-cv-10616 JLS (KESx)

GAVIN NEWSOM, in his official  
capacity as the Governor of California;  
et al,

Defendants.

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5 ZOOM DEPOSITION OF MAXWELL PALMER

6 Monday, December 8, 2025  
Volume I

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12 Reported by:  
ANGELA METZ  
13 CSR No. 12454, CLR

14 JOB No. 103431

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16 PAGES ^ 1- ?

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18 UNITED STATES DISTRICT COURT

19 CENTRAL DISTRICT OF CALIFORNIA

20

21 DAVID TANGIPA; et al,

22 Plaintiffs,

23 vs. No. 2:25-cv-10616 JLS (KESx)

24 GAVIN NEWSOM, in his official

25 et al,

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1 Defendants.

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5 Zoom deposition of MAXWELL PALMER,

6 Volume I, taken on behalf of Plaintiffs,

7 beginning at BegTime(E) and ending at

8 EndTime(E) on Monday, December 8th, 2025,

9 before ANGELA METZ, Certified Shorthand

10 Reporter No. 12454.

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14 (None)  
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16 INFORMATION REQUESTED  
17 (None)  
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21 INSTRUCTION NOT TO ANSWER

(None)

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1 Zoom, Monday, December 8th, 2025

2 BegTime(E)

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4 MAXWELL PALMER,

5 having been first duly sworn, was examined and testified

6 as follows:

7

8

9 THE REPORTER: Good morning. My name is Angela

10 Metz, and I am a Certified Shorthand Reporter for the

11 State of California, and my CSR number is 12454. Thank

12 you.

13 BY MR. MEUSER:

14 Q. Dr. Palmer, could you please state your full name

15 and spell it for the record?

16 A. Maxwell Benjamin Palmer, M-a-x-w-e-l-l,

17 B-e-n-j-a-m-i-n, P-a-l-m-e-r.

18 MR. MEUSER: And before we go any further in your

19 deposition, I'm going to go ahead and ask that the



20 attorneys enter their appearance.

21 This is Mark Meuser on behalf of the Dhillon Law  
22 Group and the plaintiffs. With me today is Amber Hulse,  
23 also with the Dhillon Law Group, on behalf of the  
24 plaintiffs.

25 Will the rest of the attorneys please identify

7

1 themselves.

2 MR. ZUCKERMAN: Joshua Zuckerman from the U.S.  
3 Department of Justice Plaintiff-Intervenor.

4 MS. MADDURI: Good morning. Lali Madduri from  
5 Elias Law Group on behalf of DCCC.

6 MR. GOODMAN: Jacob Kovacs-Goodman on behalf of  
7 LULAC.

8 MR. RIVERA: Thomas Rivera from Arnold & Porter  
9 also on behalf of LULAC.

10 MR. MEUSER: Did David Green identify himself?

11 MR. GREEN: Sorry. There might be a speaker  
12 issue.

13 David Green with Cal DOJ for Defendants.

14 MR. MEUSER: Okay. Before we get any further,  
15 I'm going to drop two documents into the chat real quick  
16 that will be the two exhibits that we're going to be going  
17 through today. The first exhibit I'm about to drop into  
18 the chat will be what is identified as your report.

19 And identifying for the record right now, this is  
20 DCF filing 112-3, Pages 307 through Page 325. And that  
21 has been dropped into the chat, so everybody has that.  
22 The second document I'm going to drop in is the  
23 documents that we just received from opposing counsel just  
24 a few minutes ago, which is -- if I can get everything to  
25 work. There we go. The second document I just dropped in

8

1 is the file titled as Palmer 00001. It's a four-page  
2 document, which is -- appears to be an agreement between  
3 the Elias Law Group and Dr. Palmer.

4

5 EXAMINATION

6

7 BY MR. MEUSER:

8 Q. Dr. Palmer, are you familiar with both of these  
9 documents?

10 A. Yes.

11 Q. Okay. Before I start asking you about all these  
12 documents, can you please tell me, how many times have you  
13 had your deposition taken?

14 A. Many. I don't know exactly.

15 Q. When was the last time you had your deposition  
16 taken?

17 A. I definitely had one earlier this year in the

18 North Carolina case. I think probably sometime in the

19 winter.

20 Q. Do we need to go over the deposition admonitions,

21 or are you familiar enough with them that we can proceed?

22 A. I think I'm familiar enough with them.

23 Q. Okay. You've been asked to submit a report in

24 this case of -- regarding California's Prop 50; is that

25 correct?

9

1 A. Yes.

2 Q. When were you first made aware that a lawsuit had

3 been filed?

4 A. I think shortly after the November election.

5 Q. How were you made aware that there was a lawsuit

6 filed against Proposition 50?

7 A. I was contacted by counsel.

8 Q. How long was that conversation?

9 A. I don't recall.

10 Q. Do you recall what you -- what the scope of the

11 assignment was during that call?

12 MS. MADDURI: Objection to the extent you're

13 calling for privileged communications between counsel and

14 the expert.

15 MR. MEUSER: I'm entitled to know the scope and

16 all of the assumptions that you gave him, so that is

17 within the scope of discovery.

18 THE WITNESS: I think initially, I was just  
19 informed that there was a lawsuit, and I was asked about  
20 availability to do work on it.

21 BY MR. MEUSER:

22 Q. And did you quote them your hourly rate?

23 A. I think so. If not then, shortly afterwards.

24 Q. What is your hourly rate?

25 A. \$500 an hour.

10

1 Q. And how many hours have you spent to produce the  
2 report that we have marked as Exhibit 1?

3 A. I don't know. I'd have to go back and check my  
4 records.

5 Q. Checking your records, do you have an estimate  
6 that you can give us?

7 A. No. I'd have to check my records.

8 Q. Have you submitted a bill on this yet?

9 A. I don't think so. I think I haven't yet  
10 submitted my November invoice, but I'd have to  
11 double-check.

12 Q. Okay. As you sit here today, what is your  
13 understanding of the scope of the assignment that you were  
14 asked to do?

15 A. I was asked to write a report looking at the

16 performance of the 2025 map, the SB-50 map, relative --

17 the partisan performance relative to the previous map.

18 Q. Was that the extent of your assignment?

19 A. That is what I was asked to write a report on,  
20 yes.

21 Q. In order to write this report, what did you do?

22 A. I collected data on California election results  
23 from 2016 through 2024 as well as data on the boundaries  
24 of the congressional districts for the -- each map, the  
25 2021 and 2025 maps, combined that data together to

11

1 estimate the number of votes cast in different statewide  
2 elections under each plan and then analyze those results.

3 Q. Where did you get your data for election results?

4 A. Let me pull up my report and one of the documents  
5 you just sent me.

6 All of the election data came from the Statewide  
7 Database, which is a California organization that is the  
8 official source for California precinct level and local  
9 level election results.

10 For the earlier elections, 2016 to 2020, they  
11 produced a database used by the California Redistricting  
12 Commission, and I relied on that data. For 2022 and 2024,  
13 there is equivalent data that they also produced that I  
14 used.

15 Q. So all data that you used came from that

16 Statewide Database website?

17 A. As well as the shape files or the boundaries of

18 the congressional districts. I think that came from that

19 Statewide Database, as well, or it might have been on the

20 California Secretary of State's website for the exact

21 files there. Or the California Redistricting Commission,

22 I believe, for the 2021 map.

23 Q. And where did you get the shape files for the

24 Prop 50 maps?

25 A. I'm sorry. Not shape file. I used block

12

1 assignment files, which say which census block goes to

2 which. I believe that was from the California Secretary

3 of State or the legislature. I'd have to double-check,

4 but an official California source.

5 Q. So you did not receive any of the documents you

6 just talked about directly from counsel; is that correct?

7 A. That's correct.

8 Q. Okay. Did you receive any documents at all from

9 counsel that you were asked to review?

10 A. I received Dr. Bernel's report and his

11 replication materials.

12 Q. And did you review Dr. Bernel's report?

13 A. I did.

14 Q. And do you have any opinions about his report?

15 A. I haven't looked at it in several weeks. I took  
16 a quick read of it when it came in, I believe, the week  
17 after the election or thereabouts, but I haven't done any  
18 extensive analysis of it.

19 Q. Did you do any analysis of his replication data?

20 A. I looked at it briefly, but I didn't run anything  
21 or work from his data for my report.

22 Q. And when you say you looked at it briefly, are  
23 you saying less than an hour?

24 A. I think so, yes.

25 Q. When you say you looked at his report, are you

13

1 saying that you spent less than an hour on his report?

2 A. Probably I read it, and then I gave some thought  
3 to, you know, what he was doing and what was in it. So  
4 maybe a couple hours, but not very many.

5 Q. So safe to say that in between looking at  
6 Bernel's report, thinking about his report, and analyzing  
7 the replication data, you spent less than five hours?

8 A. I think that's right.

9 Q. Did you look at Dr. Trende's report?

10 A. No.

11 Q. Any other documents given to you by counsel?

12 A. No.

13 Q. Did you see any pleadings in this case?

14 A. I don't think so. I don't think I read the  
15 complaint -- or rather, pleadings.

16 Q. As a part of preparing your report, we've gone  
17 through what your counsel has given you when we've  
18 discussed the data that you received from the Statewide  
19 Databases and the legislature and the commission.

20 Is there any other documents that you reviewed?

21 A. I looked at -- I think I saw the legislation that  
22 was SB-50 that defined everything. I don't think I used  
23 it for the report, but that was something I saw because it  
24 defined the districts and all.

25 I've seen other documents from the California

14

1 Commission about the 2021 map. Nothing I reviewed  
2 extensively for this report.

3 The Statewide Database has a lot of documentation  
4 about how they produced their data, and I read some of  
5 that technical documentation to make sure I was  
6 understanding exactly how that data was developed.

7 Q. Anything else?

8 A. I don't believe so.

9 Q. So did you look at any press releases regarding  
10 the Proposition 50?

11 A. Not for this report. I'm sure I've seen media --



12 definitely seen media stories about Proposition 50 over  
13 the summer and through the election, but nothing that I  
14 relied on for this.

15 Q. Do you know who the main mapmaker was for  
16 Prop 50?

17 A. No.

18 Q. Did you have any conversations with any  
19 legislatures regarding the drawing of the maps of Prop 50?

20 A. No.

21 Q. Did you look at any testimony by any of the  
22 legislatures regarding the drawing of the map for Prop 50?

23 A. No.

24 Q. Were you given any instruction by counsel as to  
25 assumptions that you were to make in preparing your

15

1 report?

2 A. No.

3 Q. Now, your report seems to be pretty  
4 straightforward -- and we're going to go through that here  
5 in a minute, but it seems to be pretty straightforward as  
6 to the data that you analyzed. And before we kind of do  
7 go through that, I want to go and look at -- in your CV,  
8 you have prior expert testimony and consulting on Page 8  
9 of your CV, Page 16 of the PDF that I -- which is marked  
10 as Exhibit 1.

11 Do you see the section called "Expert Testimony

12 and Consulting"?

13 A. I do.

14 Q. Okay. And the very first case on this appears to

15 be the Bethune-Hill versus Virginia.

16 Do you see that?

17 A. Yes.

18 Q. And in that case, you were asked to do -- you

19 were to testify on racial predominance and racial

20 polarized voting.

21 Do you see that?

22 A. Yes.

23 Q. Did you do any racial polarized voting analysis

24 in this particular case?

25 A. Not in my report, no.

16

1 Q. Why not?

2 A. I wasn't asked to do so.

3 Q. Okay. Thomas v. Bryant, that was a case where

4 you were to testify on racial polarized voting; is that

5 correct?

6 A. Yes.

7 Q. Chestnut versus Merrill, that was a case that you

8 were testifying on racial polarized voting; correct?

9 A. Yes.

10 Q. Dwight versus Raffensperger, that is a case that

11 you testified on racial polarized voting; correct?

12 A. Yes.

13 Q. Brunei vs. Cues, that is a case regarding

14 straight ticket voting by race and racial polarized

15 voting; is that correct?

16 A. Yes.

17 Q. In this case, did you do any analysis of straight

18 ticket voting by race?

19 A. No.

20 Q. Caster versus Merrill, this is another case where

21 you testified on racial polarized voting; is that correct?

22 A. Yes.

23 Q. Pendergrass versus Raffensperger, this is another

24 case where you testified on racial polarized voting; is

25 that correct?

17

1 A. Yes.

2 Q. Grant versus Raffensperger, this is another case

3 that you testified on racial polarized voting; is that

4 correct?

5 A. Yes.

6 Q. Galmon versus Ardoin, this is another case that

7 you testified on racial polarized voting; is that correct?

8 A. Yes.

9 Q. And United States versus Robert Bowers, this is a

10 case regarding demographics and voter registration lists.

11 In this case, did you do anything regarding demographics

12 of the voters registration list?

13 A. No, but that case was about a fair jury

14 cross-section challenge. It wasn't a voting race case.

15 Q. Okay. The next one is also -- the next one is --

16 I'm going to butcher this -- Agee versus Benson?

17 A. I think so.

18 Q. Okay. And in that case, you did a racial

19 polarized voting and racial predominance regarding maps;

20 is that correct?

21 A. Yes.

22 Q. And then we have Georgia Seinfeld 202, which was

23 demographics and racial polarized voting; is that correct?

24 A. Yes.

25 Q. The next two are Vet Voice, which do not appear

18

1 to be redistricting cases; is that correct?

2 A. Yes.

3 Q. And Williams versus Hall, which is another racial

4 polarized voting case; is that correct?

5 A. Yes.

6 Q. Is it fair to say that you've done a lot of

7 testimony on -- you've given a lot of expert testimony on

8 racial polarized voting?

9 A. Yes.

10 Q. What does that term "racial polarized voting"  
11 mean to you?

12 A. Racial polarized voting is when voters of  
13 different race or ethnicities generally support different  
14 candidates in elections.

15 Q. Is that the extent of racial polarized voting?

16 A. That is the starting definition, and then it can  
17 be analyzed in different ways.

18 Q. Give me an example of how you analyzed racial  
19 polarized voting in the Bethune-Hill.

20 A. In the Bethune-Hill, I believe I relied on  
21 ecological inference, which is a statistical methodology  
22 usually called EI, for estimating how groups of different  
23 voters -- the levels at which groups of different voters  
24 by race or ethnicity support candidates and elections.

25 Q. And of course, you did not do that in this

19

1 particular case; correct?

2 A. I did not.

3 Q. You have no opinions here today on the  
4 constitutionality of the Prop 50 maps; is that correct?

5 MS. MADDURI: Objection; calling for a legal  
6 conclusion.

7 THE WITNESS: I am not a lawyer. I don't have a

8 legal opinion on the maps.

9 BY MR. MEUSER:

10 Q. And we've already -- you've -- you did not do any  
11 Voting Rights Act analysis on the Prop 50 maps; is that  
12 correct?

13 MS. MADDURI: Objection; form. Objection; legal  
14 conclusion.

15 THE WITNESS: I'm not sure what you mean by  
16 Voting Rights Act analysis. I think that the analysis I'm  
17 doing could speak to questions regarding the Voting Rights  
18 Act.

19 BY MR. MEUSER:

20 Q. Okay. And you have no opinion whether race  
21 predominated in drawing of the maps; is that correct?

22 MS. MADDURI: Objection; legal conclusion.

23 THE WITNESS: I did not do an analysis of racial  
24 predominance the way I have done in previous cases.

25 BY MR. MEUSER:

20

1 Q. And you have no opinions on the legislators'  
2 intent in drawing the maps?

3 A. I didn't speak to any legislators about their  
4 intent. I focused on the effects of the maps.

5 Q. And I understand the distinction there, but I'm

6 asking intent.

7 So you have no opinions on the legislators'

8 intent in how they drew the maps?

9 MS. MADDURI: Objection; legal conclusion.

10 THE WITNESS: My understanding from news coverage

11 of SB-50 is that the intent was a partisan intent to

12 improve outcomes for Democratic candidates.

13 BY MR. MEUSER:

14 Q. But again, you have no information as to the --

15 what the mapmaker -- or what the legislature told the

16 mapmaker as to how the lines needed to be drawn; correct?

17 A. I have no specific information about

18 communications between the legislature and the mapmaker.

19 Q. The only information that you have as to intent

20 is general news media coverage; is that correct?

21 A. Yes.

22 MS. MADDURI: Objection; form.

23 THE WITNESS: Yes, news media statements by, you

24 know, politicians and the like.

25 BY MR. MEUSER:

21

1 Q. In preparing your report, you only looked at 17

2 statewide general election results; is that correct?

3 A. Yes. There were a few contests which I didn't

4 include, which I mentioned in the report, but I only

5 looked at statewide election results in this period.

6 Q. You didn't look at any congressional election  
7 data; correct?

8 A. No. That wouldn't be appropriate for this  
9 analysis.

10 Q. I understand that, but I'm just going to go ahead  
11 and ask the question. You didn't look at any state senate  
12 election results; correct?

13 A. No. That would also not be appropriate elections  
14 for this analysis.

15 Q. And you looked at no state assembly house races  
16 for this report?

17 A. No. That wouldn't be appropriate for this  
18 analysis.

19 Q. In your analysis, did you only look at block  
20 level data, or did you look at any precinct level election  
21 results?

22 A. So they're directly related in that the Statewide  
23 Database is going to start with precinct level data and  
24 then disaggregate that data to the block level to then --  
25 which is the easiest way to estimate district level

22

1 performance. So it's not really either/or. It's the same  
2 data source.

3 Q. When looking at the Statewide Database, did you



4 look at any of the racial demographics in relation to the

5 electoral results, or were you only focused on the

6 election results?

7 A. I focused on the election results. I'm not sure

8 to what degree there is racial demographic data. I

9 believe they have census data available for the

10 Commission, but I didn't use any of that.

11 Q. You understand that the Statewide Database does

12 have voter registration data. You were not looking at

13 that data; is that correct?

14 A. It does have voter registration data. I'm not

15 certain about the completeness of the racial demographics

16 in that voter registration data that they have, but I

17 didn't use it, regardless.

18 Q. Okay. So your analysis did not look at any CVAP

19 data; is that correct?

20 A. No, not in this report.

21 Q. And did you look at any demographics of the

22 voters?

23 A. Not for this report.

24 Q. In the 17 races that you analyzed -- and for the

25 sake of us looking at the same page, I'm looking at Page 5

1 of your report, where you have various races starting with

2 2016. You have your orange and your blue dots.

3 Are you looking at the same thing that I'm

4 looking at?

5 A. Yes, but I would look at the table on the  
6 following page, which lists all of the elections.

7 Q. Let's go ahead and do that.

8 So Table 1 is what you're referring to?

9 A. Yes.

10 Q. Okay. In this particular report, you have 17  
11 races that you have pulled out; correct?

12 A. Yes.

13 Q. Did you look at the race of the parties for the  
14 2018 governor's race?

15 MS. MADDURI: Objection; form.

16 THE WITNESS: You mean race of the candidates?

17 BY MR. MEUSER:

18 Q. Yeah, race of the candidates for the 2018  
19 governor's race.

20 A. No.

21 Q. Did you look at the race of the candidates for  
22 the secretary of state's race in 2018?

23 A. No.

24 Q. Did you look at the race of the candidates for  
25 the attorney general race in 2018?

1 A. No.

2 Q. Did you look at the race of the candidates for  
3 the treasurer race in 2018?

4 A. No.

5 Q. Did you look at race of the controller in the  
6 2018 race?

7 A. No.

8 Q. Did you look at race of the candidates in the  
9 2022 U.S. senator race?

10 A. No.

11 Q. Did you look at race of the candidates in the  
12 2022 governor race?

13 A. No.

14 Q. Did you look at race of the candidates for the  
15 2022 lieutenant governor race?

16 A. No.

17 Q. Did you look at race of the candidates for the  
18 2022 secretary of state race?

19 A. No.

20 Q. Did you look at race of the candidates for the  
21 2022 attorney general case?

22 A. No.

23 Q. Did you look at race of the candidates for the  
24 2022 treasurer's race?

25 A. No.

1 Q. Did you look at race of the candidates for the  
2 2022 controller race?

3 A. No.

4 Q. Did you look at the race of the candidates for  
5 the 2022 insurance commissioner race?

6 A. No.

7 Q. So for the purposes of this report, you did not  
8 look at the race of any of the candidates; is that  
9 correct?

10 A. That's correct. The purpose is to look at  
11 performance of Democratic candidates, not of candidates by  
12 race.

13 Q. Okay. In looking at the 2021 map, are you aware  
14 if any of those districts, any of the 52 congressional  
15 districts, have been designated as a Voting Rights Act  
16 district?

17 MS. MADDURI: Objection; form. Objection to the  
18 extent you're calling for a legal conclusion.

19 THE WITNESS: I'm not sure of the definition of a  
20 Voting Rights Act district is, but I also didn't review  
21 the demographics of these districts or their legal status  
22 in any way.

23 BY MR. MEUSER:

24 Q. Of the 52 congressional districts that are part  
25 of Proposition 50, do you know what the racial breakdown

1 is of any of the districts?

2 A. No. I could find it, but I don't know that now.

3 Q. And you never looked at that in preparing your  
4 report?

5 A. No, I wasn't -- I was focused on party  
6 performance, not on a race.

7 Q. In preparing your report, did you look at the  
8 political breakdown of the 52 congressional districts that  
9 are a part of Proposition 50?

10 MS. MADDURI: Objection; form.

11 THE WITNESS: Can you define "political  
12 breakdown"?

13 BY MR. MEUSER:

14 Q. Yes. Would you agree with me that there are 52  
15 congressional districts in the State of California as a  
16 result of the 2020 census?

17 A. Yes.

18 Q. Did you ever look at what the Democrat  
19 registration numbers are for the Commission's map in all  
20 52 congressional districts?

21 A. No, I didn't look at the voter registration data.

22 Q. Did you look at the voter registration data for  
23 any of the Prop 50, 52 congressional districts?

24 A. No.

25 Q. So you did not look at any racial data regarding

1 the congressional districts; is that correct?

2 A. That is correct.

3 Q. And you did not look at cards and voter

4 registration data for any of the 52 districts; correct?

5 A. Correct. I did not use the voter registration

6 data.

7 Q. And is it a fair summary to say that you took the

8 block level files and just compared the 17 election

9 results to the block level data to complete your analysis?

10 A. You're missing the step of going from the block

11 level data to district level data. You start with block

12 level votes, and you aggregate up for each election and

13 plan to get district level votes and then calculate vote

14 shares and seats won from that district level data.

15 Ultimately, we're going from thousands of blocks

16 to 52 districts for each plan and then 17 elections for

17 each district.

18 Q. Are you prepared to testify in this case next

19 week in Los Angeles, California?

20 A. Yes.

21 Q. Between now and then, do you have any plans to do

22 any other research that is not contained in your report to

23 prepare for your trial testimony?

24 A. Not at this time.

25 Q. Does this report contain all the conclusions that

1 you have reached at this time?

2 A. Yes.

3 Q. As you sit here today, is there any other  
4 research that you would love to do on this particular  
5 case?

6 A. No.

7 Q. You have no desire to do a racial polarized  
8 voting analysis on this case?

9 A. No.

10 Q. Have you ever drawn a map for a legislature or a  
11 judge?

12 A. No.

13 Q. Now, quite often when you are testifying, you are  
14 looking at the relationship between party and race. Is  
15 that -- when you're doing a racial polarized voting  
16 analysis, you're looking at the distinctions between race  
17 and politics; is that correct?

18 A. No.

19 Q. Explain.

20 A. Racially polarized voting is about identifying if  
21 voters of different racial or ethnic groups have the same  
22 preferred candidates and then if voters of different  
23 groups support different candidates. And the party that  
24 they prefer, if that is the case, is not actually

1 exists.

2 Q. Okay.

3 MR. MEUSER: Josh, do you have any questions?

4 MR. ZUCKERMAN: Thanks. Not too many questions

5 here.

6

7 EXAMINATION

8

9 BY MR. ZUCKERMAN:

10 Q. Dr. Palmer, do you want a short break, or are you

11 ready to go?

12 A. I'm fine.

13 Q. Thank you.

14 As part of your research for this report, did you

15 ever communicate with a California voter about his or her

16 decision to vote for Proposition 50?

17 A. No.

18 Q. Did you ever communicate with a California voter

19 about his or her decision to vote against Proposition 50?

20 A. No.

21 Q. Does your report draw any conclusions about why

22 California voters may have voted for or against

23 Proposition 50?



24 A. No.

25 Q. And if you were called to testify at trial, could

30

1 you express an opinion as to why California voters decided  
2 to vote for or against Proposition 50?

3 A. Not at this time.

4 Q. Okay. Does your report analyze the political  
5 power that any racial group could exercise under the 2021  
6 map?

7 MS. MADDURI: Objection; form.

8 THE WITNESS: Can you repeat the question,  
9 please?

10 BY MR. ZUCKERMAN:

11 Q. Yes. Does your report analyze the political  
12 power that any racial group could exercise under the 2021  
13 map?

14 MS. MADDURI: Objection; form.

15 THE WITNESS: No.

16 BY MR. ZUCKERMAN:

17 Q. Sorry. Dr. Palmer, did you say something? There  
18 was a little cross-talk.

19 A. It does not.

20 Q. Okay. Thank you.

21 What about the Proposition 50 map? Does your  
22 report analyze the political power that any racial group

23 could exercise under the Proposition 50 map?

24 MS. MADDURI: Objection; form.

25 THE WITNESS: It does not.

31

1 BY MR. ZUCKERMAN:

2 Q. And does your report analyze whether the  
3 Proposition 50 map increases or decreases the political  
4 power of any racial group relative to the 2021 map?

5 MS. MADDURI: Objection; form.

6 THE WITNESS: I suppose it's how you define  
7 political power and political power of a racial group.

8 BY MR. ZUCKERMAN:

9 Q. So I would define -- let's say that political  
10 power is the ability of a racial group to elect its  
11 preferred candidate to Congress.

12 Is that an acceptable definition to you?

13 A. Yes, though it depends on if we're thinking about  
14 within a district or in a plan at large.

15 Q. You know what? Let's take this one at a time,  
16 then.

17 So does your report analyze the political power  
18 of any racial group within a district under the  
19 Proposition 50 map?

20 A. No, it does not.

21 Q. And then same question. Does your report analyze

22 the political power of any racial group with regard to the

23 map as a whole?

24 A. Not specifically. But if there was racially

25 polarized voting, groups that support Democratic

32

1 candidates are getting more Democrats elected statewide

2 under this map than the 2021 map, and therefore, we could

3 think about political power in that sense increasing.

4 Q. So in -- so just to make sure I understood that

5 correctly, if a racial group were to -- strike that.

6 Never mind.

7 Actually, I think that is all I've got, then.

8 MR. ZUCKERMAN: No further questions.

9 MR. MEUSER: Nothing further from me.

10 MS. MADDURI: Nothing on behalf of DCCC.

11 MR. GREEN: No questions from Cal DOJ.

12 MR. RIVERA: Me, either.

13 MR. MEUSER: Court reporter, this will conclude

14 the deposition on behalf of the plaintiffs.

15 We would like a same-day rough and 24-hour

16 expedite.

17 THE REPORTER: Thank you.

18 Anybody else need a copy?

19 MS. MADDURI: We'll take a copy. I don't know

20 what your standard delivery time is.

21 THE REPORTER: Ten business days.  
22 MS. MADDURI: Can do you like a three-day  
23 expedite?  
24 THE REPORTER: Yes.  
25 MS. MADDURI: Okay. DCCC will order a three-day

33

1 expedite as final.  
2 THE REPORTER: Anybody else?  
3 MR. GREEN: Cal DOJ will take the same as DCCC.  
4 Thank you.  
5 MR. KOVACS: LULAC will do the same, also.  
6 Actually, can we do the expedited rough, as well,  
7 and the three-day final?  
8 THE REPORTER: Yes.  
9 MR. KOVACS: Thank you so much.  
10 MR. MEUSER: Josh, you're muted for DOJ.  
11 MR. ZUCKERMAN: We'll take the rough, when you  
12 have it, and the three-day expedite is fine.  
13 MS. MADDURI: Thank you, everyone.  
14  
15 [TIME NOTED 7:42 a.m.]  
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