

Appendix E

Deposition of Fairfax

In the Matter Of:

DAVID TANGIPA et al.

vs

GAVIN NEWSOM

TONY FAIRFAX

December 09, 2025

CERTIFIED COPY

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

-----X
DAVID TANGIPA et al., : Case No.
: 2:25-cv-10616 JLS-WLH-KKL
Plaintiffs, :
:
v. :
:
GAVIN NEWSOM, GOVERNOR :
OF CALIFORNIA et al., :
:
Defendants. :
-----X

Alexandria, Virginia

Tuesday, December 9, 2025

Deposition of

TONY FAIRFAX

a witness, called for examination by counsel for
Plaintiffs, pursuant to notice and agreement of
counsel, beginning at approximately 9:30 a.m., at
the law offices of Dhillon Law Group, 2121
Eisenhower Avenue, Alexandria, Virginia, before
Mark Mahoney of Anderson Court Reporting, notary
public in and for the Commonwealth of Virginia,
when were present on behalf of the parties:

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

2..5

<p>1 APPEARANCES: Page 2</p> <p>2 On behalf of Plaintiffs:</p> <p>3 MARK P. MEUSER, ESQUIRE</p> <p>4 DOMENIC AULISI, ESQUIRE</p> <p>5 Dhillon Law Group, Inc.</p> <p>6 4675 MacArthur Court, Suite 1410</p> <p>7 Newport Beach, California 92660</p> <p>8 (415) 520-6593</p> <p>9 On behalf of Defendants/Intervenor LULAC:</p> <p>10 JOHN A. FREEDMAN, ESQUIRE</p> <p>11 JACOB KOVACS GOODMAN, ESQUIRE</p> <p>12 SOFIA FERNANDEZ GOLD, ESQUIRE</p> <p>13 SANHA SINHA, ESQUIRE</p> <p>14 Arnold & Porter</p> <p>15 601 Massachusetts, NW</p> <p>16 Washington DC 20001-3743</p> <p>17 (202) 942-5316</p> <p>18 On behalf of Defendants/Intervenor USA:</p> <p>19 GRETA GIESEKE, ESQUIRE</p> <p>20 United States Department of Justice</p> <p>21 950 Pennsylvania Avenue NW</p> <p>22 Washington DC 20530</p> <p>(202) 679-4564</p> <p>On behalf of State Defendants:</p> <p>SEAN CLINTON WOODS, ESQUIRE</p> <p>HAROLD KIRN, ESQUIRE</p> <p>California Department of Justice</p> <p>455 Golden Gate Avenue, Suite 11000</p> <p>San Francisco, California 94102</p> <p>(415) 510-3807</p> <p>* * * * *</p>	<p>1 PROCEEDINGS Page 4</p> <p>2 Whereupon,</p> <p>3 TONY FAIRFAX</p> <p>4 was called as a witness and, having been first</p> <p>5 duly sworn, was examined and testified as follows:</p> <p>6 EXAMINATION BY COUNSEL FOR PLAINTIFFS</p> <p>7 BY MR. MEUSER:</p> <p>8 Q Mr. Fairfax?</p> <p>9 A Yes.</p> <p>10 Q Could you please state your full name</p> <p>11 and spell it for the record?</p> <p>12 A Anthony Edward Fairfax, A-N-T-H-O-N-Y</p> <p>13 E-D-W-A-R-D-F-A-I-R-F-A-X.</p> <p>14 MR. MEUSER: Okay. And before we start</p> <p>15 asking you questions, I'm going to ask for the</p> <p>16 record that everybody identify themselves. We're</p> <p>17 going to start with the people in the room and</p> <p>18 then we'll ask the people who on remote to go</p> <p>19 ahead and make their appearances. My name is Mark</p> <p>20 Meuser on behalf of the Dhillon Law Group and I</p> <p>21 represent the Plaintiffs.</p> <p>22 MS. GIESEKE: Greta Gieseke on behalf of</p>								
<p>1 CONTENTS Page 3</p> <table><tr><td>2 EXAMINATION BY:</td><td>PAGE</td></tr><tr><td>3 Counsel for Plaintiffs</td><td>4</td></tr><tr><td>4 Counsel for Plaintiff/Intervenor USA</td><td>99</td></tr></table> <p>5 DEPOSITION EXHIBITS:</p> <table><tr><td>6 No. 1 - Report</td><td>10</td></tr></table> <p>7</p> <p>8 * * * * *</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>	2 EXAMINATION BY:	PAGE	3 Counsel for Plaintiffs	4	4 Counsel for Plaintiff/Intervenor USA	99	6 No. 1 - Report	10	<p>1 Plaintiff/Intervenor United States. Page 5</p> <p>2 MR. AULISI: Domenic Aulisi with Dhillon</p> <p>3 Law Group on behalf of the Plaintiffs.</p> <p>4 MR. FREEDMAN: John Freedman from Arnold</p> <p>5 & Porter on behalf of Defendant/Intervenor LULAC</p> <p>6 and the Witness.</p> <p>7 MS. GOLD: Sofia Fernandez Gold on</p> <p>8 behalf of Plaintiff/Intervenor LULAC.</p> <p>9 MR. FREEDMAN: Defendant/Intervenor.</p> <p>10 MS. GOLD: Defendant/Intervenor. Thank</p> <p>11 you. Pardon me.</p> <p>12 MS. SINHA: Sanha Sinha on behalf of</p> <p>13 Defendant/Intervenor LULAC.</p> <p>14 MR. MEUSER: And then online, who do we</p> <p>15 have today?</p> <p>16 MR. WOODS: Deputy Attorney General</p> <p>17 Clint Woods on behalf of the state Defendants.</p> <p>18 MR. GOODMAN: Jacob Kovacs Goodman, also</p> <p>19 for LULAC.</p> <p>20 MR. KIRN: Deputy Attorney General</p> <p>21 Harold Kim on behalf of state Defendants.</p> <p>22 MR. MEUSER: Is that it? Okay. I'm not</p>
2 EXAMINATION BY:	PAGE								
3 Counsel for Plaintiffs	4								
4 Counsel for Plaintiff/Intervenor USA	99								
6 No. 1 - Report	10								

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

6..9

<p style="text-align: right;">Page 6</p> <p>1 seeing who's on there.</p> <p>2 MR. FREEDMAN: Oh, yeah. No, it's just</p> <p>3 the three. Right.</p> <p>4 MR. MEUSER: Okay.</p> <p>5 BY MR. MEUSER:</p> <p>6 Q Mr. Fairfax, what's the most appropriate</p> <p>7 way to address you today?</p> <p>8 A You can address me any way you want.</p> <p>9 Tony is fine.</p> <p>10 Q What's your preferred?</p> <p>11 A Tony.</p> <p>12 Q Okay, Tony, I'll do my best. So, thank</p> <p>13 you for coming in here today. And I would like to</p> <p>14 ask you when was the last time you've had your</p> <p>15 deposition taken?</p> <p>16 A Sometime, I believe, last year, I</p> <p>17 believe.</p> <p>18 Q Approximately how many depositions have</p> <p>19 you had taken in your lifetime?</p> <p>20 A Maybe something like 12, 13 times.</p> <p>21 Q Do you need the typical deposition</p> <p>22 admonitions or you feel comfortable moving forward</p>	<p style="text-align: right;">Page 8</p> <p>1 job at Norfolk State University or a contract,</p> <p>2 first setting up their computer lab and then</p> <p>3 running the lab there at the School of Education.</p> <p>4 But then someone came to me while I was at Norfolk</p> <p>5 State and said you would be perfect for this job,</p> <p>6 this project, and it was a redistricting project</p> <p>7 in the Political Science Department. And so I</p> <p>8 went over there, they interviewed, and they hired</p> <p>9 me on the spot. And so this redistricting</p> <p>10 research project sort of changed the direction of</p> <p>11 my life. So 30 some years later, I'm still in it.</p> <p>12 Q Awesome. Well, thank you for that</p> <p>13 little background. What is your educational</p> <p>14 experience that you have used to get to where</p> <p>15 you're at today?</p> <p>16 A I have a bachelor's of science degree in</p> <p>17 electrical engineering from Virginia Tech and a</p> <p>18 master's of geospatial information science and</p> <p>19 technology from NC State.</p> <p>20 Q And after entering the field of</p> <p>21 redistricting, did you take any specialized</p> <p>22 classes to further your education?</p>
<p style="text-align: right;">Page 7</p> <p>1 without the admonitions?</p> <p>2 A I feel comfortable.</p> <p>3 Q Okay. You are under oath. Do you</p> <p>4 understand that?</p> <p>5 A Yes.</p> <p>6 Q Okay. Let's start with some – just</p> <p>7 some brief background questions. Whatever got you</p> <p>8 into the map making process for redistricting?</p> <p>9 A It happened accidentally. I had worked</p> <p>10 for a couple of companies as an electrical</p> <p>11 engineer. One, Teledyne Inc., a division, a</p> <p>12 manufacturing division in Hampton. And then I</p> <p>13 worked for a government consulting firm, EER</p> <p>14 Systems. I then met up with someone who wanted to</p> <p>15 start a computer training business, so I went with</p> <p>16 them and another silent partner and started a</p> <p>17 computer training business. We had to close that</p> <p>18 down. We hit the beginnings of the 1990</p> <p>19 recession.</p> <p>20 I then began consulting. So I started</p> <p>21 to seek out consulting contracts, and my best, I</p> <p>22 guess, talents was in computers. So I landed a</p>	<p style="text-align: right;">Page 9</p> <p>1 A My master's was actually, I don't want</p> <p>2 to say recent, but in 2012. So I've got my</p> <p>3 master's in geospatial information science and</p> <p>4 technology in 2012. Completed in 2016, I believe.</p> <p>5 MR. MEUSER: Now you have before you</p> <p>6 right now a paper copy of your report. And for</p> <p>7 those who are attending online, the client – or</p> <p>8 not client, Tony has – he basically has document</p> <p>9 111-1. It's not marked as that, but he has the</p> <p>10 clean copy before it was filed with the ECF</p> <p>11 system. He has before him just the report itself,</p> <p>12 but Counsel has all the appendixes. If we need to</p> <p>13 go to the appendixes, he has a paper copy.</p> <p>14 THE WITNESS: Can I interject something?</p> <p>15 MR. MEUSER: Sure.</p> <p>16 THE WITNESS: In order for the document</p> <p>17 to seem a little more professional, you probably</p> <p>18 want to say, Mr. Fairfax instead of Tony, I guess.</p> <p>19 MR. MEUSER: Look, I'm more than happy</p> <p>20 to call you –</p> <p>21 THE WITNESS: Just it reads a little</p> <p>22 more professional.</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

10..13

<p>Page 10</p> <p>1 MR. MEUSER: That's why I asked at the 2 beginning how you wanted to be called, so. 3 THE WITNESS: Completely. I didn't 4 realize it until I heard it. Yeah. 5 MR. MEUSER: I was like, okay, if he 6 wants me to call Tony, I'll call him Tony, so. 7 THE WITNESS: Right, exactly. 8 MR. MEUSER: So for those following 9 along online, we are working from document 111-1, 10 which will be Exhibit 1, given to the court 11 reporter at the end of the deposition. 12 (Deposition Exhibit No. 1 was 13 marked for identification.) 14 MR. MEUSER: Any objections? 15 MR. FREEDMAN: No. 16 BY MR. MEUSER: 17 Q Okay. Hearing none, Mr. Fairfax, you 18 have before you your report. Is that correct? 19 A Yes. 20 Q Okay. Let's quickly go through what you 21 looked at in preparing this report. I believe you 22 lay that all out in Section 3. Is that correct?</p>	<p>Page 12</p> <p>1 California criteria, so I'd already established 2 that the congressional district – criteria for 3 the developing district. So there's that aspect 4 that I didn't need to review for this. 5 Q When was that that you reviewed the 6 California criteria for doing congressional 7 districts? 8 A Prior to the engagement of this 9 litigation. 10 Q Do you know how much farther – how much 11 prior it was? 12 A Maybe around August, September. It was 13 for a completely different effort. 14 Q So while the debate was going on about 15 whether Prop 50 would be passed, you were working 16 on another project that caused you to go look at 17 the criteria for how congressional districts are 18 drawn in California? 19 A Absolutely, yes. 20 Q Now, when you're saying "criteria," were 21 you referring to something that the Redistricting 22 Commission put out, something that was in the</p>
<p>Page 11</p> <p>1 A I believe so. Let me go to Section 3 2 just to make sure. 3 Q Yes. 4 A This looks like the software data and 5 the technical process. I'm not sure it includes 6 every aspect that – 7 Q Right after E, it says that you reviewed 8 the Plaintiff's complaints – 9 A Yes, yes. 10 Q – Intervener's complaints, motion for 11 preliminary injunction, and the expert report of 12 Sean Trende? 13 A Yes. 14 Q Did you look at the expert report of Tom 15 Brenell? 16 A No. 17 Q Other than – and I'll give you a second 18 here, please look, read through Section 3 real 19 quick and let me know if there is any other 20 document or database that you reviewed that is not 21 contained in Section 3. 22 A Previously, I had reviewed the</p>	<p>Page 13</p> <p>1 California Constitution? Something – what are 2 you using when you say the word "criteria"? 3 A Yes. 4 MR. FREEDMAN: Object to form. Go 5 ahead. 6 THE WITNESS: Yes, I'm looking at 7 California has a Voting Rights Act. It also has 8 the criteria that's established for congressional 9 districts and how you develop them. 10 BY MR. MEUSER: 11 Q Again, I'm going to ask, what do you 12 mean by "criteria"? 13 A The development of a redistricting plan 14 usually includes guidelines on how to develop the 15 districts. 16 Q Okay. 17 A That's what I'm referring to. 18 Q Who published this guideline that you 19 were looking at? 20 A There is a Voting Rights Act that passed 21 the legislation – legislature – legislators that 22 establishes how you draw congressional and state</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

14..17

<p>Page 14</p> <p>1 legislative districts.</p> <p>2 Q So you said that you reviewed the</p> <p>3 California Voting Rights Act?</p> <p>4 A That includes the guidance on developing</p> <p>5 congressional district plans.</p> <p>6 Q Okay. Did you ever look at the</p> <p>7 California Constitution?</p> <p>8 A Yes, that's part of that. Yes.</p> <p>9 Q Okay.</p> <p>10 A I mean the Constitution, when they</p> <p>11 passed the Voting Rights Act, that became part of</p> <p>12 it. Yes.</p> <p>13 Q Okay. Did you look at any other</p> <p>14 statutes other than the California Voting Rights</p> <p>15 Act and the California Constitution?</p> <p>16 MR. FREEDMAN: Object to form. Go</p> <p>17 ahead.</p> <p>18 THE WITNESS: Not that I recall.</p> <p>19 BY MR. MEUSER:</p> <p>20 Q And who was this project for?</p> <p>21 A The NAACP.</p> <p>22 Q And what was the purpose of the project?</p>	<p>Page 16</p> <p>1 Q And how much time did you spend</p> <p>2 preparing this presentation?</p> <p>3 A The analysis and presentation, maybe –</p> <p>4 and I can't recall specifically, but – and I will</p> <p>5 say maybe 15, 20 hours or something like that.</p> <p>6 Excuse me.</p> <p>7 Q Did any part of that analysis, research</p> <p>8 and analysis, make it into your report here today?</p> <p>9 A No. No.</p> <p>10 Q What is your hourly rate, your typical</p> <p>11 hourly rate?</p> <p>12 A It depends. My typical one, usually for</p> <p>13 nonprofits like USE, \$180 an hour, sometimes for</p> <p>14 city, and I'm converting over, to probably \$200 an</p> <p>15 hour for everyone else.</p> <p>16 Q And what are you charging for this</p> <p>17 particular case?</p> <p>18 A 180.</p> <p>19 Q Okay. And how many hours?</p> <p>20 MR. FREEDMAN: I think your compensation</p> <p>21 is disclosed in your report. You might want to</p> <p>22 refresh your recollection.</p>
<p>Page 15</p> <p>1 A To look and analyze in advance the</p> <p>2 congressional districts that could be developed in</p> <p>3 a process, a mid-decade process like this, that</p> <p>4 occurred.</p> <p>5 Q When you did this project, are you aware</p> <p>6 if the legislature had passed AB 604 at that time?</p> <p>7 A No, no, this is prior to that time and</p> <p>8 that was the purpose of it.</p> <p>9 Q Okay. And so if I represent to you that</p> <p>10 the legislature dealt with AB 604 between August</p> <p>11 17th and August 20th, how much earlier than that</p> <p>12 date do you suppose that you were doing this</p> <p>13 research for the NAACP?</p> <p>14 A It was around the same time. I don't</p> <p>15 know. I mean, certainly it hadn't been approved</p> <p>16 yet, but I don't – I can't state specifically</p> <p>17 when that occurred, but it was before – prior to</p> <p>18 the approval of the plan.</p> <p>19 Q Okay. And did you create a report</p> <p>20 associated with your research?</p> <p>21 A I don't know such as a report or just</p> <p>22 articulating in a presentation my findings.</p>	<p>Page 17</p> <p>1 THE WITNESS: Oh, I might have charged</p> <p>2 200 on this.</p> <p>3 MR. FREEDMAN: Found on page 5.</p> <p>4 THE WITNESS: Two hundred, yes.</p> <p>5 MR. MEUSER: Thank you very much.</p> <p>6 THE WITNESS: Yes.</p> <p>7 MR. FREEDMAN: Sorry. I just want to</p> <p>8 make sure the record's clear.</p> <p>9 MR. MEUSER: Absolutely. I have no</p> <p>10 problem with those corrections, so.</p> <p>11 MR. FREEDMAN: Otherwise I have to come</p> <p>12 back later and ask for my discount.</p> <p>13 BY MR. MEUSER:</p> <p>14 Q And how many hours did you spend</p> <p>15 preparing for this report?</p> <p>16 A I have to go back and check my notes,</p> <p>17 but probably somewhere between 40, 45.</p> <p>18 Q Hours?</p> <p>19 A Hours.</p> <p>20 Q Are you prepared to be in Los Angeles</p> <p>21 next week to testify?</p> <p>22 A If necessary, yes.</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

18..21

<p style="text-align: right;">Page 18</p> <p>1 Q What do you mean by "if necessary"?</p> <p>2 A If I'm called upon to do so.</p> <p>3 Q Okay. Is there any research or analysis</p> <p>4 that you intend to do between now and next week</p> <p>5 when you would be called to testify?</p> <p>6 A Not unless I'm asked to do so.</p> <p>7 Q Is there any research that you wish you</p> <p>8 could have done in preparing this report?</p> <p>9 A Not that I can think of. No, not that I</p> <p>10 can think of.</p> <p>11 Q So, again, in Section 3, we've talked</p> <p>12 about this little bit of research that you did</p> <p>13 prior to the passage of AB 604. Is there any</p> <p>14 other data or – is there any other data that you</p> <p>15 looked at that's not specified in Section 3?</p> <p>16 A No, not that I can recall or see.</p> <p>17 Q Is there any other documents that you</p> <p>18 may have looked at that are not contained in</p> <p>19 exhibit – in list item 3?</p> <p>20 A No, not that I could think of.</p> <p>21 Q In your Summary of Opinions section,</p> <p>22 which is Section 4A, I'm just looking at your</p>	<p style="text-align: right;">Page 20</p> <p>1 the mapmaker used to guide district</p> <p>2 configurations, correct?</p> <p>3 A I don't know. You're right. I could</p> <p>4 surmise certain things.</p> <p>5 Q And you do not know what factors any</p> <p>6 California legislature asked the map maker to use</p> <p>7 in – to guide the district configurations?</p> <p>8 A Correct. Once again, I can surmise, but</p> <p>9 I don't know.</p> <p>10 Q And you do not have – you did not have</p> <p>11 any conversations with any congressmen who may</p> <p>12 have spoke with the mapmaker about factors the</p> <p>13 mapmaker was supposed to analyze in drawing the</p> <p>14 districts?</p> <p>15 A That is correct.</p> <p>16 Q So you would agree with me that your</p> <p>17 analysis is a pro hoc analysis. Is that correct?</p> <p>18 MR. FREEDMAN: Object to form.</p> <p>19 THE WITNESS: I don't know if I would</p> <p>20 classify that as that. I would say that it is an</p> <p>21 analysis based upon my experience developing</p> <p>22 probably a thousand different redistricting plans</p>
<p style="text-align: right;">Page 19</p> <p>1 first opinion here real quick – or first summary</p> <p>2 of opinion. Let's – can you just read that real</p> <p>3 quick?</p> <p>4 A A?</p> <p>5 Q Yeah.</p> <p>6 A Starting with A. "Dr. Trende's analysis</p> <p>7 only includes race and partisanship. He does not</p> <p>8 analyze and consider the other factors that could</p> <p>9 guide the district configuration, such as</p> <p>10 traditional redistricting criteria."</p> <p>11 Q Okay. Do you know who the mapmaker was</p> <p>12 for AB 604/Prop 50?</p> <p>13 A No.</p> <p>14 Q Did you have any conversations with any</p> <p>15 state legislature who had input into the drawing</p> <p>16 of the maps?</p> <p>17 A No.</p> <p>18 Q Did you have any conversations with any</p> <p>19 congressmen who may have had inputs with the</p> <p>20 mapmaker in drawing the maps?</p> <p>21 A No.</p> <p>22 Q So you do not know what other factors</p>	<p style="text-align: right;">Page 21</p> <p>1 and coming up with opinions and conclusions on the</p> <p>2 – Dr. Trende's report.</p> <p>3 BY MR. MEUSER:</p> <p>4 Q Have you reviewed any transcripts</p> <p>5 regarding the passage of Prop 50?</p> <p>6 A No, not that I can recall.</p> <p>7 Q I believe you were sent one transcript</p> <p>8 from Counsel. Do you know what that one</p> <p>9 transcript was? It was about – I think it was</p> <p>10 around 200 pages.</p> <p>11 A At this moment, I can't recall.</p> <p>12 Q I'm going to represent to you that</p> <p>13 yesterday we received from your counsel production</p> <p>14 of the documents that they gave you. In that</p> <p>15 particular set of documents that were given to us,</p> <p>16 starting at Fairfax Bates stamped 00759, is a</p> <p>17 document called "In Re California Assembly Floor</p> <p>18 Session, Tape Transcripts of Audio Recording</p> <p>19 August 21, 2025." I'm going to represent that</p> <p>20 tat's a document that was given to us by your</p> <p>21 counsel. Do you recall looking at that document?</p> <p>22 A I don't recall at this particular</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

22..25

<p style="text-align: right;">Page 22</p> <p>1 moment, but I could have.</p> <p>2 Q Do you believe looking at that</p> <p>3 transcript had any bearing upon your analysis?</p> <p>4 A At this moment, no.</p> <p>5 Q Looking at Section 5, on page 8, you</p> <p>6 state that your goal was not to perform a</p> <p>7 comprehensive racial gerrymander analysis. My</p> <p>8 first question to you is, how often have you done</p> <p>9 a comprehensive racial gerrymander analysis?</p> <p>10 MR. FREEDMAN: Object to form.</p> <p>11 THE WITNESS: In litigation, twice, I</p> <p>12 know. That was in a comp case and a Jefferson</p> <p>13 County case.</p> <p>14 Q When were those cases?</p> <p>15 A One was -- actually both, I think, were</p> <p>16 resolved this year, but they were a couple of</p> <p>17 years ago.</p> <p>18 Q And what is involved when you do a</p> <p>19 comprehensive racial gerrymander analysis?</p> <p>20 A What I do is I obtain the proper data</p> <p>21 set that's involved. Usually that's the P.L. 94</p> <p>22 data set. There may be ACS data set, American</p>	<p style="text-align: right;">Page 24</p> <p>1 THE WITNESS: Usually I will use the</p> <p>2 five major traditional redistricting criteria,</p> <p>3 which is equal population, contiguity,</p> <p>4 compactness, minimizing political subdivision</p> <p>5 splits, and respect for communities of interest.</p> <p>6 So I look at each one of those and also there are</p> <p>7 other aspects, of course, that I may look at. For</p> <p>8 example, in unique circumstances, there may be</p> <p>9 some golf course or something like that that is</p> <p>10 included in. Someone desired to be included if I</p> <p>11 had that information.</p> <p>12 Q So what's your definition of communities</p> <p>13 of interest?</p> <p>14 A It's a shared interest that's</p> <p>15 geographically defined. And so practically almost</p> <p>16 anything can be a community of interest really.</p> <p>17 It could be education, could be income, could be</p> <p>18 poverty, could be health, could be economic. And</p> <p>19 so the idea is that this group of individuals or</p> <p>20 voters lie inside have that commonality amongst</p> <p>21 them. And the design is to minimize and respect</p> <p>22 those. And so you minimize the splitting of those</p>
<p style="text-align: right;">Page 23</p> <p>1 Community Survey data set that I may actually</p> <p>2 include. I look at population shifts of total</p> <p>3 population and racial population. I create some</p> <p>4 visualization through mostly thematic maps. Let's</p> <p>5 say I create tables of the population that</p> <p>6 shifted, sometimes I create bar charts that</p> <p>7 visually show different population groups and how</p> <p>8 they shifted back and forth. And then I run</p> <p>9 criteria, traditional criteria reports that allow</p> <p>10 me to look at the criteria to explain whether the</p> <p>11 shape or configuration could be caused by</p> <p>12 traditional redistricting criteria. And then I</p> <p>13 draw my opinions and conclusions and put in a</p> <p>14 report.</p> <p>15 Q So I understand you said that you rely</p> <p>16 upon the Census data and then the ACS data.</p> <p>17 A Yes.</p> <p>18 Q And then you started talking about, you</p> <p>19 know, traditional redistricting criteria. And I</p> <p>20 wasn't quite sure what data set you're using or</p> <p>21 how you define traditional redistricting criteria.</p> <p>22 MR. FREEDMAN: Object to form.</p>	<p style="text-align: right;">Page 25</p> <p>1 communities of interest.</p> <p>2 Q And how do you ascertain communities of</p> <p>3 interest if you do not live in that community?</p> <p>4 A One of the geographic areas that I use,</p> <p>5 it's a non-biased way, our Census designated</p> <p>6 places, or CDPs. And although these are</p> <p>7 statistical areas that are created by the Census,</p> <p>8 they are usually locally defined. So these are</p> <p>9 areas that the community has designated with a</p> <p>10 particular name. And they're almost very similar</p> <p>11 to cities and towns. For example, one around</p> <p>12 here, Bethesda, Maryland is a CDP. Most people</p> <p>13 wouldn't realize that. They think it's a city or</p> <p>14 a town. And so that's a community on itself. And</p> <p>15 so respecting that just makes sense in the context</p> <p>16 of communities of interest.</p> <p>17 Q So when you are doing a racial</p> <p>18 gerrymander analysis are you using any software</p> <p>19 for that analysis?</p> <p>20 A Yes, I use Maptitude for Redistricting,</p> <p>21 which is arguably the leading redistricting</p> <p>22 software out there. I do occasionally use ArcGIS</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

26..29

<p style="text-align: right;">Page 26</p> <p>1 Pro for producing the maps, many maps sometimes.</p> <p>2 Q Ever use Dave's Redistricting App?</p> <p>3 A I have as a sort of an ancillary aspect,</p> <p>4 but, for the most part, Dave's Redistricting is</p> <p>5 sort of a burgeoning software that it's now being</p> <p>6 used in litigation whereas Maptitude is the de</p> <p>7 facto software to use in litigation.</p> <p>8 Q Okay. Why did you believe you did not</p> <p>9 need to do a comprehensive racial gerrymander</p> <p>10 analysis on this case?</p> <p>11 A I wasn't asked to do so.</p> <p>12 Q You were asked to try to figure out if</p> <p>13 politics with the -- strike that. What was your</p> <p>14 assignment in this case?</p> <p>15 A I was asked to review and respond to Dr.</p> <p>16 Trende's expert report on AB 604 plan. And then I</p> <p>17 also was asked to look at and review the AB 604</p> <p>18 plan regarding racial gerrymandering.</p> <p>19 Q Okay. So you were looking at whether</p> <p>20 there was a racial gerrymander?</p> <p>21 A No, no. You're talking about the AB 604</p> <p>22 plan?</p>	<p style="text-align: right;">Page 28</p> <p>1 over the other criteria.</p> <p>2 Q Explain.</p> <p>3 A Explain how it could do that?</p> <p>4 Q Yeah.</p> <p>5 A It could do that in a variety of ways.</p> <p>6 Q Well, you're saying you looked at the</p> <p>7 hallmarks of racial gerrymander. I'm trying to</p> <p>8 get the specifics of what you would be looking at</p> <p>9 when you analyze a plan for the hallmarks of a</p> <p>10 racial gerrymander.</p> <p>11 MR. FREEDMAN: Object to form.</p> <p>12 THE WITNESS: It varies from plan to</p> <p>13 plan. And you're looking at anything that would</p> <p>14 show that race predominates over other criteria,</p> <p>15 over other -- over the criteria.</p> <p>16 BY MR. MEUSER:</p> <p>17 Q And the other plans that you analyzed,</p> <p>18 what were the hallmarks of a racial gerrymander</p> <p>19 that you found?</p> <p>20 MR. FREEDMAN: Object to form.</p> <p>21 THE WITNESS: Well, in some cases they</p> <p>22 were the splitting of geographic areas along</p>
<p style="text-align: right;">Page 27</p> <p>1 Q Yes.</p> <p>2 A Generally speaking, it wasn't to do a</p> <p>3 comprehensive analysis.</p> <p>4 Q So what's the difference between a</p> <p>5 comprehensive analysis and just a regular racial</p> <p>6 gerrymandering analysis?</p> <p>7 A I was looking at overall criteria and</p> <p>8 making observation from the criteria of whether I</p> <p>9 see any racial gerrymandering patterns.</p> <p>10 Q And what was the criteria you were</p> <p>11 looking at?</p> <p>12 A Those criteria that I made mentioned</p> <p>13 before, which is equal population contiguity,</p> <p>14 compactness, minimizing political subdivision</p> <p>15 splits in respect for communities of interest.</p> <p>16 Q If you turn to page 9, the first full</p> <p>17 paragraph, you state that you have analyzed plans</p> <p>18 to determine whether they exhibit the hallmarks of</p> <p>19 a racial gerrymander. What is, in your mind, the</p> <p>20 hallmark of a racial gerrymander?</p> <p>21 A It would be a pattern. It's not one</p> <p>22 aspect. It's a pattern where race predominates</p>	<p style="text-align: right;">Page 29</p> <p>1 racial lines. There were the non-compactness of</p> <p>2 the districts, and it appears that race may play a</p> <p>3 role in the non-compactness of it. Anything that</p> <p>4 directs race to be a predominant aspect over the</p> <p>5 other criteria.</p> <p>6 BY MR. MEUSER:</p> <p>7 Q How many times have you analyzed plans</p> <p>8 to determine whether they exhibit the hallmarks of</p> <p>9 a racial gerrymander?</p> <p>10 A Many times outside of litigation. As a</p> <p>11 matter of fact, one of the first projects at</p> <p>12 Norfolk State University was to look at the North</p> <p>13 Carolina 12th Congressional District and the Shaw</p> <p>14 case. And the Legal Defense Fund, the Legal</p> <p>15 Defense and Educational Fund, turned to us, and I</p> <p>16 was the map drawer at that time, analyzing plans,</p> <p>17 to look at that particular district and determine</p> <p>18 whether there's any rationale for configuration</p> <p>19 other than race. So that sort of began my</p> <p>20 race-predominant analysis. This was 30 some years</p> <p>21 ago.</p> <p>22 Q How many times have you analyzed plans</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

30..33

<p style="text-align: right;">Page 30</p> <p>1 as an expert witness?</p> <p>2 A For racial gerrymandering?</p> <p>3 Q Yes.</p> <p>4 A Certainly, the two cases that I think I</p> <p>5 mentioned, the Cobb case and the Jefferson case.</p> <p>6 Also worked with the Alabama and Legislative Black</p> <p>7 Caucus case where I worked on the ADC, the Alabama</p> <p>8 Democratic Caucus. That's a lowercase D, not an</p> <p>9 uppercase D, and provided maps that visually</p> <p>10 showed the racial gerrymandering aspect of that</p> <p>11 plan. And I think that may be all. There was a</p> <p>12 litigation where I showed how to correct a racial</p> <p>13 gerrymandering plan.</p> <p>14 Q So just the three times?</p> <p>15 A That's what I can recall right now.</p> <p>16 Yes.</p> <p>17 Q So in the next three paragraphs, you</p> <p>18 kind of lay out what I believe you call the</p> <p>19 central elements for analyzing whether a map</p> <p>20 contains racial gerrymander. And the first thing</p> <p>21 is, "Population changes that are usually defined</p> <p>22 and analyzed." What do you mean by that objective</p>	<p style="text-align: right;">Page 32</p> <p>1 A So the areas that have changed from the</p> <p>2 2021 to the 2025, that gives you an indication of</p> <p>3 racial gerrymandering or can give you an</p> <p>4 indication, let's say.</p> <p>5 Q So you're not talking about the movement</p> <p>6 of people from one Census to another. You're</p> <p>7 talking about the movement of the district lines?</p> <p>8 A Correct. It's the movement of the</p> <p>9 district lines and the populations moving from one</p> <p>10 district to another.</p> <p>11 Q Okay. I just wanted to make sure I was</p> <p>12 clear with here. So then the next paragraph,</p> <p>13 which seems to be the second factor that you</p> <p>14 mentioned, is the alleged plan is compared to the</p> <p>15 most recently legally approved plan. How do you</p> <p>16 distinguish that from the population changes that</p> <p>17 we just talked about?</p> <p>18 MR. FREEDMAN: Object to form.</p> <p>19 THE WITNESS: That's the same thing.</p> <p>20 The last legally approved plan is where you</p> <p>21 measure from.</p> <p>22 BY MR. MEUSER:</p>
<p style="text-align: right;">Page 31</p> <p>1 form?</p> <p>2 MR. FREEDMAN: Object to form.</p> <p>3 THE WITNESS: That means that the</p> <p>4 movement of population, and specifically</p> <p>5 population groups, is one of the hallmarks, you</p> <p>6 could say, of identifying racial gerrymandering,</p> <p>7 meaning that can this movement of population be</p> <p>8 explained by something other than race?</p> <p>9 BY MR. MEUSER:</p> <p>10 Q So in this particular case, the 2021</p> <p>11 Commission maps and the 2025 Prop 50 map, they're</p> <p>12 using the same 2020 Census data, correct?</p> <p>13 A Correct.</p> <p>14 Q So when you're looking at population</p> <p>15 changes, you're not looking at – that would not</p> <p>16 be applicable in this case, is that correct, or am</p> <p>17 I missing something here?</p> <p>18 A I think you may be missing something.</p> <p>19 Yes. The shifting of population from – and when</p> <p>20 I say "population," I mean the areas that have</p> <p>21 changed.</p> <p>22 Q Okay.</p>	<p style="text-align: right;">Page 33</p> <p>1 Q Okay. Then the next paragraph, you have</p> <p>2 the additional factors of – well, let me see</p> <p>3 here. I guess it's second sentence. "Finally, in</p> <p>4 most cases, the complete analysis comes in the</p> <p>5 form of thematic maps and population statistics</p> <p>6 that numerically describe the racially</p> <p>7 gerrymandered plan." Did I read that correctly?</p> <p>8 A Yes.</p> <p>9 Q Is that what you are attempting to do</p> <p>10 with your maps below in this report?</p> <p>11 MR. FREEDMAN: Object to form.</p> <p>12 THE WITNESS: No, what I'm attempting to</p> <p>13 do is to respond to the allegations that Dr.</p> <p>14 Trende put in his report. And so they're used for</p> <p>15 that purpose.</p> <p>16 BY MR. MEUSER:</p> <p>17 Q Turning to page 10, the last sentence of</p> <p>18 the paragraph that bled over from 8. You say,</p> <p>19 "When analyzing the Latino population percentages,</p> <p>20 I use the Hispanic CVAP, HCVAP," and it's a</p> <p>21 footnote 9. And my question to you is, where do</p> <p>22 you get Hispanic CVAP?</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

34..37

<p style="text-align: right;">Page 34</p> <p>1 A From the American Community Survey.</p> <p>2 Q What year of the the American</p> <p>3 Community Survey did you use in preparing your</p> <p>4 report?</p> <p>5 A The 2023 five-year.</p> <p>6 Q And why did you use the 2023 five-year?</p> <p>7 A It's the latest version of ACS and could</p> <p>8 have been used in this particular 2025 plan or</p> <p>9 most likely used, let's say.</p> <p>10 Q In reviewing Sean Trende's report, do</p> <p>11 you know where he got his Hispanic CVAP numbers?</p> <p>12 A It's a little unclear of where he</p> <p>13 received data. His report didn't have a lot of</p> <p>14 mentioning of data sets. I believe he used the</p> <p>15 2023, but I – it didn't have a lot of data</p> <p>16 specific on, from the maps that he produced,</p> <p>17 sources.</p> <p>18 Q And I believe you did a complete</p> <p>19 analysis of all 52 congressional districts where</p> <p>20 you looked at the HCVAP number for all of the 52</p> <p>21 congressional districts that are part of Prop 50,</p> <p>22 is that correct?</p>	<p style="text-align: right;">Page 36</p> <p>1 BY MR. MEUSER:</p> <p>2 Q Okay. Do you know which – strike that.</p> <p>3 Do you know which Hispanic CVAP numbers the</p> <p>4 mapmaker was using when drawing his maps?</p> <p>5 A I do not.</p> <p>6 Q How long have you used Maptitude?</p> <p>7 A Probably for 20 years. Prior to that it</p> <p>8 was named something else, I believe, but then I</p> <p>9 used that version.</p> <p>10 Q And you –</p> <p>11 A Probably 20 years.</p> <p>12 Q Sorry, didn't mean to interrupt you.</p> <p>13 When you use Maptitude, you have to tell it which</p> <p>14 data to use, is that correct?</p> <p>15 A I guess I don't know if I would phrase</p> <p>16 it that way, tell it which data to use. What you</p> <p>17 do is it comes with a prepackaged P.L. 94171</p> <p>18 Census data by state and you can utilize a state</p> <p>19 in the package itself. So you essentially access</p> <p>20 that, even maybe import it (inaudible), and create</p> <p>21 your districting plans.</p> <p>22 Q Do the ACS data come with Maptitude or</p>
<p style="text-align: right;">Page 35</p> <p>1 MR. FREEDMAN: Object to form.</p> <p>2 THE WITNESS: Yeah, I printed – yes, I</p> <p>3 printed a report for the entire state of</p> <p>4 congressional districts and HCVAP was one of those</p> <p>5 that I printed.</p> <p>6 BY MR. MEUSER:</p> <p>7 Q Did you ever compare that number with</p> <p>8 the official legislative analysis where they broke</p> <p>9 out the HCVAP for each of the districts?</p> <p>10 MR. FREEDMAN: Object to form.</p> <p>11 THE WITNESS: I compared the total, as I</p> <p>12 have in my report, of the number of HCVAP majority</p> <p>13 Latino districts and HVAP Latino districts. And I</p> <p>14 glanced, though, of course, at the percentages of</p> <p>15 the – of each of the districts trying to glean</p> <p>16 something from it, but I didn't notice anything</p> <p>17 particular.</p> <p>18 Q So you didn't compare, let's say, 55.9</p> <p>19 percent in this district, but the assembly said</p> <p>20 55.8. Or you didn't see if the data was –</p> <p>21 MR. FREEDMAN: Object to form.</p> <p>22 THE WITNESS: No.</p>	<p style="text-align: right;">Page 37</p> <p>1 is that something you have to upload?</p> <p>2 A Something separate. There is a – as I</p> <p>3 included in my report, at ACS, at the track level,</p> <p>4 it goes down to track level, that I use for the</p> <p>5 one of the maps and analysis that I looked at.</p> <p>6 But it's not the latest 2023 version that they</p> <p>7 include. That's not the purpose.</p> <p>8 Q Looking at Section 6, bottom of page 10,</p> <p>9 the very first sentence, you talk about both HVAP</p> <p>10 and HCVAP. What is the significance of both of</p> <p>11 HVAP and HCVAP in your mind?</p> <p>12 MR. FREEDMAN: Object to form.</p> <p>13 THE WITNESS: HVAP comes from the 2020</p> <p>14 Census, the Decennial Census, voting age</p> <p>15 population. The HCVAP is obtained from the</p> <p>16 American Community Survey, in this particular case</p> <p>17 a five-year survey. And so one actually includes,</p> <p>18 theoretically, all populations above 18. The CVAP</p> <p>19 includes only citizens above 18.</p> <p>20 BY MR. MEUSER:</p> <p>21 Q And that's represented in Table 1 where</p> <p>22 you apparently looked at the HVAP for all 52</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

38..41

<p style="text-align: right;">Page 38</p> <p>1 congressional districts and then you looked at the</p> <p>2 CVAP – the HCVAP for all 52 districts. Is that</p> <p>3 correct?</p> <p>4 A That's correct.</p> <p>5 Q And this was something that you printed</p> <p>6 off of Maptitude?</p> <p>7 A This table is something I put together</p> <p>8 using the Maptitude reports.</p> <p>9 Q Thank you for that clarification. Now,</p> <p>10 reading the source, I see that you say that you</p> <p>11 used the Census 2020 data and the 2023 five-year</p> <p>12 ACS of the 2021 and 2025 plans, DRA composite</p> <p>13 elections. Can you please explain to me what the</p> <p>14 DRA Composite elections are?</p> <p>15 A It came from Dave's redistricting and</p> <p>16 they allow you to download precincts, what they</p> <p>17 call precincts, but they're actually block groups</p> <p>18 for California, and then process it. And that's</p> <p>19 what I did. It ran through what's called a</p> <p>20 disaggregation process. But the composite</p> <p>21 election is made up of multiple elections and they</p> <p>22 integrate it into a single sort of performance</p>	<p style="text-align: right;">Page 40</p> <p>1 Q I don't think that was quite the</p> <p>2 question I was asking. So let me – that's</p> <p>3 probably on me. I'm trying to figure out the DRA</p> <p>4 composite elections were a series of elections</p> <p>5 that DRA basically put together. And it created a</p> <p>6 formula that when you took the maps and put it in,</p> <p>7 you could see what the DRA composite was. What</p> <p>8 I'm trying to figure out is which elections DRA</p> <p>9 was using and what's the best way for me to figure</p> <p>10 out exactly which elections you were looking at?</p> <p>11 MR. FREEDMAN: Object to form.</p> <p>12 THE WITNESS: And what I mentioned</p> <p>13 before is those elections are on the website, DRA</p> <p>14 website. If you go to their About Data, they list</p> <p>15 for every state elections that they use. And so</p> <p>16 that can be obtained by going through the DRA</p> <p>17 website, I looked at it. I can't recall</p> <p>18 specifically what they are at this particular</p> <p>19 moment, but I looked at it on their website.</p> <p>20 BY MR. MEUSER:</p> <p>21 Q In Table 1, you talk about the number of</p> <p>22 majority HVAP districts statewide. You have 18.</p>
<p style="text-align: right;">Page 39</p> <p>1 percentage.</p> <p>2 Q Do you know what races and what years</p> <p>3 were compiled in your DRA composite elections?</p> <p>4 MR. FREEDMAN: Object to form.</p> <p>5 THE WITNESS: I cannot recite them now,</p> <p>6 but they're included on the website and I looked</p> <p>7 at it. They extend probably from 2016 or '18 to</p> <p>8 2022 elections made up of Senate, presidential,</p> <p>9 gubernatorial elections.</p> <p>10 BY MR. MEUSER:</p> <p>11 Q Is there anywhere in your appendix where</p> <p>12 you list out the individual races that are used in</p> <p>13 the DRA composite elections?</p> <p>14 A No, but you can turn to their website</p> <p>15 and find it.</p> <p>16 Q So this was a option that you had. You</p> <p>17 could just click a button that said "DRA Composite</p> <p>18 Elections"?</p> <p>19 A No, you go to, for example, the</p> <p>20 California statewide of congressional districts</p> <p>21 and you can export, they – what they say</p> <p>22 precincts, and download them. That's what I did.</p>	<p style="text-align: right;">Page 41</p> <p>1 What page of your appendix do I look at to count</p> <p>2 those 18 HVAP districts?</p> <p>3 A I don't know the page number, but you</p> <p>4 look at the population summary reports. I print</p> <p>5 out the population summary reports for the total</p> <p>6 and for the H for the VAP as well as the CVAP.</p> <p>7 And so you would go to those reports and see which</p> <p>8 ones are above 50 percent, which ones are above 50</p> <p>9 percent for HCVAP.</p> <p>10 Q So you don't have like a single table in</p> <p>11 your Appendix that just has all 52 races side by</p> <p>12 side. It's literally here's District 1, here's</p> <p>13 District 2, here's District 3, here's District 4</p> <p>14 as consecutive pages?</p> <p>15 A I have reports for both the 2021 plan</p> <p>16 and the 2025 plan. And they are population</p> <p>17 reports for the frequencies, the numbers, as well</p> <p>18 as the percentages for each of those plans. So</p> <p>19 you would go to the 2021 population summary</p> <p>20 reports for VAP, and then you would see the column</p> <p>21 that says HVAP and it has a percentage. And then</p> <p>22 those that are above 50 percent would be counted.</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

42..45

<p style="text-align: right;">Page 42</p> <p>1 And then the same thing, there is another report 2 for citizen voting age population for 2021, and 3 there's percentages. And once again, you can 4 count above 50 percent for those. And the same 5 thing with the 2025 plan. 6 Q So this is a part of manually counting. 7 There's no computer that just printed this number 8 for you? 9 A Correct. That's correct. 10 Q I want to shift to page 12. And looking 11 at the paragraph that starts with, "Dr. Trende 12 states in his report on page 6, as you can see, 13 the entire area is heavily Hispanic, but there is 14 a Hispanic population that is left out of the 15 district. I concur with his statement." Do you 16 see that? 17 A Yes. 18 Q So regarding Trende's statement on page 19 6, you agree with what Trende said there? 20 MR. FREEDMAN: Object to form. 21 THE WITNESS: Yes, in the context that 22 the district CD13 is leaving out areas, majority</p>	<p style="text-align: right;">Page 44</p> <p>1 particular map. 2 A Yes. The blue color is HCVAP from 0 to 3 20 percent, the somewhat cyan, if you will, or 4 kind of greenish blue is 20 to 40 percent, the 5 green is 40 to 50 percent, the yellow is 50 to 80 6 percent, and then the 80 – the red is 80 to 100 7 percent. 8 Q Now, out of curiosity, why didn't you 9 just use 20 percent, 20 percent, 20 percent, 20 10 percent? Why did you for green only use 40 to 50 11 percent, a 10 percent margin, but for the yellow 12 you used a 30 percent margin of 50 to 80? 13 A Because you want to see where majority 14 HCVAPs are added. 15 Q Well, then for your greenish blue, why 16 did you do a 20-point swing there and not a 17 30-point swing like you did for yellow? 18 A Could you repeat that? 19 Q You agree that the blue is a 20 percent 20 differential, right? 21 A Yes. 22 Q And you agree that the bluish green is a</p>
<p style="text-align: right;">Page 43</p> <p>1 Latino areas that are not included in CD13. 2 BY MR. MEUSER: 3 Q And what part of CD13 is Trende 4 referring to on page 6? 5 A He is referring to areas in Madera. 6 Q Next paragraph, you say, "The 13-color 7 thematic map Dr. Trende uses has too many colors 8 that blend together to be effective or 9 comprehensible." How many color thematic map 10 would – do you think is appropriate? 11 A I don't know if I could pick or would 12 pick a particular number, but 13 is a little 13 overwhelming. So certainly 13 is overwhelming, 14 but I don't know if I would pick an ideal number. 15 But 13 is too high. 16 Q And how many did you use in your report? 17 A I use five ranges. 18 Q And is that depicted in figure 1 on the 19 next page? 20 A Yes. 21 Q So please explain to me the different 22 colors and the ranges and what they mean on this</p>	<p style="text-align: right;">Page 45</p> <p>1 20 percent, correct? 2 A Yes. 3 Q Twenty to 40. 4 A Yes. 5 Q And you agree that the green is a 10 6 percent, which is 40 to 50, correct? 7 A Yes. 8 Q And then the yellow is a 30 percent, 50 9 to 80 percent, correct? 10 A Yes. 11 Q And then you go back to a 20 percent of 12 red, 80 to 100 percent, correct? 13 A Correct. 14 Q So since you're trying to distinguish 15 between the 50s, why didn't you have like 6 16 districts, so there's 3 colors below 50 and 3 17 colors above 50? 18 A Because the important range, in my 19 opinion, is the above 50, the 50 to somewhat 20 significantly high. And then, of course, you have 21 the significantly high with the red. So those are 22 the two ranges that you're looking for. The 40</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

46..49

<p style="text-align: right;">Page 46</p> <p>1 and 50 is a good idea because it provides you the</p> <p>2 areas that are somewhat around 50 percent.</p> <p>3 Q Okay. And this particular map does not</p> <p>4 show population density, is that correct?</p> <p>5 A That's correct.</p> <p>6 Q At any part of your analysis, did you</p> <p>7 look at population density?</p> <p>8 A When you say "population density," you</p> <p>9 don't mean, for example, population statistics</p> <p>10 that I would have in the back of the report.</p> <p>11 You're meaning specifically for a particular area?</p> <p>12 Q I'm talking about figure 1 right here.</p> <p>13 You know, it's hard to tell, you know, it could be</p> <p>14 a red section that has 3 people in it or it could</p> <p>15 be a red section that has 100,000 people.</p> <p>16 A Right.</p> <p>17 Q So I'm just saying, did – you never did</p> <p>18 figure 1 with a population density?</p> <p>19 A No, that's correct, and neither did Dr.</p> <p>20 Trende. And of course, remember, I'm responding</p> <p>21 to his report.</p> <p>22 Q I understand. I'm just – my job is to</p>	<p style="text-align: right;">Page 48</p> <p>1 Q And according to this image that you</p> <p>2 have here, that was called figure 2, those are the</p> <p>3 only two images area split on this figure?</p> <p>4 A Correct.</p> <p>5 Q Figure 3 is just a copy of Trende's map.</p> <p>6 Is that correct?</p> <p>7 A That is correct.</p> <p>8 Q That's not your – it's not your work?</p> <p>9 A That is correct.</p> <p>10 Q Okay. Let's move to figure 4. We got a</p> <p>11 few colors here and we have a few lines here. So</p> <p>12 let's start off with what are we looking at?</p> <p>13 A This is the Modesto area. And so the</p> <p>14 black lines represent the 2025 plan, the orangish</p> <p>15 lines represent the 2021 plan, and the backdrop is</p> <p>16 color coded of HCVAP.</p> <p>17 Q And you use the exact same colors and</p> <p>18 formulas that you used in Figure 1. Is that</p> <p>19 correct?</p> <p>20 A Correct.</p> <p>21 Q So yellow is above 50 percent and red is</p> <p>22 above 80 percent?</p>
<p style="text-align: right;">Page 47</p> <p>1 make sure I understand what you're – what you</p> <p>2 relied on and what you didn't rely on.</p> <p>3 A Gotcha.</p> <p>4 Q Can you please move to figure 2? And I</p> <p>5 see that you have two colors on this one and some</p> <p>6 lines. So let's start with the colors. What does</p> <p>7 red mean and what does blue mean?</p> <p>8 A Nothing more than demarcation of the</p> <p>9 Census places. This is what – excuse me.</p> <p>10 Maptitude color codes each of the geographic</p> <p>11 areas, so no two adjacent areas have the same</p> <p>12 color.</p> <p>13 Q And then the lines that we are looking</p> <p>14 at here appear to be congressional district lines,</p> <p>15 is that correct, for the 2025 AB 604 map?</p> <p>16 A Correct.</p> <p>17 Q So the lines that we are looking at here</p> <p>18 shows that Parksdale was split. Is that correct?</p> <p>19 A That is correct.</p> <p>20 Q And it shows that Madera was split.</p> <p>21 Correct?</p> <p>22 A That is correct.</p>	<p style="text-align: right;">Page 49</p> <p>1 A Correct.</p> <p>2 Q And there is no population density</p> <p>3 calculated in Figure 4?</p> <p>4 A Correct, like Dr. Trende.</p> <p>5 Q Let's move to figure 5. Please explain</p> <p>6 what we are looking at here.</p> <p>7 A This is using the same color coding for</p> <p>8 Census places. There is a green one in there</p> <p>9 because another color was needed because adjacent</p> <p>10 to both red and blue. That's the backdrop. And</p> <p>11 once again, the black is the 2025 for the AB 604</p> <p>12 plan. And then the orange is – color is a 2021</p> <p>13 plan.</p> <p>14 Q Seems to me like there's a lot more</p> <p>15 splitting of cities on this line than the – than</p> <p>16 the figure we just looked at.</p> <p>17 MR. FREEDMAN: Object to form.</p> <p>18 THE WITNESS: When you say "a lot,"</p> <p>19 there are, I think, three in this particular area,</p> <p>20 I believe. I'm trying to recall correctly.</p> <p>21 BY MR. MEUSER:</p> <p>22 Q You would agree that Modesto is split –</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

50..53

<p style="text-align: right;">Page 50</p> <p>1 A Yes, sir.</p> <p>2 Q – by the AB 604?</p> <p>3 A Correct.</p> <p>4 Q And Empire is split by AB 604?</p> <p>5 A Correct.</p> <p>6 Q It does not appear like – well, Turlock</p> <p>7 was split. Correct? At the bottom.</p> <p>8 A Oh, yes. Yes. It was previously split.</p> <p>9 Q It was previously split and it stayed</p> <p>10 split?</p> <p>11 A Yes.</p> <p>12 Q Modesto was previously split and it</p> <p>13 stayed split?</p> <p>14 A Correct.</p> <p>15 Q Empire was not previously split, but</p> <p>16 it's split now?</p> <p>17 A Yes. Modesto was previously not split</p> <p>18 and it's not split now.</p> <p>19 Q It looks like at the very bottom keys</p> <p>20 that there's a slight splitting.</p> <p>21 MR. FREEDMAN: Object to form.</p> <p>22 THE WITNESS: There may be. I'd have to</p>	<p style="text-align: right;">Page 52</p> <p>1 and follow a road that goes by many parks, in</p> <p>2 essence to justify the boundary area, the boundary</p> <p>3 configuration.</p> <p>4 Q I want to go to page 20. And the</p> <p>5 paragraph that's starts with the word "First,"</p> <p>6 about midway through the page.</p> <p>7 A Yes.</p> <p>8 Q I'm going to go ahead – go ahead and</p> <p>9 read that first sentence.</p> <p>10 A "First, a straightforward way" – excuse</p> <p>11 me. "First, a straightforward answer to Dr.</p> <p>12 Trende's question about leaving Democrats out of</p> <p>13 CD13 is that the legislature did not seek to</p> <p>14 lower Democratic performance in CD9, the adjacent</p> <p>15 district. Additional possible explanations that</p> <p>16 Dr. Trende does not consider are discussed</p> <p>17 below."</p> <p>18 Q Well, let's focus on that first sentence</p> <p>19 real quick here. Do you know what the Democrat</p> <p>20 performance of CD9 was for the 2021 Commission</p> <p>21 maps?</p> <p>22 A Off the top of my head, I believe it was</p>
<p style="text-align: right;">Page 51</p> <p>1 check the appendices to see.</p> <p>2 BY MR. MEUSER:</p> <p>3 Q You'd have to blow it up a little bit</p> <p>4 more?</p> <p>5 A Well, in the back in the appendices you</p> <p>6 can see whether it was split if it's in one of the</p> <p>7 reports.</p> <p>8 Q Okay. Let's look at figure 6. And what</p> <p>9 are we looking at here?</p> <p>10 A This is, once again, the 2025 boundaries</p> <p>11 are in black and the 2021 boundaries in the orange</p> <p>12 type color and the backdrop are landmark areas.</p> <p>13 Q They appear to be parks?</p> <p>14 A Mostly parks, yes.</p> <p>15 Q And what was the significance of this</p> <p>16 particular figure that you figured – that you</p> <p>17 decided to insert it into your report?</p> <p>18 A I was looking at what would be a</p> <p>19 race-neutral way of configuring the boundaries.</p> <p>20 This potentially could have been a race-neutral</p> <p>21 way that Dr. Trende would have looked at. They</p> <p>22 might have decided to take this boundary of 2025</p>	<p style="text-align: right;">Page 53</p> <p>1 around 60, but I'd have to look at that in the –</p> <p>2 in my appendices.</p> <p>3 Q Would you like to look at that in your</p> <p>4 appendices?</p> <p>5 A Yes. There we go. It's a C.</p> <p>6 Q And does – is there a page number? I'm</p> <p>7 just trying to figure out how I'm going to find it</p> <p>8 over here.</p> <p>9 MR. FREEDMAN: This isn't Bates labeled,</p> <p>10 but it's Appendix C.</p> <p>11 MR. MEUSER: Yeah, Appendix C is like a</p> <p>12 very long appendix, so.</p> <p>13 THE WITNESS: It's on I think 220, page</p> <p>14 220.</p> <p>15 MR. FREEDMAN: Counsel, it's (inaudible)</p> <p>16 there.</p> <p>17 THE WITNESS: Using the composite it's</p> <p>18 60.91.</p> <p>19 BY MR. MEUSER:</p> <p>20 Q 60.91 using the composite and that's</p> <p>21 Dave's Redistricting App?</p> <p>22 A Yes.</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

54..57

<p style="text-align: right;">Page 54</p> <p>1 MR. FREEDMAN: And just to be clear, 2 which CD are you referring to? 3 THE WITNESS: Nine, CD9. 4 BY MR. MEUSER: 5 Q And that's the 2021 maps? 6 A Oh, I'm sorry. You're exactly right. I 7 was in the 2025. It was 53.88. 8 MR. FREEDMAN: And just so the records 9 clear, what page are you referring to? 10 THE WITNESS: I'm referring to page 143. 11 MR. FREEDMAN: Okay. 12 BY MR. MEUSER: 13 Q So it was 53.8 according to Dave's 14 Redistricting App as a composite for CD9. 15 Correct? 16 A Correct. 17 Q Under the 2021 map? 18 A Correct, for the 2021 plan. 19 Q And it was increased to 60? 20 A 60.91 under the 2025 plan. 21 Q So if I'm doing math right, it was 22 increased 6.3 percent on the Dave's Redistricting</p>	<p style="text-align: right;">Page 56</p> <p>1 places, once again, in the colors of red, blue, 2 and green. The black lines represent the 2025 3 plan and the orange lines represent the 2021 plan. 4 Also, the Census tracts are included as well. 5 Q Those are the lighter lines? 6 A Yes. 7 Q Okay. So is it fair to say that the 8 black line cuts through the city of August? 9 A Yes, but it does so, in my opinion, 10 because it's following the Census tract. 11 Q But I can't see that because I can't see 12 the light blue or the light gray line compared to 13 the black line. Is that correct? 14 A That's correct. But that's what I 15 observed. 16 Q And you would agree with me that the 17 black line does cut through the city Stockton 18 picking various Census blocks, correct? 19 A Yes, or Census tracts that it follows 20 mostly. But I -- yes. 21 Q And it does cut through the city of 22 French Camp. Is that correct?</p>
<p style="text-align: right;">Page 55</p> <p>1 App competitive score? 2 A Yes. 3 Q So going back to your sentence here in 4 your report on page 20, "The legislature did not 5 seek to lower Democrat performance in CD9," that 6 would be incorrect? 7 A No, no. They didn't want to -- when I 8 say "lower" it, meaning they didn't want to bring 9 it lower than the 60.91. 10 Q But they've already increased it 6 11 percent. Correct? 12 A Correct. I'm referring to what it stood 13 at 2025. So there is a point that they -- 14 potentially, I don't know this, but there's a 15 point potentially they could have had a target, 16 they didn't want to lower below that target, if 17 you will, percentage-wise, not racial target, but 18 performance target. 19 Q So you believe that -- strike that. 20 Well, let's move to figure 8. Go ahead and 21 explain this one to me. 22 A This provides the backdrop of the Census</p>	<p style="text-align: right;">Page 57</p> <p>1 A Yes, I believe that's a CDP, but, yes, 2 it goes and follows the highway, I-5. 3 Q And figure 9 is just a reprint of Dr. 4 Trende's? 5 A That is correct. 6 Q Let's look at figure 10 real quick. We 7 got a different table of colors here, so if you 8 could explain to me what your percentages were and 9 what you were trying to show here. 10 MR. FREEDMAN: Object to form. 11 THE WITNESS: This shows the percentage 12 of persons above the age of 25 that have a high 13 school degree or better. Once again, the black 14 lines represent the 2025 plan. This, in essence, 15 shows the -- that percentage in five quintiles. 16 Quintile meaning that you break up the number of 17 areas into five equally, if you can, parts. And 18 so this shows that the lower two quintiles make up 19 that CD13 for the 2025 plan. And for the 2021 20 plan, it did the same. 21 BY MR. MEUSER: 22 Q So each of the five colors that you're</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

58..61

<p style="text-align: right;">Page 58</p> <p>1 doing are an equal number of population?</p> <p>2 A Correct. Essentially, the tracts in the</p> <p>3 state, the Census tracts in the state are sorted</p> <p>4 from high to low in regards to the percentage of</p> <p>5 high school degrees or greater. And you group</p> <p>6 them into five equal parts, if you can. The</p> <p>7 number you can see down in parentheses for each of</p> <p>8 them, 1815, 1815, that's the number of Census</p> <p>9 tracts that are grouped in each of those</p> <p>10 quintiles. The last one, that happens</p> <p>11 occasionally because there's an odd number and so</p> <p>12 they have to add on to one of them. But you see</p> <p>13 that in parentheses by the legend that 815, that</p> <p>14 represents the number of Census tracts in the</p> <p>15 state and the sorting from those equal ranges, if</p> <p>16 you will.</p> <p>17 MR. FREEDMAN: Sorry, did you mean 1815</p> <p>18 or 8?</p> <p>19 THE WITNESS: 1815, yes. Did I say 815?</p> <p>20 BY MR. MEUSER:</p> <p>21 Q So "18-15," is there 1,815 Census tracts</p> <p>22 in the state of California?</p>	<p style="text-align: right;">Page 60</p> <p>1 Q I understand that.</p> <p>2 A Equal number of features for equal</p> <p>3 ranges.</p> <p>4 Q I'm going to restate my question again</p> <p>5 –</p> <p>6 A Yeah.</p> <p>7 Q – because I think I understand what</p> <p>8 you're saying, but I don't think you're answering</p> <p>9 the question I'm asking. So it's, again, on me.</p> <p>10 I understand that 72 percent and below is colored</p> <p>11 blue. Correct?</p> <p>12 A Correct.</p> <p>13 Q And it has a number of 1,815 Census</p> <p>14 tracts.</p> <p>15 A Correct.</p> <p>16 Q Is that 1,815 Census tracts in the</p> <p>17 entire state of California or is it 1,815 Census</p> <p>18 tracts that are depicted in this map, this image</p> <p>19 right here at figure 10?</p> <p>20 A No, it's for the entire state.</p> <p>21 Q Okay.</p> <p>22 A There are 1,815 Census tracts in the</p>
<p style="text-align: right;">Page 59</p> <p>1 A No.</p> <p>2 Q Or 1,815 Census tracts in this image?</p> <p>3 A 1,815 in each of those ranges, except</p> <p>4 for the red, the one in the red, the highest one.</p> <p>5 Q Yes. Well, I'm going to go back. Is</p> <p>6 the 1,815 how many Census tracts in the state of</p> <p>7 California or how many Census tracts are in this</p> <p>8 image?</p> <p>9 A What it is, is the – when you divide</p> <p>10 into a quintile, you take the number of features</p> <p>11 divided by, in this case, five, because it's a</p> <p>12 quintile, and you sort it into five equal ranges,</p> <p>13 if you can. And so you have the blue, in the</p> <p>14 blue, from 72 or below. There are 1,815 Census</p> <p>15 tracts that are included in that range. In the</p> <p>16 cyan, if you will, from 72 to 84.1, there are</p> <p>17 1,815 Census tracts in that range. In the green,</p> <p>18 same thing, 1,815 Census tracts in that. I</p> <p>19 believe that might be a 16. My eyes are getting a</p> <p>20 little worse, but I believe that says 1,816. And</p> <p>21 so what the system attempts to do is to create</p> <p>22 equal ranges for each of the ranges.</p>	<p style="text-align: right;">Page 61</p> <p>1 entire state that match that blue 72 percent or</p> <p>2 below.</p> <p>3 Q That's what I was trying to figure out.</p> <p>4 A Okay.</p> <p>5 Q Let's go ahead and look at figure 11.</p> <p>6 And what are we looking at here?</p> <p>7 A This is a zoomed-down map of the</p> <p>8 Stockton area and it shows you the same backdrop</p> <p>9 is in those five quintiles that I previously</p> <p>10 looked at and talked about. Same black outline</p> <p>11 for the 2025 plan and orange for the 2021 plan.</p> <p>12 But it's just a zoomed-in version of the Stockton</p> <p>13 area.</p> <p>14 Q Did you do a zoomed-in version of the</p> <p>15 areas that were removed from the 2021</p> <p>16 Congressional District 13?</p> <p>17 MR. FREEDMAN: Object to form.</p> <p>18 THE WITNESS: Did I – you mean –</p> <p>19 MR. MEUSER: Let me rephrase.</p> <p>20 THE WITNESS: Rephrase that, please.</p> <p>21 BY MR. MEUSER:</p> <p>22 Q You would agree with me that figure 11</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

62..65

<p style="text-align: right;">Page 62</p> <p>1 is a zoomed-in image of figure 10, is that 2 correct? 3 A Correct. 4 Q And this is a zoomed-in image of the 5 areas that were added to Congressional District 13 6 by the Proposition 50 maps. Is that correct? 7 MR. FREEDMAN: Object to form. 8 THE WITNESS: That is correct. 9 BY MR. MEUSER: 10 Q Did you do a comparable zoomed-in image 11 of the districts that were removed from the 2021 12 congressional map? 13 MR. FREEDMAN: Object to form. 14 THE WITNESS: No. This map focuses on 15 Dr. Trende's allegation of what he calls the plume 16 or the extension into Stockton. So this is to 17 show a rationale other than race for that 18 configuration. 19 BY MR. MEUSER: 20 Q Please read the paragraph immediately 21 following figure 11. 22 A "It is important to note that I'm not</p>	<p style="text-align: right;">Page 64</p> <p>1 Q Let's move to Section 8. And in Section 2 8, you – this is where you did a statewide 3 traditional redistricting criteria analysis. And 4 I believe we talked about this very briefly 5 earlier today. Correct? 6 A Correct. 7 Q And this is where you kind of stepped 8 away from Sean Trende's report and did a little 9 bit analysis on your own? 10 A That's correct. And it looks, of 11 course, at CD13 as well. 12 Q And your ultimate conclusion is that 13 "The 2025 plan does not suggest that race was a 14 predominant factor in configuration or that 15 diminished – adhered to the traditional 16 redistricting criteria." Did I read that right? 17 A Yes. 18 Q And that is your conclusion after 19 analyzing the entire state map? 20 A Correct. 21 Q How much time did you spend analyzing 22 the entire state map to reach this conclusion?</p>
<p style="text-align: right;">Page 63</p> <p>1 concluding that the legislature used socioeconomic 2 data to guide them to develop an extension into 3 Stockton. It is presented as an example because 4 it appears that Dr. Trende did not consider 5 factors beyond race and partisanship, such as 6 socioeconomic COI, communities of interest, data 7 which could have served as a rationale for the 8 2025 plan configuration." 9 Q I know this gets kind of old, but we're 10 going to just have to go ahead and ask it. You 11 never talked to the mapmaker of whether he 12 considered socioeconomic data? 13 A That is correct. 14 Q And you never looked at the – you never 15 talked to any legislature, asked California 16 legislature whether they considered socioeconomic 17 data? 18 A That is correct. 19 Q And you never talked to any congressman 20 who may have spoke with the mapmaker whether they 21 asked him to consider any socioeconomic data? 22 A That is correct.</p>	<p style="text-align: right;">Page 65</p> <p>1 A That's very difficult for me to recall. 2 Q Looking at these pages in Section 8, you 3 can see what you did, correct? 4 A Yes. 5 Q Can you give me your best estimate of 6 how much time you spent based upon what you say in 7 the report you did, how long it took you to reach 8 this conclusion? 9 A I would say it was probably done in a 10 day's worth of time. 11 Q And let's focus on Section F, the 12 communities of interest. And we talked about 13 communities of interest earlier, correct? 14 A Yes. 15 Q And you're predominantly using the 16 Census – 17 A Designated places. 18 Q And so, when you're – when you're 19 reaching the conclusion that it respects community 20 of interest, what you're focusing in on is the 21 fact that the 2025 plan shows that only 31 CDP 22 splits were in the 2021, while 48 were in the 2025</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

66..69

<p style="text-align: right;">Page 66</p> <p>1 plan. Am I reading that correctly?</p> <p>2 A 31, yes. And 48, yes.</p> <p>3 Q So, there are more splits of community</p> <p>4 of interest in the 2025 plan than 2021 plan.</p> <p>5 MR. FREEDMAN: Object to form.</p> <p>6 THE WITNESS: Yes. I believe that's due</p> <p>7 to them following Census tracts more in the 2025</p> <p>8 plan than in the 2021 plan. But that's what I</p> <p>9 observed.</p> <p>10 BY MR. MEUSER:</p> <p>11 Q What does CDP stand for again?</p> <p>12 A Census designated place.</p> <p>13 Q And if I'm reading this right, you're</p> <p>14 saying 31 Census designated place splits were in</p> <p>15 the 2021 plan, is that correct?</p> <p>16 A Correct.</p> <p>17 Q And you're saying that there are 48</p> <p>18 Census designated places split in the 2025 plan?</p> <p>19 A Correct.</p> <p>20 Q So, there are 17 more splits in the 2025</p> <p>21 plan than there are in the 2021 plan?</p> <p>22 A Correct.</p>	<p style="text-align: right;">Page 68</p> <p>1 you're talking about continuity.</p> <p>2 A Is that -- that's going back?</p> <p>3 Q 27. Yeah, page 27.</p> <p>4 A Okay. Got it.</p> <p>5 Q I think we all agree that the island of</p> <p>6 Catalina is never going to be contiguous with the</p> <p>7 City of Los Angeles.</p> <p>8 A That's right.</p> <p>9 Q And both the 2120 [sic] plan and the</p> <p>10 2025 plan have this island of Catalina as not</p> <p>11 connected?</p> <p>12 A Yeah, you're not going to connect it.</p> <p>13 Q And you're not going to connect the</p> <p>14 island of Alcatraz?</p> <p>15 A Right.</p> <p>16 Q So, other than the islands, do either of</p> <p>17 the plans have any continuity issues?</p> <p>18 A No. No. Contiguity (phonetic)? No.</p> <p>19 Q Okay. When you do a, I'm sorry, I</p> <p>20 butchered the word, when you're doing a continuity</p> <p>21 exam, are you looking at roads where somebody may</p> <p>22 have to drive out of the district to get into the</p>
<p style="text-align: right;">Page 67</p> <p>1 Q Which is almost 50 percent more, is that</p> <p>2 correct?</p> <p>3 MR. FREEDMAN: Object to form.</p> <p>4 THE WITNESS: Correct. But my, again,</p> <p>5 my observation was they followed Census tracts</p> <p>6 more in the 2025 plan, and they also followed</p> <p>7 highways, major highways in the 2025 plan as well.</p> <p>8 BY MR. MEUSER:</p> <p>9 Q Did you calculate how many Census tracts</p> <p>10 were split in the 2021 plan versus the 2025 plan?</p> <p>11 A No, I didn't.</p> <p>12 Q So, you only analyzed, for community of</p> <p>13 interest, you only analyzed the Census designated</p> <p>14 places splits?</p> <p>15 A That's correct.</p> <p>16 Q And there's almost 50 percent more</p> <p>17 splits?</p> <p>18 MR. FREEDMAN: Object to form.</p> <p>19 THE WITNESS: Yes, but it's still</p> <p>20 acceptable.</p> <p>21 BY MR. MEUSER:</p> <p>22 Q Paragraph C in this section, where</p>	<p style="text-align: right;">Page 69</p> <p>1 district?</p> <p>2 A No.</p> <p>3 Q So, you do not consider that at all when</p> <p>4 you're doing your continuity exam?</p> <p>5 A No. That's travel contiguity. No.</p> <p>6 Q So, you're only looking at a district</p> <p>7 that would be split by a body of water?</p> <p>8 A There would be islands, land islands,</p> <p>9 essentially. Could be water islands as well.</p> <p>10 Islands in the water. Areas that are not adjacent</p> <p>11 to the district.</p> <p>12 Q Okay. And in compactness, I just want</p> <p>13 to make sure I understand it. Is it you're using</p> <p>14 two different compactness scores that you're</p> <p>15 looking at here, correct?</p> <p>16 A Correct.</p> <p>17 Q Is the lower the number, the better or</p> <p>18 worse?</p> <p>19 A The higher the number, the better.</p> <p>20 Q The higher the number?</p> <p>21 A Mm-hmm.</p> <p>22 Q So the closer to one, the better the</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

70..73

<p style="text-align: right;">Page 70</p> <p>1 score?</p> <p>2 A That's correct.</p> <p>3 Q So, per your review of just</p> <p>4 Congressional District 13, why don't you go ahead</p> <p>5 and tell me the two tests that you used and how</p> <p>6 the numbers changed?</p> <p>7 A So CD13 in the 2021 plan had Reock score</p> <p>8 of 0.38, while the 2025 was more compact at 0.45.</p> <p>9 And the 2021 plan's Polsby-Popper score is 0.23.</p> <p>10 And then the 2023 plan is 0.02 percent less</p> <p>11 compact at 0.21.</p> <p>12 Q So one it goes up, and one it goes down?</p> <p>13 A That's correct.</p> <p>14 Q Now, this is in a section where you're</p> <p>15 talking about the entire state. Is that correct?</p> <p>16 A Well –</p> <p>17 Q This is part of your analysis of the</p> <p>18 entire statewide traditional redistricting</p> <p>19 criteria analysis, correct?</p> <p>20 MR. FREEDMAN: Object to form.</p> <p>21 THE WITNESS: Sorry. That's why I</p> <p>22 labeled the Section "CD13/Statewide Traditional</p>	<p style="text-align: right;">Page 72</p> <p>1 report.</p> <p>2 Q Okay. And let's go ahead, and what does</p> <p>3 your report say the mean us?</p> <p>4 A And so, the Reock score for the 2021</p> <p>5 plan, the mean is 0.36, while the 2025 plan is</p> <p>6 0.35. Polsby-Popper score for 2021 is 0.21, and</p> <p>7 for the – for the 2021 plan and the 2025 plan is</p> <p>8 0.19.</p> <p>9 Q So they both went down slightly?</p> <p>10 A Yeah, I would label it just like the</p> <p>11 others, similarly compact.</p> <p>12 Q Okay. Page 30, Figure 12, do you know</p> <p>13 where you got this?</p> <p>14 A Yes.</p> <p>15 Q Where?</p> <p>16 A The system allows you to identify the</p> <p>17 noncontiguous areas. And so, for each of these</p> <p>18 noncontiguous areas, each of the noncontiguous</p> <p>19 areas, I zoomed down and selected those areas in</p> <p>20 the map and then produced a map.</p> <p>21 Q Why do you say California CD Trende plan</p> <p>22 A's noncontiguous Census blocks?</p>
<p style="text-align: right;">Page 71</p> <p>1 Redistricting Criteria." I wanted to make sure</p> <p>2 that it includes both the CD13 and the statewide.</p> <p>3 BY MR. MEUSER:</p> <p>4 Q Did you run either of these two</p> <p>5 compactness cores on every single congressional</p> <p>6 district in California?</p> <p>7 A Yes, that's included in the back of the</p> <p>8 appendices.</p> <p>9 Q Okay. And can you point to me what page</p> <p>10 on your appendices this particular analysis</p> <p>11 compactness is done on every single congressional</p> <p>12 district?</p> <p>13 A So, starting on page 91 is the 2021</p> <p>14 adopted plan for all of the districts. And</p> <p>15 starting on page 166 is the AB 604 plan.</p> <p>16 Q And did you sum the totals and average</p> <p>17 them out to figure out if the compactness score</p> <p>18 went up or down between the 2021 and the 2025</p> <p>19 plans?</p> <p>20 A That's where I use the mean.</p> <p>21 Q Okay.</p> <p>22 A So, the mean is what I mentioned in the</p>	<p style="text-align: right;">Page 73</p> <p>1 A Because that's the one I picked out. I</p> <p>2 didn't pick out the plan B or C. I picked that as</p> <p>3 an example. They may differ slightly. I don't</p> <p>4 think they do, but they may differ slightly from</p> <p>5 – actually, they do because I think there are 11</p> <p>6 in plan A and I think there may be 13 in plan C.</p> <p>7 Now, I have to refer to my document, but this is</p> <p>8 just an example of plan A's noncontiguous areas.</p> <p>9 Q Now, if I'm understanding it right, Sean</p> <p>10 Trende only did Congressional District 13, is that</p> <p>11 correct?</p> <p>12 A No, he did the entire plan. He</p> <p>13 submitted an entire plan in his GeoJSON file.</p> <p>14 Q Okay, so you're – when you take the</p> <p>15 whole plan, not just look at the individual</p> <p>16 district. Is that what you're talking about?</p> <p>17 A Yes, his plan. I'm referring to the</p> <p>18 plan on this, comparing his plan to the 2021 plan</p> <p>19 and 2025 plans.</p> <p>20 Q Okay. And you ran all this in</p> <p>21 Mapitude, correct?</p> <p>22 A Correct.</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

74..77

<p style="text-align: right;">Page 74</p> <p>1 Q Have you ever had an issue with the data</p> <p>2 in Maptitude not completely jiving with the data</p> <p>3 in Dave's Redistricting app?</p> <p>4 A If you use Census blocks, which is what</p> <p>5 I use when I transfer or transmit a plan, it</p> <p>6 matches up correctly.</p> <p>7 Q Okay.</p> <p>8 A If you use some other -- he used JSON,</p> <p>9 like I said, they may not conform to Census</p> <p>10 geography correctly.</p> <p>11 Q And you understand that he was using</p> <p>12 Dave's Redistricting app?</p> <p>13 A He didn't state that other than on one</p> <p>14 map, I believe.</p> <p>15 Q All right.</p> <p>16 A So, I don't know exactly what he was</p> <p>17 using. He mentioned it in one of the maps that he</p> <p>18 used.</p> <p>19 Q I'm going to go to page 32. And on page</p> <p>20 32, you're talking about, I believe, you're</p> <p>21 talking about Dr. Trende's A, B, and C plans</p> <p>22 regarding the compactness score, is that correct?</p>	<p style="text-align: right;">Page 76</p> <p>1 to correct those, and I'd have to really run the</p> <p>2 reports again.</p> <p>3 Q And let's look at 33, where you're</p> <p>4 analyzing the majority Latino districts. And you</p> <p>5 understand that Sean Trende, in designing the</p> <p>6 three districts he was trying to draw three</p> <p>7 districts that had a lower HCVAP. Would you agree</p> <p>8 with that statement?</p> <p>9 MR. FREEDMAN: Object to form.</p> <p>10 THE WITNESS: I don't know that.</p> <p>11 BY MR. MEUSER:</p> <p>12 Q You would agree with me that Sean</p> <p>13 Trende, in his three demonstration maps, was</p> <p>14 trying to show how you could draw districts that</p> <p>15 had more Democrats but less Hispanics. Is that a</p> <p>16 fair assessment?</p> <p>17 MR. FREEDMAN: Object to form.</p> <p>18 THE WITNESS: I'm not sure if he stated</p> <p>19 that was what he was trying to do in his report,</p> <p>20 that he was trying to draw Hispanic VAP and</p> <p>21 Hispanic CVAP at lower percentages.</p> <p>22 BY MR. MEUSER:</p>
<p style="text-align: right;">Page 75</p> <p>1 A You're referring to the upper main</p> <p>2 paragraph on 32?</p> <p>3 Q Yes.</p> <p>4 A Where it says plan A?</p> <p>5 Q Yes.</p> <p>6 A Yes.</p> <p>7 Q And so, you look at plan A's compactness</p> <p>8 score, correct?</p> <p>9 A Correct.</p> <p>10 Q And then you look at plan B's</p> <p>11 compactness score?</p> <p>12 A Correct.</p> <p>13 Q And then you look at plan C's</p> <p>14 compactness score?</p> <p>15 A Correct.</p> <p>16 Q And so, you have no problem with Sean</p> <p>17 Trende's three proposed maps as to their</p> <p>18 compactness score, is that correct?</p> <p>19 A That is correct. Of course, with the</p> <p>20 caveat that I mentioned that because of the</p> <p>21 unassigned areas and the noncontiguous areas, you</p> <p>22 can't necessarily trust the results. You'd have</p>	<p style="text-align: right;">Page 77</p> <p>1 Q Would you agree with me that all three</p> <p>2 of Trende's demonstrations maps demonstrate a</p> <p>3 lower HCVAP than the 2025 Prop 50 maps?</p> <p>4 MR. FREEDMAN: Object to form.</p> <p>5 THE WITNESS: They do have a lower</p> <p>6 HCVAP. Yes.</p> <p>7 BY MR. MEUSER:</p> <p>8 Q And in two of the maps, B and C, they</p> <p>9 actually drop the HCVAP below 50 percent?</p> <p>10 MR. FREEDMAN: Object to form.</p> <p>11 THE WITNESS: From what I recall, yes.</p> <p>12 BY MR. MEUSER:</p> <p>13 Q Would you like to look at page 33 to</p> <p>14 reflect your recollection?</p> <p>15 A Yes. 49.51 and 48.72. Yes.</p> <p>16 Q Looking at Table 2. I'm seeing five</p> <p>17 plans, is that correct on the first column?</p> <p>18 A That is correct.</p> <p>19 Q In all five of the plans, and we'll go</p> <p>20 through them, Trende A, Trende B, Trende C, and</p> <p>21 you understand that those are the three</p> <p>22 demonstration maps produced by Trende that you are</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

78..81

<p style="text-align: right;">Page 78</p> <p>1 analyzing, correct?</p> <p>2 A Correct.</p> <p>3 Q And then you have the 2021 plan, which</p> <p>4 was the commission map. Correct?</p> <p>5 A Correct.</p> <p>6 Q And the 2025 plan, which is a Prop 50</p> <p>7 map?</p> <p>8 A Correct.</p> <p>9 Q In all five plans, they show a majority</p> <p>10 HVAP. Is that correct?</p> <p>11 A That is correct.</p> <p>12 Q In three of the five plans, it shows an</p> <p>13 HCVAP of 16, correct?</p> <p>14 A Yes, that is correct.</p> <p>15 Q And only in Trende B and C does that</p> <p>16 drop to 15 HCVAP?</p> <p>17 A That is correct.</p> <p>18 Q And then column, the fourth and the</p> <p>19 fifth columns are basically the percentage numbers</p> <p>20 that you pulled from your appendices, I'm</p> <p>21 assuming?</p> <p>22 A Yes.</p>	<p style="text-align: right;">Page 80</p> <p>1 elections, he was only looking at three races. Is</p> <p>2 that correct?</p> <p>3 A Correct.</p> <p>4 Q He did not do any composite election,</p> <p>5 correct?</p> <p>6 A Correct.</p> <p>7 Q He only looked at two races in 2024?</p> <p>8 A Yes.</p> <p>9 Q A Senate race and a presidential race,</p> <p>10 correct?</p> <p>11 A That is correct.</p> <p>12 Q And he only looked at one race in 2022.</p> <p>13 Is that correct?</p> <p>14 A That is correct. Although let me</p> <p>15 caveat. I believe he used the Dave's composite</p> <p>16 for his maps. Separate from this. But his maps,</p> <p>17 I believe, he used the Dave's Redistricting</p> <p>18 composite elections.</p> <p>19 Q So, Table 3 is kind of broken up across</p> <p>20 two pages, correct?</p> <p>21 A Yes.</p> <p>22 Q Okay. So this is going to take a little</p>
<p style="text-align: right;">Page 79</p> <p>1 Q Okay. So, let's move to H, the partisan</p> <p>2 performance. In your analysis, you broke out the</p> <p>3 2020 presidential election, correct?</p> <p>4 A Correct.</p> <p>5 Q And you broke out the 2024 presidential</p> <p>6 election, correct?</p> <p>7 A Correct.</p> <p>8 Q And then you used Dave's Redistricting</p> <p>9 app composite elections, correct?</p> <p>10 A Correct.</p> <p>11 Q And I believe you told me earlier that</p> <p>12 for Dave's Redistricting composite elections, that</p> <p>13 did not include the 2024 presidential elections?</p> <p>14 A That is correct.</p> <p>15 Q Do you know if it included the 2020</p> <p>16 election, presidential elections?</p> <p>17 A It's on the website. I can't recall if</p> <p>18 it did have the 2020 election, presidential</p> <p>19 election, at this moment.</p> <p>20 Q Okay. And so, for the purposes of H –</p> <p>21 strike that. Start over. You understand that</p> <p>22 Sean Trende, when he was doing his competitive</p>	<p style="text-align: right;">Page 81</p> <p>1 bit of math here.</p> <p>2 A Yeah.</p> <p>3 Q But looking at the 2020 presidential</p> <p>4 election, the District 13, as proposed by Prop 50,</p> <p>5 has a competitive score, just looking at the 2020</p> <p>6 presidential election, of a 56.74. Is that</p> <p>7 correct?</p> <p>8 A Which election are you looking at?</p> <p>9 Q 2020 presidential election.</p> <p>10 A And what plan?</p> <p>11 Q 2025.</p> <p>12 A Yes, 56.74.</p> <p>13 Q And so, we need to compare Trende's A</p> <p>14 map, B map, and C map to that, correct?</p> <p>15 A If you want to do that, yes.</p> <p>16 Q And so, his A map performs better than</p> <p>17 CD13, is that correct?</p> <p>18 A Correct. Slightly better, yes.</p> <p>19 Q And his, if you look at the 2024</p> <p>20 presidential election, which is the most recent</p> <p>21 election. Is that correct?</p> <p>22 A Correct.</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

82..85

<p style="text-align: right;">Page 82</p> <p>1 Q So, looking at the most recent election,</p> <p>2 his A map performs better than the Prop 50 map,</p> <p>3 correct?</p> <p>4 A Correct. Slightly, yes.</p> <p>5 Q And if you look at his B map, that</p> <p>6 performs better than the Prop 50 map, correct?</p> <p>7 A Very slightly.</p> <p>8 Q And his C map actually performs better</p> <p>9 than the 2025 Prop 50 map?</p> <p>10 A Yes. Once again, slightly.</p> <p>11 Q But all three maps do have a lower</p> <p>12 HCVAP, correct?</p> <p>13 A Correct and yes.</p> <p>14 Q And if we look at the most recent</p> <p>15 election, just looking at the most recent</p> <p>16 election, all three of Trende's maps perform</p> <p>17 better than what the Prop 50 map showed?</p> <p>18 MR. FREEDMAN: Object to form.</p> <p>19 THE WITNESS: Yes, slightly.</p> <p>20 BY MR. MEUSER:</p> <p>21 Q Let's turn to Figure 13. Is this an</p> <p>22 exhibit you created?</p>	<p style="text-align: right;">Page 84</p> <p>1 Redistricting app?</p> <p>2 A That's correct.</p> <p>3 Q And there is no blue on this map, is</p> <p>4 that correct?</p> <p>5 A No. No.</p> <p>6 Q And you did this only for the map A, is</p> <p>7 that correct?</p> <p>8 MR. FREEDMAN: Object to form.</p> <p>9 THE WITNESS: No. You mean –</p> <p>10 BY MR. MEUSER:</p> <p>11 Q This particular image is only as to map</p> <p>12 A?</p> <p>13 A Yes. There are other figures that show</p> <p>14 B and C, yes. But this is just looking at map A</p> <p>15 in comparison to the 2025 and 2021 plan.</p> <p>16 Q And Figure 14 is the same thing, but</p> <p>17 with Sean Trende's map B?</p> <p>18 A Correct.</p> <p>19 Q As the blue line?</p> <p>20 A Correct.</p> <p>21 Q And Figure 15 is the same thing, but</p> <p>22 it's only as to map C, correct?</p>
<p style="text-align: right;">Page 83</p> <p>1 A Yes, it is.</p> <p>2 Q And can you please tell me what we're</p> <p>3 looking at here?</p> <p>4 A This is a backdrop of the Dave's</p> <p>5 Redistricting composite for Democratic percentage.</p> <p>6 And also shows the black boundaries for the 2025,</p> <p>7 the orange boundaries for the 2021, and then block</p> <p>8 groups associated. So, the block group level</p> <p>9 reflects the Dave's Redistricting Democratic</p> <p>10 percentage.</p> <p>11 Q And I know you're tired of me asking</p> <p>12 this question, but there is no density view on</p> <p>13 this particular figure?</p> <p>14 A No. It – no.</p> <p>15 Q And so, the districts in red are 80 to</p> <p>16 100 percent voting for or 80 to 100 percent</p> <p>17 Democrat – Democrat – I'm sorry.</p> <p>18 A Composite?</p> <p>19 Q Yes, sorry.</p> <p>20 A That's all right.</p> <p>21 Q So, the areas of reds are the highest</p> <p>22 Democrat composite number according to Dave's</p>	<p style="text-align: right;">Page 85</p> <p>1 A Correct.</p> <p>2 Q And again, you are using three colors to</p> <p>3 represent below 50 percent and only two colors to</p> <p>4 represent above 50 percent, is that correct?</p> <p>5 A That is correct.</p> <p>6 Q And since the yellow can be a 30-point</p> <p>7 swing, it's really hard to tell if something's</p> <p>8 just 50 to 60 percent versus 70 to 80 percent, is</p> <p>9 that correct?</p> <p>10 MR. FREEDMAN: Object to form.</p> <p>11 THE WITNESS: That is correct. It's</p> <p>12 above 50 percent and below 80 percent.</p> <p>13 BY MR. MEUSER:</p> <p>14 Q And you would agree that there's a</p> <p>15 significant difference between a district that's</p> <p>16 51 percent versus a district that is 78 percent?</p> <p>17 MR. FREEDMAN: Object to form.</p> <p>18 THE WITNESS: Yes. But once again, as</p> <p>19 I'm looking at it, you're looking at whether these</p> <p>20 districts add the block groups that are greater</p> <p>21 than 50 percent. And then, sometimes it's good to</p> <p>22 look at ones that are significantly greater.</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

86..89

<p style="text-align: right;">Page 86</p> <p>1 BY MR. MEUSER:</p> <p>2 Q And I understand why you use that when</p> <p>3 we were looking at HVAP, but it's a little bit</p> <p>4 different when you're looking at partisan</p> <p>5 composite scores, isn't it? That, you know,</p> <p>6 because politicians, some like 55 percent, some</p> <p>7 like 60 percent, you know, when you have a range</p> <p>8 that goes from 50 to 80 percent, it seems like</p> <p>9 you're really losing something in the imagery. Or</p> <p>10 am I missing something here?</p> <p>11 MR. FREEDMAN: Object to form.</p> <p>12 THE WITNESS: You may be missing</p> <p>13 something. I think you're looking at whether</p> <p>14 these districts are adding on Democratic</p> <p>15 performing areas and block groups. In this</p> <p>16 particular case, you can see the red ones are the</p> <p>17 ones that are really significantly high. And</p> <p>18 then, of course, the yellow ones are ones that</p> <p>19 would ensure that you're greater than 50 percent.</p> <p>20 BY MR. MEUSER:</p> <p>21 Q But, for example, let's look at the nose</p> <p>22 of the plume on Figure 15. You see the nose?</p>	<p style="text-align: right;">Page 88</p> <p>1 A And it's yellow, yes.</p> <p>2 Q But looking at this map, I can't tell if</p> <p>3 that's a 51 percent or a 79 percent competitive</p> <p>4 score there?</p> <p>5 A Correct.</p> <p>6 Q And I can't see if there's one person</p> <p>7 living in that district or if there's a hundred</p> <p>8 thousand people living in that Census tract?</p> <p>9 A Correct, similar to Dr. Trende's.</p> <p>10 MR. MEUSER: Okay. We've been going for</p> <p>11 about an hour and 15 minutes, an hour and 30</p> <p>12 minutes.</p> <p>13 MR. FREEDMAN: A little longer.</p> <p>14 MR. MEUSER: But I tend to like to give</p> <p>15 my court reporters a break around this time. Is</p> <p>16 that – is everybody good with that?</p> <p>17 THE WITNESS: That's great.</p> <p>18 MR. FREEDMAN: That sounds good.</p> <p>19 MR. MEUSER: Would everybody like a</p> <p>20 10-15-minute break?</p> <p>21 MR. FREEDMAN: 10 is fine.</p> <p>22 (Recess)</p>
<p style="text-align: right;">Page 87</p> <p>1 A Figure 15?</p> <p>2 Q Yes, Figure 15.</p> <p>3 A Yes.</p> <p>4 Q That there's a block track there,</p> <p>5 correct?</p> <p>6 A Can you be a little more specific? And</p> <p>7 where are you referring to?</p> <p>8 Q If you – if I see a person's, a cartoon</p> <p>9 figure's head, you know, at the top of that plume</p> <p>10 with a long nose pointing east and a kind of a</p> <p>11 flat top hair.</p> <p>12 A Oh, you're talking about where the</p> <p>13 August –</p> <p>14 Q Yeah.</p> <p>15 A Okay. Yeah. All right.</p> <p>16 Q We see a yellow section here of what I</p> <p>17 call the nose or the August area, correct?</p> <p>18 A I don't see that, but I will –</p> <p>19 Q Yeah.</p> <p>20 A – take your word for it's there.</p> <p>21 Q You're talking about the August 1,</p> <p>22 though, and it's yellow, correct?</p>	<p style="text-align: right;">Page 89</p> <p>1 MR. MEUSER: Ready to go back on the</p> <p>2 record?</p> <p>3 THE WITNESS: Yes.</p> <p>4 MR. MEUSER: And you understand you're</p> <p>5 still under oath?</p> <p>6 THE WITNESS: Yes. Okay.</p> <p>7 BY MR. MEUSER:</p> <p>8 Q Let's go to the conclusion section of</p> <p>9 your report, which I believe is on page 39 and</p> <p>10 page 40. As I count, there are six conclusions</p> <p>11 here. Is that correct?</p> <p>12 A Six, yes, sections of the conclusion.</p> <p>13 Q And you do not have any other</p> <p>14 conclusions that are not contained in this</p> <p>15 section?</p> <p>16 MR. FREEDMAN: Object to form.</p> <p>17 THE WITNESS: No, not at this particular</p> <p>18 moment. I can't recall any.</p> <p>19 BY MR. MEUSER:</p> <p>20 Q And before we go into your conclusions,</p> <p>21 as you said earlier, there's nothing – no other</p> <p>22 research that you are planning on doing between</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

90..93

<p style="text-align: right;">Page 90</p> <p>1 now and your trial testimony?</p> <p>2 A That I am planning, yes, unless I'm</p> <p>3 asked.</p> <p>4 Q Okay. Let's go through these six</p> <p>5 opinions, conclusions that you have. Please</p> <p>6 explain to me your first opinion.</p> <p>7 A What I'm referring to is Dr. Trende is</p> <p>8 alluding to the inclusion of majority HCVAP block</p> <p>9 groups in CD13. And what I'm saying, in essence,</p> <p>10 is that just the inclusion of majority CVAP block</p> <p>11 groups alone doesn't prove race predominance.</p> <p>12 Q And your second opinion?</p> <p>13 A He, Dr. Trende, doesn't compare the 2025</p> <p>14 plan with the last legally approved plan, the 2021</p> <p>15 plan. And so, in order to determine the movements</p> <p>16 of or the configuration associated with race</p> <p>17 predominance, you should look at what the</p> <p>18 difference between the last plan and the plan that</p> <p>19 is alleged Latino percentages. I'm also looking</p> <p>20 at the increase in Democratic performance. It is</p> <p>21 much higher at almost 4 percent than the HCVAP at</p> <p>22 only 0.0 percent. Of course, I'm using the DRA</p>	<p style="text-align: right;">Page 92</p> <p>1 A That is correct. He did not.</p> <p>2 Q Okay. And we were looking at Table 3 on</p> <p>3 page 34 and 35, where we were talking about Sean</p> <p>4 Trende's plan compared to the 2025 plan, correct?</p> <p>5 A Yes, we talked about that.</p> <p>6 Q And you -- you, for your conclusions,</p> <p>7 were only looking at Dave's Redistricting app</p> <p>8 composition score, is that correct?</p> <p>9 A I only mentioned that. That's correct.</p> <p>10 It's a good composite group of elections.</p> <p>11 Q Okay. Let's go ahead and move to your</p> <p>12 third opinion.</p> <p>13 A The third is he didn't conduct any</p> <p>14 analysis on traditional redistricting criteria.</p> <p>15 And so, he didn't use or analyze whether the</p> <p>16 criteria could be the cause of the configuration</p> <p>17 and not race.</p> <p>18 Q And your fourth opinion?</p> <p>19 A The fourth opinion talks and discusses</p> <p>20 the three areas, and that race doesn't seem to</p> <p>21 dominate in the creation of those areas. They</p> <p>22 include majority and non-majority HCVAP block</p>
<p style="text-align: right;">Page 91</p> <p>1 composite. And so, the difference is clearly not</p> <p>2 in the Latino HCVAP. It must be in something else</p> <p>3 outside of the HCVAP, which means a particular</p> <p>4 another racial group is increasing that Democratic</p> <p>5 performance.</p> <p>6 Q So, looking at this second opinion that</p> <p>7 you have, the 2021 to the 2025 plan, based upon</p> <p>8 the 2023 American Community Survey, it increases</p> <p>9 the HCVAP by 0.07, is that correct?</p> <p>10 A Correct.</p> <p>11 Q And based upon Dave's Redistricting app</p> <p>12 composite score, it increases the Democratic</p> <p>13 performance by nearly 4 percentage points?</p> <p>14 A Correct.</p> <p>15 Q And I believe you testified earlier</p> <p>16 today that when you compare the 2025 plan to all</p> <p>17 three of Sean Trende's report, all three of them</p> <p>18 decreased the HCVAP, is that correct?</p> <p>19 A Correct.</p> <p>20 Q But you're saying he did not compare his</p> <p>21 decreased HCVAP with the 2021 plan, is that</p> <p>22 correct?</p>	<p style="text-align: right;">Page 93</p> <p>1 groups. Sometimes they're sporadically added to</p> <p>2 the differences between the 2021 and the 2025</p> <p>3 plan. They seem to align with the Democratic</p> <p>4 precincts that he presents in his map and his</p> <p>5 plan, or his report as well. The changes in the</p> <p>6 three areas seem to adhere to traditional</p> <p>7 redistricting standards.</p> <p>8 Q Your fifth opinion?</p> <p>9 A Yeah. And I was going to say --</p> <p>10 Q Oh.</p> <p>11 A And he, you know, doesn't analyze the</p> <p>12 socioeconomic commonalities which could have</p> <p>13 guided the planned development.</p> <p>14 Q And as we discussed earlier, you have no</p> <p>15 idea whether any of these socioeconomic data was</p> <p>16 considered by the mapmaker legislature or the</p> <p>17 Democrat congressman?</p> <p>18 A That is correct. I'm only saying that</p> <p>19 that he didn't include it in his report.</p> <p>20 Q Okay. Now your fifth opinion?</p> <p>21 A That the criteria's of equal population</p> <p>22 and contiguity they don't comply. His plans don't</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

94..97

<p style="text-align: right;">Page 94</p> <p>1 comply with equal population and contiguity. And 2 that the plans perform worse on equal population 3 contiguity and minimizing political subtle 4 division splits. And they don't show an 5 appreciable increase in partisan performance when 6 compared to the 2025 plans. 7 Q And we've already discussed all the 8 reasoning, and we went through your tables and 9 figures as to that fifth opinion that you've just 10 made. 11 MR. FREEDMAN: Object to form. 12 THE WITNESS: Yes, we discussed that. 13 BY MR. MEUSER: 14 Q Okay. And your sixth opinion? 15 A So, when considering all of the factors, 16 when you look at compactness and municipal 17 boundaries, partisan features, socioeconomic 18 commonalities, CD13 and CD9 could have been 19 created without race playing that dominant role. 20 And so, again, Dr. Trende's analysis, that I, in 21 my conclusion, is that it doesn't support his 22 conclusion that race was a predominant –</p>	<p style="text-align: right;">Page 96</p> <p>1 used, you know, several distinct elections. The 2 only one that I could compare and look at was the 3 presidential 2024 election. And it's – they were 4 close. They weren't identical for what I had, but 5 they were close. 6 Q And when you looked at his replication 7 data, did you see any errors in his replication 8 data that we have not discussed today? 9 A You're talking about outside the eco 10 population, the unassigned areas, and the 11 noncontiguous areas? 12 Q Yes. 13 A Yeah. Outside of those, I didn't see 14 anything else. 15 Q Okay. Have you had the opportunity 16 today to share all the opinions that you have made 17 in this case? 18 MR. FREEDMAN: Object to form. 19 THE WITNESS: I believe so. I believe 20 so. 21 BY MR. MEUSER: 22 Q Would you like a minute to think, to</p>
<p style="text-align: right;">Page 95</p> <p>1 predominant primary influence in developing the 2 2025 plan. 3 Q So, I got a few follow-up questions 4 here. 5 A Sure. 6 Q You don't have any opinions about the 7 data that Sean used, that he used the wrong data 8 groups in creating his reports? 9 A I don't know, and I'm not sure of the 10 data that he used because he didn't state that. I 11 made some assumptions that he used Dave's 12 Redistricting for many of his maps, but I don't 13 know that. 14 Q And when you looked at Dave's 15 Redistricting maps, you weren't seeing different 16 numbers that did not comport with Sean's report, 17 is that correct? 18 A He didn't have numbers insofar as his 19 maps. He had just thematic maps. He didn't 20 report any numbers insofar as that. He reported 21 numbers in the plan A, B, and C that he had 22 insofar as the Democratic performance. And he</p>	<p style="text-align: right;">Page 97</p> <p>1 make sure that you've given me every opinion that 2 you – that you have create – that you have 3 developed in this case? 4 MR. FREEDMAN: Object to form. 5 THE WITNESS: I think I've included 6 everything in the report. I can't recall right 7 now anything outside of the report that I would 8 include in my comments, but anything that I've 9 made a statement on, I would of course adhere to 10 the report. 11 BY MR. MEUSER: 12 Q And in between now and next week, when 13 you may have to give testimony, is there any other 14 research that you want to do? 15 A You put it that I want to do? 16 Q Yes. 17 A I can't recall any research that I would 18 want to do. Again, if I'm called upon, I will 19 provide that research. 20 Q Is there any individual that you would 21 like to talk to get more information? 22 A From the point of view of addressing Dr.</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

98..101

<p style="text-align: right;">Page 98</p> <p>1 Trende's report, there's no one that I – the 2 report stands on its own. 3 Q Okay. Now, you limited yourself there, 4 and your report's not limited to just Dr. Trende's 5 report because you analyze the entire report 6 briefly. So, is there anybody that you would want 7 to talk to as to that portion of your report? 8 A Not that I can think of right at this 9 particular moment. Yeah. I'm, you know, the 10 purpose, as I said, was not to do a racially 11 gerrymandered analysis, and I think what I did was 12 appropriate and adequate. 13 Q Is there any publication that you want 14 to review prior to your deposition to prepare for 15 your deposition? 16 MR. FREEDMAN: Object to form. 17 THE WITNESS: Prepare for this 18 deposition? 19 BY MR. MEUSER: 20 Q I'll rephrase. Is there any publication 21 that you would like to review prior to your 22 appearing for trial testimony in Los Angeles next</p>	<p style="text-align: right;">Page 100</p> <p>1 with any member of the California legislature. Is 2 that correct? 3 A That's correct. 4 Q Did you communicate with any member of 5 member staff? 6 A No. 7 Q What about did you attend any 8 legislative hearing? 9 A No. 10 Q And you said that you did not read the 11 transcript of any hearing, correct? 12 MR. FREEDMAN: Object to form. 13 THE WITNESS: I cannot recall. If it 14 was sent to me, I probably did glance through it, 15 but I can't recall the contents – 16 BY MS. GIESEKE: 17 Q Okay. 18 A – at this particular moment. 19 Q And did you review any legislators' 20 social media posts? 21 A No. 22 Q Did you review any press releases?</p>
<p style="text-align: right;">Page 99</p> <p>1 week? 2 A Not that I can recall at this particular 3 moment. No. 4 MR. MEUSER: Your witness. 5 EXAMINATION BY COUNSEL FOR DEFENDANTS/ 6 INTERVENOR USA 7 BY MS. GIESEKE: 8 Q Hi, Mr. Fairfax. As I previously 9 stated, my name is Greta Gieseke, and I represent 10 the Plaintiff/Intervenor of the United States in 11 this matter. So, thank you again for your time 12 today. Just to lay some foundation agreements, 13 can we agree that when I, if I refer to the 14 Proposition 50 map or Prop 50 map, that that's the 15 same map that I think you refer to as the AB 604 16 plan? 17 A Correct. 18 Q We're talking about the same thing? 19 A Yes. 20 Q Okay. I just want to make sure we're on 21 the same page. And I think you already said that, 22 as part of your research, you did not communicate</p>	<p style="text-align: right;">Page 101</p> <p>1 A No. No. 2 Q What about any campaign materials? 3 A No. 4 Q Did you analyze the motives of any 5 legislator who voted for Proposition 50? 6 A No. 7 Q So, if called to testify at trial, could 8 you express an opinion on the motives of any 9 legislator who are in enacting Proposition 50? 10 A No. 11 Q And could you express an opinion on the 12 motives of the legislator as a whole? 13 A No. 14 Q Do you know Paul Mitchell? 15 A No. 16 Q So, if you are to call to testify at 17 trial, you could not express an opinion on the 18 motives of Paul Mitchell regarding in connection 19 with this map and drawing the map? 20 A No. 21 Q Okay. 22 A Not at all.</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

102..105

<p style="text-align: right;">Page 102</p> <p>1 Q As part of your research, did you</p> <p>2 communicate with any California voters about his</p> <p>3 or her decision to vote for Proposition 50?</p> <p>4 A No.</p> <p>5 Q Did you communicate with -- actually,</p> <p>6 scratch that. Does your report draw any</p> <p>7 conclusions about why a California voter may have</p> <p>8 voted for Proposition 50?</p> <p>9 A No.</p> <p>10 Q So if called to testify at trial, you're</p> <p>11 not going to testify about any opinions regarding</p> <p>12 the motives of any voter to vote for Proposition</p> <p>13 50?</p> <p>14 A No, I'm not.</p> <p>15 Q And then, as you're aware, this lawsuit</p> <p>16 alleges that California impermissibly considered</p> <p>17 the race of voters when adopting preference</p> <p>18 Proposition 50. So once again, I want to make</p> <p>19 sure we're just on the same page about</p> <p>20 terminology. If I mention political power, can</p> <p>21 you agree that that's referring to the ability of</p> <p>22 a group to elect their preferred candidate?</p>	<p style="text-align: right;">Page 104</p> <p>1 Q Okay, thank you for clarifying that.</p> <p>2 So, when did you analyze -- scratch that. Did you</p> <p>3 analyze whether the California legislature</p> <p>4 intended for the Proposition 50 map to increase</p> <p>5 the political voting power of Latinos?</p> <p>6 A No. No.</p> <p>7 Q So, if called to testify at trial, you</p> <p>8 can't express an opinion on whether the map was</p> <p>9 intended to increase Latino voting power?</p> <p>10 A No, I can't do that.</p> <p>11 Q Likewise, you, if called to testify at</p> <p>12 trial, you could not express an opinion on whether</p> <p>13 the voters intended for the map to increase Latino</p> <p>14 voting power?</p> <p>15 A The voters? No.</p> <p>16 Q In voting for the map?</p> <p>17 A Right. No.</p> <p>18 Q Could you please flip to page 161 of</p> <p>19 your report?</p> <p>20 A It's in the appendices?</p> <p>21 Q Yes. Actually, before we even get to</p> <p>22 that or while you flip to it, you said that you</p>
<p style="text-align: right;">Page 103</p> <p>1 MR. FREEDMAN: Object to form.</p> <p>2 THE WITNESS: Can you rephrase that?</p> <p>3 And then how would you use it in the context of</p> <p>4 political power?</p> <p>5 BY MS. GIESEKE:</p> <p>6 Q So, if we're talking about the political</p> <p>7 power of Hispanic voters, increasing the political</p> <p>8 power of Hispanic voters, can you agree that you</p> <p>9 understand I mean that to mean Hispanic voters as</p> <p>10 a group, their ability to elect a candidate of</p> <p>11 choice?</p> <p>12 A If you define it that way, I can</p> <p>13 understand what you're saying.</p> <p>14 Q Can we also agree that for purposes of</p> <p>15 the deposition, we're using Hispanic and Latino</p> <p>16 interchangeably?</p> <p>17 A Yes.</p> <p>18 Q Do you consider Latinos a racial group?</p> <p>19 A The Census includes them as an</p> <p>20 ethnicity, but generally speaking, when you talk</p> <p>21 about racial gerrymandering, they include Latino</p> <p>22 population in that terminology.</p>	<p style="text-align: right;">Page 105</p> <p>1 primarily use Maptitude for this litigation,</p> <p>2 correct?</p> <p>3 A Correct.</p> <p>4 Q And that there's a subs -- there's data</p> <p>5 that isn't directly in that but is generally used</p> <p>6 with Maptitude. Is that my understanding? The</p> <p>7 data sets?</p> <p>8 A The data set, that caliper, the company</p> <p>9 will provide the PL 94171 Census data. And</p> <p>10 external to that would be the American Community</p> <p>11 Survey data that you would get from another</p> <p>12 source. I obtained it from the redistricting data</p> <p>13 hub.</p> <p>14 Q So, if you had used Dave's Redistricting</p> <p>15 instead, would that have had the same data source</p> <p>16 or the same data set or a different data set?</p> <p>17 A It would have the same data source, but</p> <p>18 they might have processed it differently. The</p> <p>19 Dave's Redistricting adds the mixed race, which,</p> <p>20 in this case, if it's Black or White, they add the</p> <p>21 mixed race in their racial numbers. Meaning Black</p> <p>22 and White, Black and Asian is added to the black</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

106..109

<p style="text-align: right;">Page 106</p> <p>1 population. So, when it -- it would possibly be 2 different than mine because I did not do that. 3 Q Is Dave's Redistricting a generally 4 accepted software for -- or application -- for 5 redistricting litigation? 6 MR. FREEDMAN: Object to form. 7 THE WITNESS: Dave's Redistricting is a 8 great package for communities and organizations to 9 develop redistricting plan. It is not generally 10 used. It is not generally used in litigation. 11 It's becoming a little more so, but it's not the 12 package that you turn to use in litigation. 13 Mapitude, as I said, used for redistricting, is 14 sort of the gold standard that people use in 15 litigation. 16 BY MS. GIESEKE: 17 Q Because these software's could result in 18 different numbers, would you agree that it's 19 possible for there to be a range of accurate 20 numbers or -- 21 MR. FREEDMAN: Object to form. 22 THE WITNESS: It is possible for there</p>	<p style="text-align: right;">Page 108</p> <p>1 A Oh, I'm there. 2 Q You're there. Okay. Can you tell us 3 what we're looking at here? 4 A This is the, I call it the AB 604 plan, 5 the 2025 plan, and this shows the CVAP for the 6 three major race ethnicity groups, Hispanic, 7 White, and Black. 8 Q And can you tell us again what that 9 percent CVAP HSP-23 refers to? 10 A That's the CVAP for the Hispanic or 11 Latino population using the 2023 5-year ACS. 12 Q So, when we discuss whether a district 13 is majority Hispanic, is that a number we would be 14 looking at? 15 A Correct. 16 Q Do you know how many majority Hispanic 17 districts there are in the -- in this map based on 18 that CVAP number? 19 A It should be 16. 20 Q Do you want to count or if you -- that's 21 my understanding that it's also 16. 22 A Yes.</p>
<p style="text-align: right;">Page 107</p> <p>1 to be different numbers. For race, as I just 2 mentioned, possible that there's different numbers 3 for even compactness depending upon because of the 4 way Dave's may calculate the compactness ratios. 5 So, you may see different numbers in the two plans 6 or two plans that you're comparing. 7 BY MS. GIESEKE: 8 Q Maybe a better way to say it would be 9 it's possible for people using different 10 applications to receive different outputs, and not 11 by the product of an error? 12 A It depends on the extent. So, it may be 13 an error. But it also may be the slight way in 14 the processes performed in Dave's Redistricting 15 versus the other package, like Mapitude. 16 Q Okay. Let's flip to page 161 now of 17 your report. 18 MR. MEUSER: Do you mean in the 19 appendix? 20 BY MS. GIESEKE: 21 Q Yes. Thank you. Let me know when 22 you're there.</p>	<p style="text-align: right;">Page 109</p> <p>1 Q And can you look at those numbers in 2 that CVAP HSP-23 column and tell me how many of 3 the ones that are over 50 percent are in a range 4 from 50, 50 to 55.01 percent? You can have a 5 minute to count. We're looking at a range from 6 about 50, 50 to 55. I think there's one that's 7 actually 55.01. 8 A I have 11. I may go back and check, 9 sometimes I may -- 10 Q And I know it goes on to the second page 11 also. 12 A Yeah. 12, I believe. 13 Q Okay. I'm counting 14. 14 A That between 50 and 55? 15 Q Yes, correct. 55.01, I think, is the 16 highest one I was including in that. 17 A Oh, I didn't include that. 18 Q Okay. 19 A Let me try it again. 14. 20 Q 14? 21 A 14, including a 55.01. 22 Q And the -- and out of those, I think</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

110..113

<p style="text-align: right;">Page 110</p> <p>1 that the lowest number closest to 50 is actually</p> <p>2 51.76 percent, is that what you also saw there,</p> <p>3 number 52?</p> <p>4 A 51.76 appears to be the closest one to</p> <p>5 50.</p> <p>6 Q Okay. And then out of all of those, the</p> <p>7 greatest was the 55.01, as we just discussed?</p> <p>8 A Correct.</p> <p>9 Q So, I think if my math is correct,</p> <p>10 that's about a 3.5 percent difference between</p> <p>11 51.76 and percent?</p> <p>12 A Roughly.</p> <p>13 Q Roughly. Three and a quarter?</p> <p>14 A Yeah.</p> <p>15 Q So, do you agree that 14 out of these 16</p> <p>16 majority Hispanic districts are within less than a</p> <p>17 3.5 percent range?</p> <p>18 MR. FREEDMAN: Object to form.</p> <p>19 THE WITNESS: From 51.7 to 55.01 would</p> <p>20 be about 3.25.</p> <p>21 BY MS. GIESEKE:</p> <p>22 Q So, 14 of the 16 majority Hispanic</p>	<p style="text-align: right;">Page 112</p> <p>1 these districts had Hispanic CVAP in specific</p> <p>2 ranges?</p> <p>3 MR. FREEDMAN: Object to form.</p> <p>4 THE WITNESS: You're saying – I think</p> <p>5 you're asking, is it coincidental that you have 51</p> <p>6 to in that narrow range? And I'm saying there is</p> <p>7 a possibility for that to occur, yes.</p> <p>8 BY MS. GIESEKE:</p> <p>9 Q In your experience, is it likely that</p> <p>10 it's a coincidence that 14 of the 16 districts</p> <p>11 have CVAPs within a roughly 3.25 percent range</p> <p>12 objective?</p> <p>13 MR. FREEDMAN: Object to form.</p> <p>14 THE WITNESS: I wouldn't say</p> <p>15 coincidence. I would say that there are many</p> <p>16 times that that's where the configuration falls.</p> <p>17 And so, it's not necessarily that it's some</p> <p>18 oddity. It's the configuration of the territory,</p> <p>19 wherever the – whatever the jurisdiction is.</p> <p>20 This particular case is in California. So, it's</p> <p>21 where the configuration of the territory falls.</p> <p>22 So, I wouldn't say that it's a coincidence. It</p>
<p style="text-align: right;">Page 111</p> <p>1 districts based on this set are in that close</p> <p>2 range?</p> <p>3 MR. FREEDMAN: Object to form.</p> <p>4 THE WITNESS: You're saying it's close,</p> <p>5 but –</p> <p>6 BY MS. GIESEKE:</p> <p>7 Q I'll say in that – in that three –</p> <p>8 A Yes.</p> <p>9 Q – roughly, 3.25 percent range.</p> <p>10 A Yes.</p> <p>11 Q Okay. In your opinion, would that be a</p> <p>12 coincidence –</p> <p>13 MR. FREEDMAN: Object to form.</p> <p>14 BY MS. GIESEKE:</p> <p>15 Q – for the 14 of those 16 range or 14 of</p> <p>16 16 districts to be in that small of a range?</p> <p>17 A No. No. When you say, would it be a</p> <p>18 coincidence or could it be – could the district</p> <p>19 be configured such? Yeah, the district could be</p> <p>20 configured such that it falls in that range.</p> <p>21 Yeah.</p> <p>22 Q It could have been configured so that</p>	<p style="text-align: right;">Page 113</p> <p>1 could be just how the configuration of the</p> <p>2 population spreads over the state.</p> <p>3 BY MS. GIESEKE:</p> <p>4 Q If in the previous map the spread was</p> <p>5 not so narrow within that 3.25 range, would your</p> <p>6 – would you be more likely to think that this was</p> <p>7 not a coincidence, that it is now in the new map?</p> <p>8 MR. FREEDMAN: Object to form.</p> <p>9 THE WITNESS: Well, it depends on what</p> <p>10 the modifications to the new map was. Meaning</p> <p>11 that if the new modifications was to increase</p> <p>12 Democratic performance, that may in turn spread</p> <p>13 that Latino population to a lower or lesser</p> <p>14 extent. So, there are implications or the</p> <p>15 modifications of the motives, rather of what they</p> <p>16 were trying to achieve may cause that to occur.</p> <p>17 MS. GIESEKE: No further questions. Do</p> <p>18 you have any?</p> <p>19 MR. FREEDMAN: No questions.</p> <p>20 MR. MEUSER: We don't have anything.</p> <p>21 Online? Anybody have questions online?</p> <p>22 MR. FREEDMAN: Yeah, the State and DCCC</p>

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

114..115

<p>Page 114</p> <p>1 is now on.</p> <p>2 MR. MEUSER: Okay. Anybody have</p> <p>3 questions?</p> <p>4 MR. WOODS: Nothing from the State.</p> <p>5 Thank you.</p> <p>6 MR. MEUSER: D triple C? Going once.</p> <p>7 Going twice. Okay. Let's go ahead and order</p> <p>8 transcripts on the record. I would like a rough</p> <p>9 same-day and expedited 24-hours.</p> <p>10 MS. GIESEKE: Same for the United</p> <p>11 States.</p> <p>12 MR. WOODS: Same for the State.</p> <p>13 MR. FREEDMAN: Okay. And we'll get the</p> <p>14 same for LULAC. And D triple S is now signed off,</p> <p>15 so.</p> <p>16 MR. MEUSER: Okay.</p> <p>17 (Whereupon, at 12:37 p.m., the</p> <p>18 deposition of TONY FAIRFAX was</p> <p>19 adjourned.)</p> <p>20 * * * * *</p> <p>21</p> <p>22</p>	
<p>Page 115</p> <p>1 CERTIFICATE OF NOTARY PUBLIC</p> <p>2 COMMONWEALTH OF VIRGINIA</p> <p>3 I, Mark Mahoney, notary public in and for</p> <p>4 the Commonwealth of Virginia, do hereby certify</p> <p>5 that the forgoing PROCEEDING was duly recorded and</p> <p>6 thereafter reduced to print under my direction;</p> <p>7 that the witnesses were sworn to tell the truth</p> <p>8 under penalty of perjury; that said transcript is a</p> <p>9 true record of the testimony given by witnesses;</p> <p>10 that I am neither counsel for, related to, nor</p> <p>11 employed by any of the parties to the action in</p> <p>12 which this proceeding was called; and, furthermore,</p> <p>13 that I am not a relative or employee of any</p> <p>14 attorney or counsel employed by the parties hereto,</p> <p>15 nor financially or otherwise interested in the</p> <p>16 outcome of this action.</p> <p>17 Dated: December 9, 2025.</p> <p>18</p> <p>19</p> <p>20</p> <p>Notary Public, in and for the Commonwealth of</p> <p>21 Virginia</p> <p>My Commission Expires: August 31, 2029</p> <p>22 Notary Public Number 122985</p>	

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

\$	43:18 46:12,18 48:18 87:21	43:6	2	2023 34:5,6,15 37:6 38:11 70:10 91:8 108:11
\$180 16:13	1,815 58:21 59:2,3,6, 14,17,18 60:13,16,17,22	14 84:16 109:13, 19,20,21 110:15,22 111:15 112:10	2 41:13 47:4 48:2 77:16	2024 79:5,13 80:7 81:19 96:3
\$200 16:14	1,816 59:20	143 54:10	20 16:5 36:7,11 44:3,4,9,19 45:1,11 52:4 55:4	2025 21:19 31:11 32:2 34:8 38:12 41:16 42:5 47:15 48:14 49:11 51:10,22 54:7, 20 55:13 56:2 57:14,19 61:11 63:8 64:13 65:21,22 66:4, 7,18,20 67:6,7, 10 68:10 70:8 71:18 72:5,7 73:19 77:3 78:6 81:11 82:9 83:6 84:15 90:13 91:7,16 92:4 93:2 94:6 95:2 108:5
0	10 33:17 37:8 44:11 45:5 57:6 60:19 62:1 88:21	15 16:5 78:16 84:21 86:22 87:1,2 88:11	20-point 44:16	
0.0 90:22	10-15-minute 88:20	16 59:19 78:13 108:19,21 110:15,22 111:15,16 112:10	200 17:2 21:10	
0.02 70:10	100 44:6 45:12 83:16	161 104:18 107:16	2012 9:2,4	
0.07 91:9	100,000 46:15	166 71:15	2016 9:4 39:7	
0.19 72:8	11 61:5,22 62:21 73:5 109:8	17 66:20	2020 31:12 37:13 38:11 79:3,15, 18 81:3,5,9	
0.21 70:11 72:6	111-1 9:9 10:9	17th 15:11	2021 31:10 32:2 38:12 41:15,19 42:2 48:15 49:12 51:11 52:20 54:5,17, 18 56:3 57:19 61:11,15 62:11 65:22 66:4,8, 15,21 67:10 70:7,9 71:13, 18 72:4,6,7 73:18 78:3 83:7 84:15 90:14 91:7,21 93:2	
0.23 70:9	12 6:20 42:10 72:12 109:12	18 37:18,19 39:7 40:22 41:2		20th 15:11
0.35 72:6	12:37 114:17	18-15 58:21		21 21:19
0.36 72:5	12th 29:13	180 16:18		2120 68:9
0.38 70:8	13 6:20 43:12,13, 15 61:16 62:5 70:4 73:6,10 81:4 82:21	1815 58:8,17,19		220 53:13,14
0.45 70:8	13-color	1990 7:18		24-hours 114:9
00759 21:16			2022 39:8 80:12	25 57:12
1				
1 10:10,12 37:21 40:21 41:12				

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

27 68:3	91:13	45:15	60.91 53:18,20 54:20 55:9	9
3 10:22 11:1,18, 21 18:11,15,19 41:13 45:16 46:14 48:5 80:19 92:2	40 17:17 44:4,5, 10 45:3,6,22 89:10	51 85:16 88:3 112:5	604 15:6,10 18:13 26:16,17,21 47:15 49:11 50:2,4 71:15 99:15 108:4	9 27:16 33:21 57:3
3.25 110:20 111:9 112:11 113:5	45 17:17	51.7 110:19	604/prop 19:12	91 71:13
3.5 110:10,17	48 65:22 66:2,17	51.76 110:2,4,11	7	94 22:21
30 8:11 29:20 44:12 45:8 72:12 88:11	48.72 77:15	52 34:19,20 37:22 38:2 41:11 110:3	70 85:8	94171 36:17 105:9
30-point 44:17 85:6	49.51 77:15	53.8 54:13	72 59:14,16 60:10 61:1	A
31 65:21 66:2,14	4A 18:22	53.88 54:7	78 85:16	A's 72:22 73:8 75:7
32 74:19,20 75:2	5 17:3 22:5 49:5	55 86:6 109:6,14	79 88:3	A-N-T-H-O-N-Y 4:12
33 76:3 77:13	5-year 108:11	55.01 109:4,7,15,21 110:7,19	8 22:5 33:18 55:20 58:18 64:1,2 65:2	AB 15:6,10 18:13 19:12 26:16, 17,21 47:15 49:11 50:2,4 71:15 99:15 108:4
34 92:3	50 12:15 19:12 21:5 31:11 34:21 41:8,22 42:4 44:5,10, 12 45:6,8,16, 17,19 46:1,2 48:21 62:6 67:1,16 77:3,9 78:6 81:4 82:2, 6,9,17 85:3,4, 8,12,21 86:8, 19 99:14 101:5,9 102:3, 8,13,18 104:4 109:3,4,6,14 110:1,5	55.8 35:20	80 44:5,6,12 45:9, 12 48:22 83:15,16 85:8, 12 86:8	ability 102:21 103:10
35 92:3	50s	55.9 35:18	84.1 59:16	Absolutely 12:19 17:9
39 89:9		56.74 81:6,12		acceptable 67:20
4 41:13 48:10 49:3 90:21		6 37:8 42:12,19 43:4 45:15 51:8 55:10		accepted 106:4
		6.3 54:22		access 36:19
		60 53:1 54:19 85:8 86:7		accidentally 7:9

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

accurate 106:19	52:14 69:10	allegation 62:15	ancillary 26:3	applications 107:10
achieve 113:16	adjourned 114:19	allegations 33:13	Angeles 17:20 68:7 98:22	appreciable 94:5
ACS 22:22 23:16 34:7 36:22 37:3 38:12 108:11	admonitions 6:22 7:1	alleged 32:14 90:19	answering 60:8	approval 15:18
Act 13:7,20 14:3, 11,15	adopted 71:14	alleges 102:16	Anthony 4:12	approved 15:15 32:15,20 90:14
ADC 30:7	adopting 102:17	alluding 90:8	app 26:2 53:21 54:14 55:1 74:3,12 79:9 84:1 91:11 92:7	Approximately 6:18
add 58:12 85:20 105:20	advance 15:1	American 22:22 34:1,2 37:16 91:8 105:10	apparently 37:22	Arcgis 25:22
added 44:14 62:5 93:1 105:22	age 37:14 42:2 57:12	analysis 16:3,7,8 18:3 19:6 20:17,21 22:3,7,9,19 25:18,19 26:10 27:3,5,6 29:20 33:4 34:19 35:8 37:5 46:6 64:3,9 70:17, 19 71:10 79:2 92:14 94:20 98:11	appearances 4:19	area 42:13 46:11 48:3,13 49:19 52:2 61:8,13 87:17
adding 86:14	agree 20:16 42:19 44:19,22 45:5 49:22 56:16 61:22 68:5 76:7,12 77:1 85:14 99:13 102:21 103:8, 14 106:18 110:15	analyzing 29:16 30:19 33:19 64:19,21 76:4 78:1	appearing 98:22	areas 25:4,7,9 28:22 31:20 32:1 42:22 43:1,5 46:2 47:11 51:12 57:17 61:15 62:5 69:10 72:17, 18,19 73:8 75:21 83:21 86:15 92:20,21 93:6 96:10,11
additional 33:2 52:15	agreements 99:12	analyze 15:1 19:8 20:13 28:9 92:15 93:11 98:5 101:4 104:2,3	appears 29:2 63:4 110:4	arguably 25:21
address 6:7,8	ahead 4:19 13:5 14:17 52:8 55:20 61:5 63:10 70:4 72:2 92:11 114:7	analyzed 27:17 28:17 29:7,22 30:22 67:12,13	appendices 51:1,5 53:2,4 71:8,10 78:20 104:20	Arnold 5:4
addressing 97:22	Alabama 30:6,7	analyzing 29:16 30:19 33:19 64:19,21 76:4 78:1	appendix 39:11 41:1,11 53:10,11,12 107:19	articulating 15:22
adds 105:19	Alcatraz 68:14		applicable 31:16	ascertain 25:2
adequate 98:12	align 93:3		application 106:4	
adhere 93:6 97:9				
adhered 64:15				
adjacent 47:11 49:9				

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

Asian 105:22	71:16	beginning 10:2	bluish 44:22	calculated 49:3
aspect 11:6 12:3 26:3 27:22 29:4 30:10	aware 15:5 102:15	beginnings 7:18	body 69:7	California 12:1,6,18 13:1, 7 14:3,7,14,15 20:6 21:17 38:18 39:20 58:22 59:7 60:17 63:15 71:6 72:21 100:1 102:2,7, 16 104:3 112:20
aspects 24:7	Awesome 8:12	behalf 4:20,22 5:3,5, 8,12,17,21	bottom 37:8 50:7,19	
assembly 21:17 35:19	B	Bethesda 25:12	boundaries 51:10,11,19 83:6,7 94:17	
assessment 76:16	B's 75:10	bit 18:12 51:3 64:9 81:1 86:3	boundary 51:22 52:2	
assignment 26:14	bachelor's 8:16	black 30:6 48:14 49:11 51:11 56:2,8,13,17 57:13 61:10 83:6 105:20, 21,22 108:7	break 57:16 88:15,20	caliper 105:8
assuming 78:21	back 17:12,16 23:8 45:11 46:10 51:5 55:3 59:5 68:2 71:7 89:1 109:8	bled 33:18	Brenell 11:15	call 9:20 10:6 30:18 38:17 87:17 101:16 108:4
assumptions 95:11	backdrop 48:15 49:10 51:12 55:22 61:8 83:4	blend 43:8	briefly 64:4 98:6	
attempting 33:9,12	background 7:7 8:13	block 38:17 83:7,8 85:20 86:15 87:4 90:8,10 92:22	bring 55:8	called 4:4 10:2 18:2,5 21:17 38:19 48:2 97:18 101:7 102:10 104:7,11
attempts 59:21	bar 23:6	blocks 56:18 72:22 74:4	broke 35:8 79:2,5	
attend 100:7	based 20:21 65:6 91:7,11 108:17 111:1	blow 51:3	broken 80:19	
attending 9:7	basically 9:8 40:5 78:19	blue 44:2,4,15,19 47:7 49:10 56:1,12 59:13, 14 60:11 61:1 84:3,19	burgeoning 26:5	calls 62:15
Attorney 5:16,20	Bates 21:16 53:9		business 7:15,17	Camp 56:22
Audio 21:18	bearing 22:3		butchered 68:20	campaign 101:2
August 12:12 15:10,11 21:19 56:8 87:13,17,21	began 7:20 29:19		button 39:17	candidate 102:22 103:10
Aulisi 5:2			C	Carolina 29:13
average			C's 75:13	cartoon 87:8
			calculate 67:9 107:4	case

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

16:17 22:12,13 26:10,14 29:14 30:5,7 31:10, 16 37:16 59:11 86:16 96:17 97:3 105:20 112:20 cases 22:14 28:21 30:4 33:4 Catalina 68:6,10 Caucus 30:7,8 caused 12:16 23:11 caveat 75:20 80:15 CD 54:2 72:21 CD13 42:22 43:1,3 52:13 57:19 64:11 70:7 71:2 81:17 90:9 94:18 CD13/ STATEWIDE 70:22 CD9 52:14,20 54:3, 14 55:5 94:18 CDP 25:12 57:1 65:21 66:11 CDPS 25:6 Census 23:16 25:5,7	31:12 32:6 36:18 37:14 38:11 47:9 49:8 55:22 56:4,10,18,19 58:3,8,14,21 59:2,6,7,14,17, 18 60:13,16, 17,22 65:16 66:7,12,14,18 67:5,9,13 72:22 74:4,9 88:8 103:19 105:9 central 30:19 changed 8:10 31:21 32:1 70:6 charged 17:1 charging 16:16 charts 23:6 check 17:16 51:1 109:8 choice 103:11 circumstances 24:8 cities 25:11 49:15 citizen 42:2 citizens 37:19	city 16:14 25:13 56:8,17,21 68:7 clarification 38:9 clarifying 104:1 classes 8:22 classify 20:20 clean 9:10 clear 17:8 32:12 54:1,9 click 39:17 client 9:7,8 Clint 5:17 close 7:17 96:4,5 111:1,4 closer 69:22 closest 110:1,4 Cobb 30:5 coded 48:16 codes 47:10 coding	49:7 COI 63:6 coincidence 111:12,18 112:10,15,22 113:7 coincidental 112:5 color 43:9 44:2 47:10,12 48:16 49:7,9,12 51:12 colored 60:10 colors 43:7,22 45:16, 17 47:5,6 48:11,17 56:1 57:7,22 85:2,3 column 41:20 77:17 78:18 109:2 columns 78:19 comfortable 6:22 7:2 comments 97:8 commission 12:22 31:11 52:20 78:4 commonalities 93:12 94:18 commonality 24:20 communicate	99:22 100:4 102:2,5 communities 24:5,12 25:1,2, 16 27:15 63:6 65:12,13 106:8 community 23:1 24:16 25:3,9,14 34:1, 3 37:16 65:19 66:3 67:12 91:8 105:10 comp 22:12 compact 70:8,11 72:11 compactness 24:4 27:14 69:12,14 71:5, 11,17 74:22 75:7,11,14,18 94:16 107:3,4 companies 7:10 company 105:8 comparable 62:10 compare 35:7,18 81:13 90:13 91:16,20 96:2 compared 32:14 35:11 56:12 92:4 94:6 comparing 73:18 107:6
--	---	--	--	--

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

comparison 84:15	27:3,5	22 14:5 15:2	93:22 94:1,3	4,15 69:15,16
compensation 16:20	computer 7:15,17 8:2 42:7	29:13 34:19,21 35:4 38:1 39:20 47:14 61:16 62:5,12 70:4 71:5,11 73:10	contiguous 68:6	70:2,13,15,19 73:11,21,22 74:22 75:8,9, 12,15,18,19 76:1 77:17,18 78:1,2,4,5,8, 10,11,13,14,17 79:3,4,6,7,9, 10,14 80:2,3,5, 6,10,11,13,14, 20 81:7,14,17, 18,21,22 82:3, 4,6,12,13 84:2, 4,7,18,20,22 85:1,4,5,9,11 87:5,17,22 88:5,9 89:11 91:9,10,14,18, 19,22 92:1,4,8, 9 93:18 95:17 99:17 100:2,3, 11 105:2,3 108:15 109:15 110:8,9
competitive 55:1 79:22 81:5 88:3	computers 7:22	congressman 63:19 93:17	continuity 68:1,17,20 69:4	corrections 17:10
compiled 39:3	concluding 63:1	congressmen 19:19 20:11	contract 8:1	correctly 33:7 49:20 66:1 74:6,10
complaints 11:8,10	conclusion 64:12,18,22 65:8,19 89:8, 12 94:21,22	connect 68:12,13	contracts 7:21	counsel 4:6 9:12 21:8, 13,21 53:15 99:5
complete 33:4 34:18	conclusions 21:1 23:13 89:10,14,20 90:5 92:6 102:7	connected 68:11	conversations 19:14,18 20:11	count 41:1 42:4 89:10 108:20 109:5
Completed 9:4	concur 42:15	connection 101:18	converting 16:14	counted 41:22
completely 10:3 12:13 74:2	conduct 92:13	consecutive 41:14	copy 9:6,10,13 48:5	counting
comply 93:22 94:1	configuration 19:9 23:11 29:18 52:3 62:18 63:8 64:14 90:16 92:16 112:16, 18,21 113:1	considered 63:12,16 93:16 102:16	cores 71:5	
comport 95:16	configurations 20:2,7	Constitution 13:1 14:7,10, 15	correct 10:18,22 20:2, 8,15,17 30:12 31:12,13,16 32:8 34:22 36:14 38:3,4 42:9 45:1,6,9, 12,13 46:4,5, 19 47:15,16, 18,19,21,22 48:4,6,7,9,19, 20 49:1,4 50:3, 5,7,14 54:15, 16,18 55:11,12 56:13,14,18,22 57:5 58:2 60:11,12,15 62:2,3,6,8 63:13,18,22 64:5,6,10,20 65:3,13 66:15, 16,19,22 67:2,	
composite 38:12,14,20 39:3,13,17 40:4,7 53:17, 20 54:14 79:9, 12 80:4,15,18 83:5,18,22 86:5 91:1,12 92:10	configured 111:19,20,22	consulting 7:13,20,21	correct 10:18,22 20:2, 8,15,17 30:12 31:12,13,16 32:8 34:22 36:14 38:3,4 42:9 45:1,6,9, 12,13 46:4,5, 19 47:15,16, 18,19,21,22 48:4,6,7,9,19, 20 49:1,4 50:3, 5,7,14 54:15, 16,18 55:11,12 56:13,14,18,22 57:5 58:2 60:11,12,15 62:2,3,6,8 63:13,18,22 64:5,6,10,20 65:3,13 66:15, 16,19,22 67:2,	
composition 92:8	configuring 51:19	contained 11:21 18:18 89:14	copy 9:6,10,13 48:5	
comprehensibl e 43:9	conform 74:9	contents 100:15	cores 71:5	
comprehensive 22:7,9,19 26:9	congressional 12:2,6,17 13:8,	context 25:15 42:21 103:3	correct 10:18,22 20:2, 8,15,17 30:12 31:12,13,16 32:8 34:22 36:14 38:3,4 42:9 45:1,6,9, 12,13 46:4,5, 19 47:15,16, 18,19,21,22 48:4,6,7,9,19, 20 49:1,4 50:3, 5,7,14 54:15, 16,18 55:11,12 56:13,14,18,22 57:5 58:2 60:11,12,15 62:2,3,6,8 63:13,18,22 64:5,6,10,20 65:3,13 66:15, 16,19,22 67:2,	
		contiguity 24:3 27:13 68:18 69:5	correct 10:18,22 20:2, 8,15,17 30:12 31:12,13,16 32:8 34:22 36:14 38:3,4 42:9 45:1,6,9, 12,13 46:4,5, 19 47:15,16, 18,19,21,22 48:4,6,7,9,19, 20 49:1,4 50:3, 5,7,14 54:15, 16,18 55:11,12 56:13,14,18,22 57:5 58:2 60:11,12,15 62:2,3,6,8 63:13,18,22 64:5,6,10,20 65:3,13 66:15, 16,19,22 67:2,	

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

42:6 109:13	36:3 37:18	65:10	Democrat	describe
County	38:2 41:6	DCCC	52:19 55:5	33:6
22:13	76:21 90:10	113:22	83:17,22 93:17	design
couple	108:5,9,10,18	de	Democratic	24:21
7:10 22:16	109:2 112:1	26:6	30:8 52:14	designated
court	CVAPS	dealt	83:5,9 86:14	25:5,9 65:17
10:10 88:15	112:11	15:10	90:20 91:4,12	66:12,14,18
create	cyan	debate	93:3 95:22	67:13
15:19 23:3,5,6	44:3 59:16	12:14	113:12	designing
36:20 59:21		Decennial	Democrats	76:5
97:2	D	37:14	52:12 76:15	desired
created	data	decided	demonstrate	24:10
25:7 40:5	11:4 18:14	51:17,22	77:2	determine
82:22 94:19	22:20,22 23:1,	decision	demonstration	27:18 29:8,17
creating	16,20 31:12	102:3	76:13 77:22	90:15
95:8	34:13,14,15	decreased	demonstration	develop
creation	35:20 36:14,	91:18,21	s	13:9,14 63:2
92:21	16,18,22 38:11	Defendant/	77:2	106:9
criteria	40:14 63:2,6,	intervenor	density	developed
12:1,2,6,17,20	12,17,21 74:1,	5:5,9,10,13	46:4,7,8,18	15:2 97:3
13:2,8,12	2 93:15 95:7,	Defendants	49:2 83:12	developing
19:10 23:9,10,	10 96:7,8	5:17,21 99:5	Department	12:3 14:4
12,19,21 24:2	105:4,7,8,9,11,	Defense	8:7	20:21 95:1
27:7,8,10,12	12,15,16,17	29:14,15	depending	development
28:1,14,15	database	define	107:3	13:13 93:13
29:5 64:3,16	11:20	23:21 103:12	depends	Dhillon
70:19 71:1	date	defined	16:12 107:12	4:20 5:2
92:14,16	15:12	24:15 25:8	113:9	differ
criteria's	Dave's	30:21	depicted	73:3,4
93:21	26:2,4 38:15	definition	43:18 60:18	difference
curiosity	53:21 54:13,22	24:12	deposition	27:4 85:15
44:8	74:3,12 79:8,	degree	6:15,21 10:11,	90:18 91:1
cut	12 80:15,17	8:16 57:13	12 98:14,15,18	110:10
56:17,21	83:4,9,22	degrees	103:15 114:18	differences
cuts	91:11 92:7	58:5	depositions	93:2
56:8	95:11,14	demarcation	6:18	differential
CVAP	105:14,19	47:8	Deputy	44:20
33:20,22 34:11	106:3,7 107:4,		5:16,20	
	14			
	day's			

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

differently 105:18	62:5 68:22 69:1,6,11 70:4 71:6,12 73:10, 16 81:4 85:15, 16 88:7 108:12 111:18,19	download 38:16 39:22	eco 96:9	101:9
difficult 65:1		DRA 38:12,14 39:3, 13,17 40:3,5,7, 8,13,16 90:22	economic 24:18	end 10:11
diminished 64:15			education 8:3,22 24:17	engagement 12:8
direction 8:10	districting 36:21	draw 13:22 23:13 76:6,14,20 102:6	educational 8:13 29:15	engineer 7:11
directly 105:5	districts 12:7,17 13:9, 15 14:1 15:2 20:14 29:2 34:19,21 35:4, 9,13,15 38:1,2 39:20 40:22 41:2 45:16	drawer 29:16	Edward 4:12	engineering 8:17
directs 29:4		drawing 19:15,20 20:13 36:4 101:19	EER 7:13	ensure 86:19
disaggregation 38:20		drawn 12:18	effective 43:8	entering 8:20
disclosed 16:21		drive 68:22	effort 12:13	entire 35:3 42:13 60:17,20 61:1 64:19,22 70:15,18 73:12,13 98:5
discount 17:12		drop 77:9 78:16	elect 102:22 103:10	
discuss 108:12	divide 59:9	due 66:6	election 38:21 79:3,6, 16,18,19 80:4 81:4,6,8,9,20, 21 82:1,15,16 96:3	equal 24:3 27:13 58:1,6,15 59:12,22 60:2 93:21 94:1,2
discussed 52:16 93:14 94:7,12 96:8 110:7	divided 59:11	duly 4:5	elections 38:13,14,21 39:3,8,9,13,18 40:4,8,10,13, 15 79:9,12,13, 16 80:1,18 92:10 96:1	equally 57:17
discusses 92:19	division 7:11,12 94:4	<hr/>	electrical 7:10 8:17	error 107:11,13
distinct 96:1	document 9:8,16 10:9 11:20 21:17, 20,21 73:7	E E-D-W-A-R-D 4:13	elements 30:19	errors 96:7
distinguish 32:16 45:14	documents 18:17 21:14,15	earlier 15:11 64:5 65:13 79:11 89:21 91:15 93:14	Empire 50:4,15	essence 52:2 57:14 90:9
district 12:2,3 14:5 19:9 20:1,7 29:13,17 32:7, 9,10 35:19 41:12,13 42:15,22 47:14 52:15 61:16	Domenic 5:2	east 87:10	enacting	essentially 36:19 58:2 69:9
	dominant 94:19	ECF 9:10		established 12:1 13:8
	dominate 92:21			

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

establishes 13:22	export 39:21	21	39:15 53:7	50:21 57:10
estimate 65:5	express 101:8,11,17 104:8,12	farther 12:10	findings 15:22	61:17 62:7,13 66:5 67:3,18 70:20 76:9,17 77:4,10 82:18 84:8 85:10,17 86:11 89:16 94:11 96:18 97:4 98:16 100:12 103:1 106:6,21 110:18 111:3, 13 112:3,13 113:8
ethnicity 103:20 108:6	extend 39:7	features 59:10 60:2 94:17	fine 6:9 88:21	
exact 48:17	extension 62:16 63:2	feel 6:22 7:2	firm 7:13	
exam 68:21 69:4	extent 107:12 113:14	Fernandez 5:7	five-year 34:5,6 37:17 38:11	
EXAMINATION 4:6 99:5	external 105:10	field 8:20	flat 87:11	
examined 4:5	eyes 59:19	figure 26:12 40:3,8,9 43:18 46:12,18 47:4 48:2,3,5, 10,18 49:3,5, 16 51:8,16 53:7 55:20 57:3,6 60:19 61:3,5,22 62:1, 21 71:17 72:12 82:21 83:13 84:16,21 86:22 87:1,2	flip 104:18,22 107:16	formula 40:6
excuse 16:6 47:9 52:10	F		Floor 21:17	formulas 48:18
exhibit 10:10,12 18:19 27:18 29:8 82:22	F-A-I-R-F-A-X 4:13		focus 52:18 65:11	forward 6:22
expedited 114:9	fact 29:11 65:21		focuses 62:14	found 17:3 28:19
experience 8:14 20:21 112:9	facto 26:7		focusing 65:20	foundation 99:12
expert 11:11,14 26:16 30:1	factor 32:13 64:14	figure's 87:9	follow 52:1	fourth 78:18 92:18,19
explain 23:10 28:2,3 38:13 43:21 49:5 55:21 57:8 90:6	factors 19:8,22 20:5, 12 33:2 63:5 94:15	figured 51:16	follow-up 95:3	Freedman 5:4,9 6:2 10:15 13:4 14:16 16:20 17:3,7, 11 20:18 22:10 23:22 28:11,20 31:2 32:18 33:11 35:1,10, 21 37:12 39:4 40:11 42:20 49:17 50:21 53:9,15 54:1,8, 11 57:10 58:17 61:17 62:7,13 66:5 67:3,18
explained 31:8	fair 56:7 76:16	figures 84:13 94:9	footnote 33:21	
explanations 52:15	Fairfax 4:3,8,12 6:6 9:18 10:17 21:16 99:8 114:18	file 73:13	form 13:4 14:16 20:18 22:10 23:22 28:11,20 31:1,2 32:18 33:5,11 35:1, 10,21 37:12 39:4 40:11 42:20 49:17	
	falls 111:20 112:16,	filed 9:10		
		Finally 33:3		
		find		

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

70:20 76:9,17 77:4,10 82:18 84:8 85:10,17 86:11 88:13, 18,21 89:16 94:11 96:18 97:4 98:16 100:12 103:1 106:6,21 110:18 111:3, 13 112:3,13 113:8,19,22 114:13	Geojson 73:13 geospatial 8:18 9:3 gerrymander 22:7,9,19 25:18 26:9,20 27:19,20 28:7, 10,18 29:9 30:20 gerrymandered 33:7 98:11 gerrymanderin g 26:18 27:6,9 30:2,10,13 31:6 32:3 103:21 Gieseke 4:22 99:7,9 100:16 103:5 106:16 107:7, 20 110:21 111:6,14 112:8 113:3,17 114:10 give 11:17 32:3 65:5 88:14 97:13 glance 100:14 glanced 35:14 glean 35:15 goal 22:6 gold	5:7,10 106:14 golf 24:9 good 46:1 85:21 88:16,18 92:10 Goodman 5:18 Gotcha 47:3 government 7:13 gray 56:12 great 88:17 106:8 greater 58:5 85:20,22 86:19 greatest 110:7 green 44:5,10,22 45:5 49:8 56:2 59:17 greenish 44:4,15 Greta 4:22 99:9 group 4:20 5:3 24:19 58:5 83:8 91:4 92:10 102:22 103:10,18 grouped 58:9 groups 23:7 31:5	38:17 83:8 85:20 86:15 90:9,11 93:1 95:8 108:6 gubernatorial 39:9 guess 7:22 9:18 33:3 36:15 guidance 14:4 guide 19:9 20:1,7 63:2 guided 93:13 guideline 13:18 guidelines 13:14	Harold 5:21 HCVAP 33:20 34:20 35:4,9,12 37:10,11,15 38:2 41:9 44:2 48:16 76:7 77:3,6,9 78:13, 16 82:12 90:8, 21 91:2,3,9,18, 21 92:22 HCVAPS 44:14 head 52:22 87:9 health 24:18 heard 10:4 hearing 10:17 100:8,11 heavily 42:13 high 43:15 45:20,21 57:12 58:4,5 86:17 higher 69:19,20 90:21 highest 59:4 83:21 109:16 highway 57:2 highways 67:7 hired
French 56:22 frequencies 41:17 full 4:10 27:16 Fund 29:14,15				
G			H	
gave 21:14 General 5:16,20 generally 27:2 103:20 105:5 106:3,9, 10 geographic 25:4 28:22 47:10 geographically 24:15 geography 74:10			hair 87:11 hallmark 27:20 hallmarks 27:18 28:7,9, 18 29:8 31:5 Hampton 7:12 happened 7:9 happy 9:19 hard 46:13 85:7	

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

8:8	24:19 46:1	included	8:18 9:3 24:11	involved
Hispanic	93:15	24:10 37:3	97:21	22:18,21
33:20,22 34:11	ideal	39:6 43:1 56:4	injunction	island
36:3 42:13,14	43:14	59:15 71:7	11:11	68:5,10,14
76:20,21	identical	79:15 97:5	input	islands
103:7,8,9,15	96:4	includes	19:15	68:16 69:8,9,10
108:6,10,13,16	identification	11:5 13:14	inputs	issue
110:16,22	10:13	14:4 19:7	19:19	74:1
112:1	identify	37:17,19 71:2	insert	issues
Hispanics	4:16 72:16	103:19	51:17	68:17
76:15	identifying	including	inside	item
hit	31:6	109:16,21	24:20	18:19
7:18	image	inclusion	integrate	
hoc	48:1 59:2,8	90:8,10	38:22	J
20:17	60:18 62:1,4,10 84:11	income	intend	Jacob
hour	imagery	24:17	18:4	5:18
16:13,15 88:11	86:9	incorrect	intended	Jefferson
hourly	images	55:6	104:4,9,13	22:12 30:5
16:10,11	48:3	increase	interchangeabl	jiving
hours	immediately	90:20 94:5	y	74:2
16:5,19 17:14,18,19	62:20	104:4,9,13	103:16	job
HSP-23	impermissibly	113:11	interest	8:1,5 46:22
108:9 109:2	102:16	increased	24:5,13,14,16	John
hub	implications	54:19,22 55:10	25:1,3,16	5:4
105:13	113:14	increases	27:15 63:6	JSON
hundred	import	91:8,12	65:12,13,20	74:8
17:4 88:7	36:20	increasing	66:4 67:13	jurisdiction
HVAP	important	91:4 103:7	interject	112:19
35:13 37:9,11,13,22 40:22	45:18 62:22	indication	9:14	justify
41:2,21 78:10	inaudible	32:2,4	interrupt	52:2
86:3	36:20 53:15	individual	36:12	
	include	39:12 73:15	Intervener's	K
I	23:2 37:7	97:20	11:10	keys
I-5	79:13 92:22	individuals	INTERVENOR	50:19
57:2	93:19 97:8	24:19	99:6	kind
idea	103:21 109:17	influence	interviewed	30:18 44:4
		95:1	8:8	
		information		

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

63:9 64:7 80:19 87:10 Kirn 5:20,21 Kovacs 5:18	leading 25:21 leaving 42:22 52:12 left 42:14	lifetime 6:19 light 56:12 lighter 56:5	28:6 34:20 37:5,22 38:1 39:6 40:17,19 49:16 51:21 61:10 63:14 80:7,12 95:14 96:6	main 75:1 major 24:2 67:7 108:6 majority 35:12 40:22 42:22 44:13 76:4 78:9 90:8, 10 92:22 108:13,16 110:16,22
<hr/> L	Legal 29:14	Likewise 104:11	Los 17:20 68:7 98:22	
lab 8:2,3	legally 32:15,20 90:14	limited 98:3,4	losing 86:9	
label 72:10	legend 58:13	lines 29:1 32:7,9 47:6,13,14,17 48:11,14,15 56:2,3,5 57:14	lot 34:13,15 49:14,18	make 4:19 11:2 16:8 17:8 32:11 47:1 57:18 69:13 71:1 97:1 99:20 102:18
labeled 53:9 70:22	legislation 13:21	list 18:19 39:12 40:14	low 58:4	
land 69:8	legislative 14:1 30:6 35:8 100:8	literally 41:12	lower 52:14 55:5,8,9, 16 57:18 69:17 76:7,21 77:3,5 82:11 113:13	maker 20:6
landed 7:22	legislator 101:5,9,12	litigation 12:9 22:11 26:6,7 29:10 30:12 105:1 106:5,10,12,15	lowercase 30:8	makes 25:15
landmark 51:12	legislators 13:21	live 25:3	lowest 110:1	making 7:8 27:8
latest 34:7 37:6	legislators' 100:19	living 88:7,8	LULAC 5:5,8,13,19 114:14	manually 42:6
Latino 33:19 35:13 43:1 76:4 90:19 91:2 103:15,21 104:9,13 108:11 113:13	legislature 13:21 15:6,10 19:15 20:6 52:13 55:4 63:1,15,16 93:16 100:1 104:3	locally 25:8	<hr/> M	manufacturing 7:12
Latinos 103:18 104:5	lesser 113:13	long 36:6 53:12 65:7 87:10	made 27:12 38:21 39:8 94:10 95:11 96:16 97:9	map 7:8 20:6 29:16 30:19 31:11 43:7,9 44:1 46:3 47:15 48:5 54:17 60:18 61:7 62:12,14 64:19,22 72:20 74:14 78:4,7 81:14,16 82:2,
Law 4:20 5:3	level 37:3,4 83:8	longer 88:13	Madera 43:5 47:20	
lawsuit 102:15	lie 24:20	looked 10:21 18:15,18		
lay 10:22 30:18 99:12	life 8:11			

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

5,6,8,9,17 84:3,6,11,14, 17,22 88:2 93:4 99:14,15 101:19 104:4, 8,13,16 108:17 113:4,7,10	match 61:1 matches 74:6 materials 101:2 math 54:21 81:1 110:9 matter 29:11 99:11 meaning 31:7 46:11 55:8 57:16 105:21 113:10 means 31:3 91:3 measure 32:21 media 100:20 member 100:1,4,5 mention 102:20 mentioned 27:12 30:5 32:14 40:12 71:22 74:17 75:20 92:9 107:2 mentioning 34:14 met 7:14 Meuser 4:7,14,20 5:14, 22 6:4,5 9:5,	15,19 10:1,5,8, 14,16 13:10 14:19 17:5,9, 13 21:3 28:16 29:6 31:9 32:22 33:16 35:6 36:1 37:20 39:10 40:20 43:2 49:21 51:2 53:11,19 54:4, 12 57:21 58:20 61:19,21 62:9, 19 66:10 67:8, 21 71:3 76:11, 22 77:7,12 82:20 84:10 85:13 86:1,20 88:10,14,19 89:1,4,7,19 94:13 96:21 97:11 98:19 99:4 107:18 113:20 114:2, 6,16 mid-decade 15:3 midway 52:6 mind 27:19 37:11 mine 106:2 minimize 24:21,22 minimizing 24:4 27:14 94:3 minute 96:22 109:5	minutes 88:11,12 missing 31:17,18 86:10,12 Mitchell 101:14,18 mixed 105:19,21 Mm-hmm 69:21 Modesto 48:13 49:22 50:12,17 modifications 113:10,11,15 moment 21:11 22:1,4 40:19 79:19 89:18 98:9 99:3 100:18 motion 11:10 motives 101:4,8,12,18 102:12 113:15 move 47:4 48:10 49:5 55:20 64:1 79:1 92:11 movement 31:4,7 32:5,7,8 movements 90:15 moving 6:22 32:9 multiple	38:21 municipal 94:16 <hr/> N NAACP 14:21 15:13 named 36:8 narrow 112:6 113:5 NC 8:19 necessarily 75:22 112:17 needed 49:9 non-biased 25:5 non- compactness 29:1,3 non-majority 92:22 noncontiguous 72:17,18,22 73:8 75:21 96:11 nonprofits 16:13 Norfolk 8:1,4 29:12 North 29:12 nose 86:21,22 87:10,17
---	--	--	--	--

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

note 62:22	62:7,13 66:5 67:3,18 70:20 76:9,17 77:4, 10 82:18 84:8 85:10,17 86:11 89:16 94:11 96:18 97:4 98:16 100:12 103:1 106:6,21 110:18 111:3, 13 112:3,13 113:8	5:14 9:7 10:9 113:21	P	17
notes 17:16		opinion 19:1,2 45:19 56:9 90:6,12 91:6 92:12,18, 19 93:8,20 94:9,14 97:1 101:8,11,17 104:8,12 111:11	P.L. 22:21 36:17	partisanship 19:7 63:5
notice 35:16			p.m. 114:17	partner 7:16
number 34:20 35:7,12 40:21 41:3 42:7 43:12,14 53:6 57:16 58:1,7,8,11,14 59:10 60:2,13 69:17,19,20 83:22 108:13, 18 110:1,3	objections 10:14	opinions 18:21 21:1 23:13 90:5 95:6 96:16 102:11	package 36:19 106:8,12 107:15	parts 57:17 58:6
numbers 34:11 36:3 41:17 70:6 78:19 95:16, 18,20,21 105:21 106:18, 20 107:1,2,5 109:1	objective 30:22 112:12	opportunity 96:15	pages 21:10 41:14 65:2 80:20	passage 18:13 21:5
numerically 33:6	observation 27:8 67:5	option 39:16	paper 9:6,13	passed 12:15 13:20 14:11 15:6
	observed 56:15 66:9	orange 49:12 51:11 56:3 61:11 83:7	paragraph 27:17 32:12 33:1,18 42:11 43:6 52:5 62:20 67:22 75:2	pattern 27:21,22
	obtain 22:20	orangish 48:14	paragraphs 30:17	patterns 27:9
	obtained 37:15 40:16 105:12	order 9:16 90:15 114:7	Pardon 5:11	Paul 101:14,18
	occasionally 25:22 58:11	organizations 106:8	parentheses 58:7,13	people 4:17,18 25:12 32:6 46:14,15 88:8 106:14 107:9
O	occur 112:7 113:16	outline 61:10	parks 51:13,14 52:1	percent 35:19 41:8,9, 22 42:4 44:3,4, 5,6,7,9,10,11, 12,19 45:1,6,8, 9,11,12 46:2 48:21,22 54:22 55:11 60:10 61:1 67:1,16 70:10 77:9 83:16 85:3,4,8, 12,16,21 86:6, 7,8,19 88:3 90:21,22 108:9 109:3,4 110:2, 10,11,17 111:9 112:11
oath 7:3 89:5	occurred 15:4,17	outputs 107:10	Parksdale 47:18	
Object 13:4 14:16 20:18 22:10 23:22 28:11,20 31:2 32:18 33:11 35:1,10, 21 37:12 39:4 40:11 42:20 49:17 50:21 57:10 61:17	odd 58:11	overwhelming 43:13	part 14:8,11 16:7 26:4 34:21 42:6 43:3 46:6 70:17 99:22 102:1	
	oddity 112:18		partisan 79:1 86:4 94:5,	
	official 35:8			
	online			

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

percentage 39:1 41:21 57:11,15 58:4 78:19 83:5,10 91:13	phrase 36:15	68:9,10 70:7, 10 71:14,15 72:5,7,21 73:2, 6,8,12,13,15, 17,18 74:5 75:4,7,10,13 78:3,6 81:10 84:15 90:14, 15,18 91:7,16, 21 92:4 93:3,5 95:2,21 99:16 106:9 108:4,5	points 91:13	potentially 51:20 55:14,15
percentage-wise 55:17	pick 43:11,12,14 73:2		political 8:7 24:4 27:14 94:3 102:20 103:4,6,7 104:5	poverty 24:18
percentages 33:19 35:14 41:18 42:3 57:8 76:21 90:19	picked 73:1,2		politicians 86:6	power 102:20 103:4, 7,8 104:5,9,14
perfect 8:5	picking 56:18		politics 26:13	practically 24:15
perform 22:6 82:16 94:2	PL 105:9	plan's 70:9	Polsby-popper 70:9 72:6	precincts 38:16,17 39:22 93:4
performance 38:22 52:14,20 55:5,18 79:2 90:20 91:5,13 94:5 95:22 113:12	place 66:12,14	planned 93:13	population 23:2,3,5,7 24:3 27:13 30:21 31:4,5,7,14,19, 20 32:16 33:5, 19 37:15 41:4, 5,16,19 42:2, 14 46:4,7,8,9, 18 49:2 58:1 93:21 94:1,2 96:10 103:22 106:1 108:11 113:2,13	predominance 90:11,17
performed 107:14	places 25:6 47:9 49:8 56:1 65:17 66:18 67:14	planning 89:22 90:2		predominant 29:4 64:14 94:22 95:1
performing 86:15	Plaintiff's 11:8	plans 14:5 20:22 27:17 28:17 29:7,16,22 36:21 38:12 41:18 68:17 71:19 73:19 74:21 77:17,19 78:9,12 93:22 94:2,6 107:5,6		predominantly 65:15
performs 81:16 82:2,6,8	Plaintiff/ intervenor 5:1,8 99:10		populations 32:9 37:18	predominates 27:22 28:14
person 88:6	Plaintiffs 4:6,21 5:3	play 29:2	Porter 5:5	preference 102:17
person's 87:8	plan 13:13 15:18 26:16,18,22 28:9,12,13 30:11,13 32:14,15,20 33:7 34:8 41:15,16 42:5 48:14,15 49:12,13 54:18,20 56:3 57:14,19,20 61:11 63:8 64:13 65:21 66:1,4,8,15,18, 21 67:6,7,10	playing 94:19	portion 98:7	preferred 6:10 102:22
persons 57:12		plume 62:15 86:22 87:9	possibility 112:7	preliminary 11:11
phonetic 68:18		point 55:13,15 71:9 97:22	possibly 106:1	prepackaged 36:17
		pointing 87:10	posts 100:20	prepare 98:14,17
				prepared 17:20
				preparing 10:21 16:2 17:15 18:8 34:3

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

presentation 15:22 16:2,3	38:18,20	provide 97:19 105:9	57:16 59:10,12	86:7 106:19
presented 63:3	processed 105:18	provided 30:9	quintiles 57:15,18 58:10 61:9	109:3,5 110:17 111:2,9,15,16, 20 112:6,11 113:5
presents 93:4	processes 107:14	publication 98:13,20	R	ranges 43:17,22 45:22 58:15 59:3,12, 22 60:3 112:2
presidential 39:8 79:3,5,13, 16,18 80:9 81:3,6,9,20 96:3	produced 34:16 72:20 77:22	published 13:18	race 19:7 27:22 28:14 29:2,4, 19 31:8 62:17 63:5 64:13 80:9,12 90:11, 16 92:17,20 94:19,22 102:17 105:19, 21 107:1 108:6	rate 16:10,11
press 100:22	producing 26:1	pulled 78:20	race-neutral 51:19,20	rationale 29:18 62:17 63:7
previous 113:4	product 107:11	purpose 14:22 15:8 33:15 37:7 98:10	race-predominant 29:20	ratios 107:4
previously 11:22 50:8,9, 12,15,17 61:9 99:8	production 21:13	purposes 79:20 103:14	races 39:2,12 41:11 80:1,7	reach 64:22 65:7
primarily 105:1	professional 9:17,22	put 12:22 23:13 33:14 38:7 40:5,6 97:15	racial 22:7,9,19 23:3 25:17 26:9,18, 20 27:5,9,19, 20 28:7,10,18 29:1,9 30:2,10, 12,20 31:6 32:3 55:17 91:4 103:18,21 105:21	reaching 65:19
primary 95:1	project 8:6,10 12:16 14:20,22 15:5	Q	racially 33:6 98:10	read 11:18 19:2 33:7 52:9 62:20 64:16 100:10
print 41:4	projects 29:11	quarter 110:13	ran 38:19 73:20	reading 38:10 66:1,13
printed 35:2,3,5 38:5 42:7	Prop 12:15 21:5 31:11 34:21 77:3 78:6 81:4 82:2,6,9,17 99:14	question 22:8 33:21 40:2 52:12 60:4,9 83:12	range 45:18 59:15,17	reads 9:21
prior 12:8,11 15:7, 17 18:13 36:7 98:14,21	proper 22:20	questions 4:15 7:7 95:3 113:17,19,21 114:3		Ready 89:1
pro 20:17 26:1	proposed 75:17 81:4	quick 11:19 19:1,3 52:19 57:6		real 11:18 19:1,2 52:19 57:6
problem 17:10 75:16	Proposition 62:6 99:14 101:5,9 102:3, 8,12,18 104:4	quickly 10:20		realize 10:4 25:13
process 7:8 11:5 15:3	prove 90:11	quintile		reasoning 94:8

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

recall 14:18 16:4 18:16 21:6,11, 21,22 30:15 40:17 49:20 65:1 77:11 79:17 89:18 97:6,17 99:2 100:13,15	48:21 49:10 56:1 59:4 83:15 86:16	releases 100:22	report's 98:4	respond 26:15 33:13
receive 107:10	redistricting 7:8 8:6,9,21 12:21 13:13 19:10 20:22 23:12,19,21 24:2 25:20,21 26:2,4 38:15 53:21 54:14,22 64:3,16 70:18 71:1 74:3,12 79:8,12 80:17 83:5,9 84:1 91:11 92:7,14 93:7 95:12,15 105:12,14,19 106:3,5,7,9,13 107:14	relied 47:2	reported 95:20	responding 46:20
received 21:13 34:13		rely 23:15 47:2	reporter 10:11	restate 60:4
recent 9:2 81:20 82:1, 14,15		remember 46:20	reporters 88:15	result 106:17
recently 32:15		remote 4:18	reports 23:9 38:8 41:4, 5,7,15,17,20 51:7 76:2 95:8	results 75:22
Recess 88:22	reds 83:21	removed 61:15 62:11	represent 4:21 15:9 21:12,19 48:14,15 56:2, 3 57:14 85:3,4 99:9	review 12:4 26:15,17 70:3 98:14,21 100:19,22
recession 7:19	refer 73:7 99:13,15	Reock 70:7 72:4	represented 37:21	reviewed 11:7,20,22 12:5 14:2 21:4
recite 39:5	referring 12:21 13:17 43:4,5 54:2,9, 10 55:12 73:17 75:1 87:7 90:7 102:21	repeat 44:18	represents 58:14	reviewing 34:10
recollection 16:22 77:14	refers 108:9	rephrase 61:19,20 98:20 103:2	reprint 57:3	Rights 13:7,20 14:3, 11,14
record 4:11,16 89:2 114:8	reflect 77:14	replication 96:6,7	research 8:10 15:13,20 16:7 18:3,7,12 89:22 97:14, 17,19 99:22 102:1	road 52:1
record's 17:8	reflects 83:9	report 9:6,11 10:18, 21 11:11,14 15:19,21 16:8, 21 17:15 18:8 21:2 23:14 26:16 33:10,14 34:4,10,13 35:3,12 37:3 42:1,12 43:16 46:10,21 51:17 55:4 64:8 65:7 72:1,3 76:19 89:9 91:17 93:5,19 95:16, 20 97:6,7,10 98:1,2,5,7 102:6 104:19 107:17	resolved 22:16	roads 68:21
Recording 21:18	refresh 16:22		respect 24:5,21 27:15	role 29:3 94:19
records 54:8	regular 27:5		respecting 25:15	room 4:17
red 44:6 45:12,21 46:14,15 47:7			respects 65:19	rough 114:8
				roughly 110:12,13 111:9 112:11
				run 23:8 71:4 76:1

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

running 8:3	87:16 89:8,15	shared 24:14	86:17	something's 85:7
<hr/>	sections 89:12	Shaw 29:13	silent 7:16	sort 8:10 26:3,5 29:19 38:22 59:12 106:14
S	seek 7:21 52:13 55:5	shift 42:10	similar 25:10 88:9	sorted 58:3
same-day 114:9	selected 72:19	shifted 23:6,8	similarly 72:11	sorting 58:15
Sanha 5:12	Senate 39:8 80:9	shifting 31:19	single 38:22 41:10 71:5,11	sounds 88:18
school 8:3 57:13 58:5	sense 25:15	shifts 23:2	Sinha 5:12	source 38:10 105:12, 15,17
science 8:7,16,18 9:3	sentence 33:3,17 37:9 52:9,18 55:3	show 23:7 28:14 46:4 57:9 62:17 76:14 78:9 84:13 94:4	sir 50:1	sources 34:17
score 55:1 70:1,7,9 71:17 72:4,6 74:22 75:8,11, 14,18 81:5 88:4 91:12 92:8	separate 37:2 80:16	showed 30:10,12 82:17	sixth 94:14	speaking 27:2 103:20
scores 69:14 86:5	September 12:12	shows 47:18,20 57:11,15,18 61:8 65:21 78:12 83:6 108:5	slight 50:20 107:13	specialized 8:21
scratch 102:6 104:2	series 40:4	sic 68:9	slightly 72:9 73:3,4 81:18 82:4,7, 10,19	specific 34:16 87:6 112:1
Sean 11:12 34:10 64:8 73:9 75:16 76:5,12 79:22 84:17 91:17 92:3 95:7	served 63:7	side 41:11,12	small 111:16	specifically 15:16 16:4 31:4 40:18 46:11
Sean's 95:16	Session 21:18	signed 114:14	social 100:20	specifics 28:8
section 10:22 11:1,18, 21 18:11,15, 21,22 22:5 37:8 46:14,15 64:1 65:2,11 67:22 70:14,22	set 21:15 22:21,22 23:1,20 105:8, 16 111:1	significance 37:10 51:15	socioeconomic 63:1,6,12,16, 21 93:12,15 94:17	spell 4:11
	sets 34:14 105:7	significant 85:15	Sofia 5:7	spend 16:1 17:14 64:21
	setting 8:2	significantly 45:20,21 85:22	software 11:4 25:18,22 26:5,7 106:4	spent 65:6
	shape 23:11		software's 106:17	
	share 96:16			

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

split 47:18,20 48:3 49:22 50:4,7,8, 9,10,12,13,15, 16,17,18 51:6 66:18 67:10 69:7	4:14,17 7:6,15 47:6 48:12 79:21	statutes 14:14	surmise 20:4,8	73:16 74:20,21 87:12,21 92:3 96:9 99:18 103:6
splits 24:5 27:15 65:22 66:3,14, 20 67:14,17 94:4	started 7:16,20 23:18	stayed 50:9,13	survey 23:1 34:1,3 37:16,17 91:8 105:11	talks 92:19
splitting 24:22 28:22 49:15 50:20	starting 19:6 21:16 71:13,15	stepped 64:7	swing 44:16,17 85:7	Tape 21:18
spoke 20:12 63:20	starts 42:11 52:5	Stockton 56:17 61:8,12 62:16 63:3	sworn 4:5	target 55:15,16,17,18
sporadically 93:1	state 4:10 5:17,21 8:1,5,19 13:22 15:16 19:15 22:6 27:17 29:12 35:3 36:18 40:15 58:3,15,22 59:6 60:17,20 61:1 64:19,22 70:15 74:13 95:10 113:2,22 114:4,12	stood 55:12	system 9:11 59:21 72:16	tat's 21:20
spot 8:9	statement 42:15,18 76:8 97:9	straightforward 52:10,11	Systems 7:14	Tech 8:17
spread 113:4,12	stated 76:18 99:9	strike 26:13 36:2 55:19 79:21	T	technical 11:5
spreads 113:2	states 5:1 42:12 99:10 114:11	subdivision 24:4 27:14	table 37:21 38:7 40:21 41:10 57:7 77:16 80:19 92:2	technology 8:19 9:4
staff 100:5	statewide 39:20 40:22 64:2 70:18 71:2	submitted 73:13	tables 23:5 94:8	Teledyne 7:11
stamped 21:16	statistical 25:7	subs 105:4	talents 7:22	tend 88:14
stand 66:11	statistics 33:5 46:9	subtle 94:3	talk 37:9 40:21 97:21 98:7 103:20	terminology 102:20 103:22
standard 106:14		suggest 64:13	talked 18:11 32:17 61:10 63:11, 15,19 64:4 65:12 92:5	territory 112:18,21
standards 93:7		sum 71:16	talking 23:18 26:21 32:5,7 46:12 68:1 70:15	testified 4:5 91:15
stands 98:2		summary 18:21 19:1 41:4,5,19		testify 17:21 18:5 101:7,16 102:10,11 104:7,11
start		support 94:21		testimony 90:1 97:13 98:22
		suppose 15:12		tests 70:5
		supposed 20:13		

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

thematic 23:4 33:5 43:7, 9 95:19	total 23:2 35:11 41:5	11:12 33:14 42:11,19 43:3, 7 46:20 49:4 51:21 52:16 63:4 72:21 73:10 76:5,13 77:20,22 78:15 79:22 90:7,13	45:3 type 51:12 typical 6:21 16:10,12	USA 99:6 utilize 36:18
theoretically 37:18	totals 71:16			
thing 30:20 32:19 42:1,5 59:18 84:16,21 99:18	town 25:14		U	V
things 20:4	towns 25:11	Trende's 19:6 21:2 26:16 34:10 42:18 48:5 52:12 57:4 62:15 64:8 74:21 75:17 77:2 81:13 82:16 84:17 88:9 91:17 92:4 94:20 98:1,4	ultimate 64:12 unassigned 75:21 96:10 unclear 34:12 understand 7:4 23:15 46:22 47:1 60:1,7,10 69:13 74:11 76:5 77:21 79:21 86:2 89:4 103:9,13 understanding 73:9 105:6 108:21 unique 24:8 United 5:1 99:10 114:10 University 8:1 29:12 upload 37:1 upper 75:1 uppercase 30:9	VAP 41:6,20 76:20 varies 28:12 variety 28:5 version 34:7 36:9 37:6 61:12,14 versus 67:10 85:8,16 107:15 view 83:12 97:22 Virginia 8:17 visualization 23:4 visually 23:7 30:9 vote 102:3,12 voted 101:5 102:8 voter 102:7,12 voters 24:20 102:2,17 103:7,8,9 104:13,15 voting
thousand 20:22 88:8	track 37:3,4 87:4			
time 6:14 15:6,7,14 16:1 29:16 64:21 65:6,10 88:15 99:11	tract 56:10 88:8			
times 6:20 29:7,10, 22 30:14 112:16	tracts 56:4,19 58:2,3, 9,14,21 59:2,6, 7,15,17,18 60:14,16,18,22 66:7 67:5,9	trial 90:1 98:22 101:7,17 102:10 104:7, 12 triple 114:6,14 trust 75:22 Turlock 50:6 turn 27:16 39:14 82:21 106:12 113:12 turned 29:15 Turning 33:17 Twenty		
tired 83:11	traditional 19:10 23:9,12, 19,21 24:2 64:3,15 70:18, 22 92:14 93:6			
today 5:15 6:7,13 8:15 16:8 64:5 91:16 96:8,16 99:12	training 7:15,17			
told 79:11	transcript 21:7,9 22:3 100:11			
Tom 11:14	transcripts 21:4,18 114:8			
Tony 4:3 6:9,11,12 9:8,18 10:6 114:18	transfer 74:5			
top 52:22 87:9,11	transmit 74:5 travel 69:5 Trende			

DAVID TANGIPA et al. vs GAVIN NEWSOM
Tony Fairfax on 12/09/2025

13:7,20 14:3, 11,14 37:14 42:2 83:16 104:5,9,14,16	65:10 wrong 95:7	
W	Y	
wanted 7:14 10:2 32:11 71:1	year 6:16 22:16 34:2	
water 69:7,9,10	years 8:11 22:17 29:20 36:7,11 39:2	
ways 28:5	yellow 44:5,11,17 45:8 48:21 85:6 86:18 87:16,22 88:1	
website 39:6,14 40:13, 14,17,19 79:17	yesterday 21:13	
week 17:21 18:4 97:12 99:1	Z	
White 105:20,22 108:7	zoomed 72:19	
Woods 5:16,17 114:4, 12	zoomed-down 61:7	
word 13:2 52:5 68:20 87:20	zoomed-in 61:12,14 62:1, 4,10	
work 48:8		
worked 7:9,13 30:6,7		
working 10:9 12:15		
worse 59:20 69:18 94:2		
worth		