

# Exhibit 1

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH VIDEOTAPED DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Alexander Ramon  
Florida House of Representatives  
1402 The Capitol  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1703G**, on **February 9, 2023, at 9:00 a.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter and videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

***If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.***

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Alexander Ramon**, in your capacity as a **former state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
- E. “Communication” means any oral, written or electronic transmission of information, including but not limited to meetings, discussions, conversations, telephone calls, telegrams, text messages and group chats (to include WhatsApp, Telegram, Facebook Messenger, Google

Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
- H. “Proposed Plans” means any proposed redistricting legislation from the 2022 Legislative Session, as well as any drafts or precursors of those plans or subsequent amendments thereof, including, but not limited to, Plan P000C079, Plan P000C0094, Plan H000C8019, and Plan H000C8015.
- I. “Plan P000C0079” means the congressional district plan submitted to the Legislature on January 16, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

### **INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.



- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

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**Florida House of Representatives**  
**1402 The Capitol**  
**402 South Monroe Street**  
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Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

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mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
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- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
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**CERTIFICATE OF SERVICE**

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Mohammad O. Jazil (FBN 72556)  
FOR THE COURT



**Subpoena issued by:**

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mjazil@holtzmanvogel.com  
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*Counsel for Florida Secretary of State and Executive  
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- B. “You” means **Daryl Campbell**, in your capacity as a **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
- E. “Communication” means any oral, written or electronic transmission of information, including but not limited to meetings, discussions, conversations, telephone calls, telegrams, text messages and group chats (to include WhatsApp, Telegram, Facebook Messenger, Google

Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
- H. “Proposed Plans” means any proposed redistricting legislation from the 2022 Legislative Session, as well as any drafts or precursors of those plans or subsequent amendments thereof, including, but not limited to, Plan P000C079, Plan P000C0094, Plan H000C8019, and Plan H000C8015.
- I. “Plan P000C0079” means the congressional district plan submitted to the Legislature on January 16, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

**INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.



**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH VIDEOTAPED DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Representative Dan Daley  
Florida House of Representatives  
1401 The Capitol  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1603A**, on **February 10, 2023, at 9:00 a.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter and videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Dan Daley**, in your capacity as a **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
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Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

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- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

**INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.



- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
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files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH VIDEOTAPED DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Tracie Davis  
Florida House of Representatives  
1401 The Capitol  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1603A**, on **February 10, 2023, at 1:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter and videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*

**SCHEDULE A**

**DEFINITIONS**

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- B. “You” means **Tracie Davis**, in your capacity as a former **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include



any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

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- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

**INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil



**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH VIDEOTAPED DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Ben Diamond**  
**Florida House of Representatives**  
**1401 The Capitol**  
**402 South Monroe Street**  
**Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1603A**, on **February 10, 2023, at 4:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter and videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Ben Diamond**, in your capacity as a former **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
- E. “Communication” means any oral, written or electronic transmission of information, including but not limited to meetings, discussions, conversations, telephone calls, telegrams, text messages and group chats (to include WhatsApp, Telegram, Facebook Messenger, Google

Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
- H. “Proposed Plans” means any proposed redistricting legislation from the 2022 Legislative Session, as well as any drafts or precursors of those plans or subsequent amendments thereof, including, but not limited to, Plan P000C079, Plan P000C0094, Plan H000C8019, and Plan H000C8015.
- I. “Plan P000C0079” means the congressional district plan submitted to the Legislature on January 16, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
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- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

**INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
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  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
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    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load



files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH VIDEOTAPED DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Representative Fentrice Driskell  
Florida House of Representatives  
316 The Capitol  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1604A**, on **February 10, 2023, at 9:00 a.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter and videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

***If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.***

**SCHEDULE A**

**DEFINITIONS**

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- B. “You” means **Fentrice Driskell**, in your capacity as a **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
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Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
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- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.



**INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
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  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Nicholas Duran**  
**Florida House of Representatives**  
**402 South Monroe Street**  
**Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1604A**, on **February 10, 2023, at 1:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter or videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*



**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Nicolas Duran**, in your capacity as a former **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
- E. “Communication” means any oral, written or electronic transmission of information, including but not limited to meetings, discussions, conversations, telephone calls, telegrams, text messages and group chats (to include WhatsApp, Telegram, Facebook Messenger, Google

Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
- H. “Proposed Plans” means any proposed redistricting legislation from the 2022 Legislative Session, as well as any drafts or precursors of those plans or subsequent amendments thereof, including, but not limited to, Plan P000C079, Plan P000C0094, Plan H000C8019, and Plan H000C8015.
- I. “Plan P000C0079” means the congressional district plan submitted to the Legislature on January 16, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

**INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.



**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Representative Anna Eskamani  
Florida House of Representatives  
406 House Office Building  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1604A**, on **February 10, 2023, at 4:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter or videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Anna Eskamani**, in your capacity as a **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

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Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
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**INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
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- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.



- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
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files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Joseph Geller  
Florida House of Representatives  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 11703G**, on **February 10, 2023, at 9:00 a.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter or videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Joseph Geller**, in your capacity as a former **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
- E. “Communication” means any oral, written or electronic transmission of information, including but not limited to meetings, discussions, conversations, telephone calls, telegrams, text messages and group chats (to include WhatsApp, Telegram, Facebook Messenger, Google



Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
- H. “Proposed Plans” means any proposed redistricting legislation from the 2022 Legislative Session, as well as any drafts or precursors of those plans or subsequent amendments thereof, including, but not limited to, Plan P000C079, Plan P000C0094, Plan H000C8019, and Plan H000C8015.
- I. “Plan P000C0079” means the congressional district plan submitted to the Legislature on January 16, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

**INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Representative Michael Gottlieb  
Florida House of Representatives  
407 House Office Building  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1703G**, on **February 10, 2023, at 1:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter or videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT



**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
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*Counsel for Florida Secretary of State and Executive  
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  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
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- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
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    - i. the manner of destruction or discarding;
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- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
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files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

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- N. Produce any password-protected documents or communications with any applicable passwords.



**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Representative Yvonne Hayes Hinson  
Florida House of Representatives  
1302 The Capitol  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1703G**, on **February 10, 2023, at 4:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter or videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
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HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

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**SCHEDULE A**

**DEFINITIONS**

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- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
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Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
- H. “Proposed Plans” means any proposed redistricting legislation from the 2022 Legislative Session, as well as any drafts or precursors of those plans or subsequent amendments thereof, including, but not limited to, Plan P000C079, Plan P000C0094, Plan H000C8019, and Plan H000C8015.
- I. “Plan P000C0079” means the congressional district plan submitted to the Legislature on January 16, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

### **INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.



- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Representative Christine Hunschofsky  
Florida House of Representatives  
329 The Capitol  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1603A**, on **February 13, 2023, at 9:00 a.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter or videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Christine Hunschosfsky**, in your capacity as a **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include



any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
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Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

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- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
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- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

### **INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
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  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
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files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil



**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Evan Jenne  
Florida House of Representatives  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1603A**, on **February 13, 2023, at 1:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter or videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*

**SCHEDULE A**

**DEFINITIONS**

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- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Evan Jenne**, in your capacity as a former **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

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- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
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### **INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
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- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
  - a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load



files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Representative Dotie Joseph  
Florida House of Representatives  
407 House Office Building  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1603A**, on **February 13, 2023, at 4:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter or videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Dotie Joseph**, in your capacity as a **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
- E. “Communication” means any oral, written or electronic transmission of information, including but not limited to meetings, discussions, conversations, telephone calls, telegrams, text messages and group chats (to include WhatsApp, Telegram, Facebook Messenger, Google

Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
- H. “Proposed Plans” means any proposed redistricting legislation from the 2022 Legislative Session, as well as any drafts or precursors of those plans or subsequent amendments thereof, including, but not limited to, Plan P000C079, Plan P000C0094, Plan H000C8019, and Plan H000C8015.
- I. “Plan P000C0079” means the congressional district plan submitted to the Legislature on January 16, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.



### **INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
  - a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Andrew Learned  
Florida House of Representatives  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1604A**, on **February 13, 2023, at 9:00 a.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter or videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*



**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Andrew Learned**, in your capacity as a former **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
- E. “Communication” means any oral, written or electronic transmission of information, including but not limited to meetings, discussions, conversations, telephone calls, telegrams, text messages and group chats (to include WhatsApp, Telegram, Facebook Messenger, Google

Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
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- I. “Plan P000C0079” means the congressional district plan submitted to the Legislature on January 16, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
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- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

**INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.



**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Daisy Morales**  
**Florida House of Representatives**  
**402 South Monroe Street**  
**Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1604A**, on **February 13, 2023, at 1:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter or videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

***If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.***

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Daisy Morales**, in your capacity as a former **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
- E. “Communication” means any oral, written or electronic transmission of information, including but not limited to meetings, discussions, conversations, telephone calls, telegrams, text messages and group chats (to include WhatsApp, Telegram, Facebook Messenger, Google

Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
- H. “Proposed Plans” means any proposed redistricting legislation from the 2022 Legislative Session, as well as any drafts or precursors of those plans or subsequent amendments thereof, including, but not limited to, Plan P000C079, Plan P000C0094, Plan H000C8019, and Plan H000C8015.
- I. “Plan P000C0079” means the congressional district plan submitted to the Legislature on January 16, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

### **INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.



- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Representative Angela Nixon  
Florida House of Representatives  
1401 The Capitol  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1604A**, on **February 13, 2023, at 4:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter or videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

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**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Angela Nixon**, in your capacity as a **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

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  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
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- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
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**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Anika Omphroy  
Florida House of Representatives  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1703G, on February 13, 2023, at 9:00 a.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

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Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT



**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

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**SCHEDULE A**

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- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Anika Omphroy**, in your capacity as a former **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
- E. “Communication” means any oral, written or electronic transmission of information, including but not limited to meetings, discussions, conversations, telephone calls, telegrams, text messages and group chats (to include WhatsApp, Telegram, Facebook Messenger, Google

Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
- H. “Proposed Plans” means any proposed redistricting legislation from the 2022 Legislative Session, as well as any drafts or precursors of those plans or subsequent amendments thereof, including, but not limited to, Plan P000C079, Plan P000C0094, Plan H000C8019, and Plan H000C8015.
- I. “Plan P000C0079” means the congressional district plan submitted to the Legislature on January 16, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

### **INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
  - a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.



**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Representative Felicia Simone Robinson  
Florida House of Representatives  
1003 The Capitol  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1703G**, on **February 13, 2023, at 1:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter or videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Felicia Simone Robinson**, in your capacity as a **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

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Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

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- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

### **INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.



- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
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- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Carlos Guillermo Smith  
Florida House of Representatives  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1703G**, on **February 13, 2023, at 4:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter or videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*

**SCHEDULE A**

**DEFINITIONS**

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- B. “You” means **Carlos Guillermo Smith**, in your capacity as a former **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include



any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

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- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

### **INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil



**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Senator Geraldine F. Thompson  
Florida Senate  
213 Senate Building  
404 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1703G**, on **February 15, 2023, at 9:00 a.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter or videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

***If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.***

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Geraldine F. Thompson**, in your former capacity as a **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
- E. “Communication” means any oral, written or electronic transmission of information, including but not limited to meetings, discussions, conversations, telephone calls, telegrams, text messages and group chats (to include WhatsApp, Telegram, Facebook Messenger, Google

Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
- H. “Proposed Plans” means any proposed redistricting legislation from the 2022 Legislative Session, as well as any drafts or precursors of those plans or subsequent amendments thereof, including, but not limited to, Plan P000C079, Plan P000C0094, Plan H000C8019, and Plan H000C8015.
- I. “Plan P000C0079” means the congressional district plan submitted to the Legislature on January 16, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
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- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

### **INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
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  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
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files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Representative Susan L. Valdés  
Florida House of Representatives  
1003 The Capitol  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1703G**, on **February 15, 2023, at 1:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter or videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

***If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.***

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Susan L. Valdés**, in your capacity as a **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
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Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
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- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.



### **INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Representative Patricia H. Williams  
Florida House of Representatives  
407 House Office Building  
402 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1703G**, on **February 15, 2023, at 4:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter or videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*



**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Patricia Williams**, in your capacity as a **state representative** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
- E. “Communication” means any oral, written or electronic transmission of information, including but not limited to meetings, discussions, conversations, telephone calls, telegrams, text messages and group chats (to include WhatsApp, Telegram, Facebook Messenger, Google

Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
- H. “Proposed Plans” means any proposed redistricting legislation from the 2022 Legislative Session, as well as any drafts or precursors of those plans or subsequent amendments thereof, including, but not limited to, Plan P000C079, Plan P000C0094, Plan H000C8019, and Plan H000C8015.
- I. “Plan P000C0079” means the congressional district plan submitted to the Legislature on January 16, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

### **INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
  - a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.



**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH VIDEOTAPED DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Lorraine Ausley  
Florida Senate  
202 Senate Building  
404 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1603A**, on **February 15, 2023, at 1:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter and videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 17, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Lorrane Ausley**, in your former capacity as a **state senator** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

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Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
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- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
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- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

### **INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.



- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
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files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 17, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH VIDEOTAPED DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Senator Lori Berman  
Florida Senate  
218 Senate Building  
404 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1603A**, on **February 8, 2023, at 1:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter and videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Lori Berman**, in your capacity as a **state senator** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
- E. “Communication” means any oral, written or electronic transmission of information, including but not limited to meetings, discussions, conversations, telephone calls, telegrams, text messages and group chats (to include WhatsApp, Telegram, Facebook Messenger, Google



Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
- H. “Proposed Plans” means any proposed redistricting legislation from the 2022 Legislative Session, as well as any drafts or precursors of those plans or subsequent amendments thereof, including, but not limited to, Plan P000C079, Plan P000C0094, Plan H000C8019, and Plan H000C8015.
- I. “Plan P000C0079” means the congressional district plan submitted to the Legislature on January 16, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

**INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH VIDEOTAPED DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Gary Farmer  
Florida Senate  
224 Senate Building  
404 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1604A**, on **February 8, 2023, at 4:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter and videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT



**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
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HOLTZMAN VOGEL BARAN  
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*Counsel for Florida Secretary of State and Executive  
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**SCHEDULE A**

**DEFINITIONS**

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  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
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- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.



**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH VIDEOTAPED DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Senator Audrey Gibson  
Florida Senate  
410 Senate Building  
404 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear via zoom, with the zoom link provided through separate correspondence, on **February 8, 2023, at 9:00 a.m.** for the taking of your deposition in this action and to have with you, and to provide to counsel, at that time and place the following:

**SEE ATTACHED SCHEDULE A.**

A conference room will be available for all parties wishing to physically attend the deposition at the Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1703G.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter and videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 20, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

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**SCHEDULE A**

**DEFINITIONS**

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- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
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Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
- H. “Proposed Plans” means any proposed redistricting legislation from the 2022 Legislative Session, as well as any drafts or precursors of those plans or subsequent amendments thereof, including, but not limited to, Plan P000C079, Plan P000C0094, Plan H000C8019, and Plan H000C8015.
- I. “Plan P000C0079” means the congressional district plan submitted to the Legislature on January 16, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

**INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.



- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 20, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH VIDEOTAPED DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Senator Shervin Jones  
Florida Senate  
214 Senate Building  
404 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1703G**, on **February 8, 2023, at 1:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter and videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Shervin Jones**, in your capacity as a **state senator** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include



any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
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Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
- H. “Proposed Plans” means any proposed redistricting legislation from the 2022 Legislative Session, as well as any drafts or precursors of those plans or subsequent amendments thereof, including, but not limited to, Plan P000C079, Plan P000C0094, Plan H000C8019, and Plan H000C8015.
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- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

### **INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil



**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH VIDEOTAPED DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Senator Jason W.B. Pizzo  
Florida Senate  
405 Senate Building  
404 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1603A**, on **February 9, 2023, at 9:00 a.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter and videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Jason Pizzo**, in your capacity as a **state senator** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
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- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

### **INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
  - a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load



files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH VIDEOTAPED DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Senator Tina S. Polsky  
Florida Senate  
220 Senate Building  
404 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1603A**, on **February 9, 2023, at 1:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter and videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Tina Polsky**, in your capacity as a **state senator** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
- E. “Communication” means any oral, written or electronic transmission of information, including but not limited to meetings, discussions, conversations, telephone calls, telegrams, text messages and group chats (to include WhatsApp, Telegram, Facebook Messenger, Google

Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
- H. “Proposed Plans” means any proposed redistricting legislation from the 2022 Legislative Session, as well as any drafts or precursors of those plans or subsequent amendments thereof, including, but not limited to, Plan P000C079, Plan P000C0094, Plan H000C8019, and Plan H000C8015.
- I. “Plan P000C0079” means the congressional district plan submitted to the Legislature on January 16, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.



**INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH VIDEOTAPED DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Senator Linda Stewart  
Florida Senate  
205 Senate Building  
404 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1604A**, on **February 9, 2023, at 1:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter and videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*



**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Linda Stewart**, in your capacity as a **state senator** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

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Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
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**INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
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  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.

- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
  - a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
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files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.



**CERTIFICATE OF SERVICE**

I certify that the a true and correct copy of the foregoing was served on all parties of record through the Florida Courts E-Filing Portal on January 12, 2022.

/s/ Mohammad O. Jazil  
Mohammad O. Jazil

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

BLACK VOTERS MATTER CAPACITY  
BUILDING INSTITUTE, INC., et al.,

*Plaintiffs,*

v.

Case No. 2022 CA 000666

CORD BYRD, in his official capacity as  
Florida Secretary of State, et al.,

*Defendants.*

\_\_\_\_\_ /

**SUBPOENA DUCES TECUM WITH VIDEOTAPED DEPOSITION**

**THE STATE OF FLORIDA:**

**TO: Senator Victor M. Torres, Jr.  
Florida Senate  
214 Senate Building  
404 South Monroe Street  
Tallahassee, Florida 32399**

**YOU ARE COMMANDED** to appear at The Florida Capitol, 400 South Monroe Street, Tallahassee, Florida, 32309, **Room 1604A**, on **February 9, 2023, at 4:00 p.m.** for the taking of your deposition in this action and to have with you at that time and please the following:

**SEE ATTACHED SCHEDULE A.**

Your testimony will be transcribed by a stenographer and videotaped by a licensed court reporter and videographer. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by this attorney or the court, you shall respond to the subpoena as directed.

Dated: January 12, 2023

/s/ Mohammad O. Jazil  
Mohammad O. Jazil (FBN 72556)  
FOR THE COURT

**Subpoena issued by:**

Mohammad O. Jazil (FBN 72556)  
mjazil@holtzmanvogel.com  
Gary V. Perko (FBN 855898)  
gperko@holtzmanvogel.com  
Michael Beato (FBN 1017715)  
mbeato@holtzmanvogel.com  
zbennington@holtzmanvogel.com  
HOLTZMAN VOGEL BARAN  
TORCHINSKY & JOSEFIK PLLC  
119 S. Monroe St. Suite 500  
Tallahassee, FL 32301  
(850) 270-5938

*Counsel for Florida Secretary of State and Executive  
Office of the Governor*

*If you are a person with a disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator, Human Resources, Leon County Courthouse, 301 S. Monroe Street, Suite 202B, Tallahassee, Florida, (850) 606-2401, at least 7 days before your scheduled court appearance, or immediately upon receiving this court notification. If the time before the scheduled appearance is less than 7 days, or if you are hearing or voice impaired, call 711.*

**SCHEDULE A**

**DEFINITIONS**

When used in these requests, the following definitions shall apply:

- A. “Person” includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity, or any other form of legal entity.
- B. “You” means **Victor M. Torres, Jr.**, in your capacity as a **state senator** for the State of Florida, and covers everyone on your legislative staff.
- C. “Document” shall mean all documents, electronically stored information, and tangible things, including without limitation all written and graphic matter and all other means of recording information, whether written, transcribed, taped, filmed, microfilmed, or in any other way produced, reproduced, or recorded, and including but not limited to: originals, drafts, computer-sorted and computer- retrievable information, copies and duplicates that are marked with any notation or annotation or otherwise differ in any way from the original, correspondence, memoranda, reports, notes, minutes, contracts, agreements, books, records, checks, vouchers, invoices, purchase orders, ledgers, diaries, logs, calendars, computer printouts, computer disks, card files, lists of persons attending meetings or conferences, sketches, diagrams, calculations, evaluations, analyses, directions, work papers, press clippings, sworn or unsworn statements, requisitions, manuals or guidelines, audit work papers, financial analyses, tables of organizations, charts, graphs, indices, advertisements and promotional materials, audited and unaudited financial statements, trade letters, trade publications, newspapers and newsletters, photographs, emails, electronic or mechanical records, facsimiles, telegrams and telecopies, and audiotapes. Each draft, annotated, or otherwise non-identical copy is a separate Document within the meaning of this term. Documents shall also include

any removable sticky notes, flags, or other attachments affixed to any of the foregoing, as well as the files, folder tabs, and labels appended to or containing any documents. Documents expressly include all Electronic Records and written Communications.

- D. “Electronic Records” shall mean the original (or identical duplicate when the original is not available) and any non-identical copies (whether non-identical because of notes made on copies or attached comments, annotations, marks, transmission notations, or highlighting of any kind) of writings of every kind and description inscribed by mechanical, facsimile, electronic, magnetic, digital, or other means. Electronic Records includes, by way of example and not by limitation, computer programs (whether private, commercial, or work-in-progress), programming notes and instructions, activity listings of email transmittals and receipts, output resulting from the use of any software program (including word processing documents, spreadsheets, database files, charts, graphs and outlines), electronic mail, and any and all miscellaneous files and file fragments, regardless of the media on which they reside and regardless of whether said Electronic Records exists in an active file, deleted file, or file fragment. Electronic Records include, without limitation, any and all items stored on computer memories, hard disks, diskettes and cartridges, network drives, network memory storage, archived tapes and cartridges, backup tapes, floppy disks, CD-ROMs, removable media, magnetic tapes of all types, microfiche, and any other media used for digital data storage or transmittal. Electronic Records also include the file, folder tabs, and containers and labels appended to or associated with each original and non-identical copy.
- E. “Communication” means any oral, written or electronic transmission of information, including but not limited to meetings, discussions, conversations, telephone calls, telegrams, text messages and group chats (to include WhatsApp, Telegram, Facebook Messenger, Google

Chat, etc.), voicemails, memoranda, letters, emails, telecopies, telexes, conferences, messages, notes, brochures, marketing materials, presentations or seminars.

- F. “Relating To,” “Related To” or “Relate(s) To” mean constituting, containing, concerning, embodying, reflecting, identifying, stating, mentioning, discussing, describing, evidencing, or in any other way being relevant to that given subject matter.
- G. “Enacted Plan” means the apportionment plan enacted by the Florida Legislature on April 21, 2022, and signed into law by the Governor on April 22, 2022.
- H. “Proposed Plans” means any proposed redistricting legislation from the 2022 Legislative Session, as well as any drafts or precursors of those plans or subsequent amendments thereof, including, but not limited to, Plan P000C079, Plan P000C0094, Plan H000C8019, and Plan H000C8015.
- I. “Plan P000C0079” means the congressional district plan submitted to the Legislature on January 16, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- J. “Plan P000C0094” means the congressional district plan submitted to the Legislature on February 14, 2022 by Ryan Newman, Counsel to the Governor, or any drafts or precursors thereof.
- K. “Plan H000C8019” means the congressional district plan approved by the Legislature on March 4, 2022, or any drafts or precursors thereof.
- L. “Plan H000C8015” means the congressional district plan approved by the Legislature on March 4, 2022, with the recommendation that the plan take effect if the Plan H000C8019 was found unconstitutional.
- M. “Member” means any associate, partner, employee, personnel, staffer, officer, representative, or person or entity acting or purporting to act on behalf of an organization.

### **INSTRUCTIONS**

- A. Unless you assert legislative privilege, you must produce any responsive document.
- B. Unless otherwise specified, the time period for all documents or communications requested is September 1, 2021 to April 22, 2022. That time period encompasses the 2022 Regular Session of the Florida Legislature and the April 2022 Special Session of the Florida Legislature.
- C. The following rules of construction apply to all requests for production:
  - a. The terms “all” and “any” shall each be construed as encompassing any and all;
  - b. All uses of the word “each” include “every” (and vice versa);
  - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the requests all responses that might otherwise be construed to be outside of its scope, so that the fullest disclosure of information, documents, and communications is achieved;
  - d. The term “including” shall be construed without limitation;
  - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
  - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
  - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.

- h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular requests may make appropriate.
- D. Each request for documents or communications will be constructed according to the most inclusive meaning so that if information, a document, or communication is responsive to any reasonable interpretation of the request, the information, document, or communication is responsive.
- E. If you deem any request for documents or communications to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, please comply with Florida Rule of Civil Procedure 1.280(b)(6).
- F. You are required by Florida law to produce all requested documents or communications, wherever located, that are in your possession, custody, or control, including documents or communications that you have a right to obtain, or to compel the production of, from any third party (including, but not limited to, any financial institution and telephone carrier).
- G. With respect to each request, Defendant Secretary of State requests that you identify and produce all documents or communications that are known to you or that you can locate or discover that are in your possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents or communications in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of you or, as applicable, of your employees, agents, representatives or other persons acting on your behalf or under your control.
- H. Defendant Secretary of State requests that, if you have no documents or communications responsive to a request, then you shall so state.



- I. If you assert that any requested document or communication has been lost, destroyed, or discarded, please identify each such document as completely as possible, and provide the following information:
- a. the date of loss, destruction, or discarding;
  - b. the circumstances of the loss, destruction, or discarding; and
  - c. if destroyed or discarded:
    - i. the manner of destruction or discarding;
    - ii. the reason for destruction or discarding;
    - iii. the identity of the person authorizing the destruction or discarding; and
    - iv. the identity of the person who destroyed or discarded the document or communication.
- J. Defendant Secretary of State requests that you produce all responsive documents, communications, or other materials in an orderly manner (and with appropriate markings or other identification) so that Defendant Secretary of State will be able to identify the source of the document, communication, other material, the file in which the document, communication, or other material was maintained, the person to whom such file belongs, and the specific request to which the document, communication, or other material is responsive.
- K. All documents or communications are to be produced in electronic form. Documents or communications produced electronically should be produced in native format with all metadata intact.
- L. In addition, for email documents or communications, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load

files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

- M. If a responsive communication, document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate communication, document, or tangible thing and shall be produced.
- N. Produce any password-protected documents or communications with any applicable passwords.

**DOCUMENTS TO BE PRODUCED**

1. All communications between you, or your staff, and any member or employee of the Elias Law Group; Perkins Coie LLP; King, Blackwell, Zehnder & Wermuth, P.A.; the American Civil Liberties Union of Florida; the League of Women Voters of Florida; the League of Women Voters of Florida Education Fund; Common Cause Florida; Florida Rising Together; the Florida State Conference of the National Association for the Advancement of Colored People; Latino Justice; Black Voters Matter Capacity Building Institute; FairDistricts Now; the Democratic Party of Florida; the Democratic Congressional Campaign Committee; the Democratic National Committee; the Equal Ground Education Fund; the National Redistricting Action Fund; the National Democratic Redistricting Committee; the House Minority Office; the Senate Minority Office; or any other member of the Florida Legislature or their staff relating to the Enacted Plan or the Proposed Plans.

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/s/ Mohammad O. Jazil  
Mohammad O. Jazil