

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

Common Cause Florida, FairDistricts
Now, Florida State Conference of the
National Association for the
Advancement of Colored People
Branches, Cassandra Brown, Peter
Butzin, Charlie Clark, Dorothy Inman-
Johnson, Veatrice Holifield Farrell,
Brenda Holt, Rosemary McCoy, Leo R.
Stoney, Myrna Young, and Nancy
Ratzan,

Plaintiffs,

v.

Cord Byrd, in his official capacity as
Florida Secretary of State,

Defendant.

Case No. 4:22-cv-109-AW-MAF

**PLAINTIFFS' MEMORANDUM IN OPPOSITION TO RAY
RODRIGUES'S MOTION TO QUASH DEPOSITION SUBPOENA**

In opposition to Chancellor Ray Wesley Rodrigues's motion to quash a deposition subpoena, Plaintiffs adopt and incorporate their arguments in opposition to the previously filed Motions to Quash in this case. *See* Dkt. No. 134. Plaintiffs take this opportunity to highlight Chancellor Rodrigues's central role in the redistricting process. Chancellor Rodrigues was chair of the Senate Reapportionment Committee. In the early days of the redistricting process, the Chancellor was a vocal proponent of the Legislature's initial attempts to pass a

map compliant with the federal and Florida constitutions. *See, e.g.*, Dkt. No. 131 ¶ 66. Yet, by the time of the special session, the Chancellor had become the sponsor of SB 2-C, the Governor’s proposed map, which was enacted and lies at the center of this lawsuit. Uncovering the legislative motivations behind the enactment of that map, which Plaintiffs contend was racially discriminatory, requires an examination of Chancellor Rodrigues.

Chancellor Rodrigues has responded to a previous document subpoena that he has no responsive documents. *See* Li Decl. ¶ 2, Ex. 1. Public records requests from the Senate have likewise been fruitless. But in his role as Senate Reapportionment Chair, the Chancellor authored a memo to all Florida Senators announcing the launch of the Joint Redistricting Website, wherein he advised his colleagues that all “correspondence, including electronic communications related to the enactment of new districts, whether sent or received on official Senate accounts or devices or personal email accounts or devices, may be of permanent or archival value and those records should be preserved accordingly.” *See* Li Decl. ¶ 3, Ex. 2. A deposition is also necessary to learn where the Chancellor’s records are and to understand how the Chancellor understands his own memo’s retention guidelines.

Respectfully submitted,

/s/ Gregory L. Diskant

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Date: March 29, 2023

LOCAL RULE 7.1(F) CERTIFICATION

The undersigned certified that this memorandum contains 285 words, excluding the case style and certifications.

/s/ Gregory L. Diskant
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CERTIFICATE OF SERVICE

I hereby certify that on March 29, 2023, I electronically filed the foregoing with the Clerk of Court by using CM/ECF, which automatically serves all counsel of record for the parties who have appeared.

/s/ Gregory L. Diskant
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