

Exhibit 5

Portorreal, Newton (x2854)

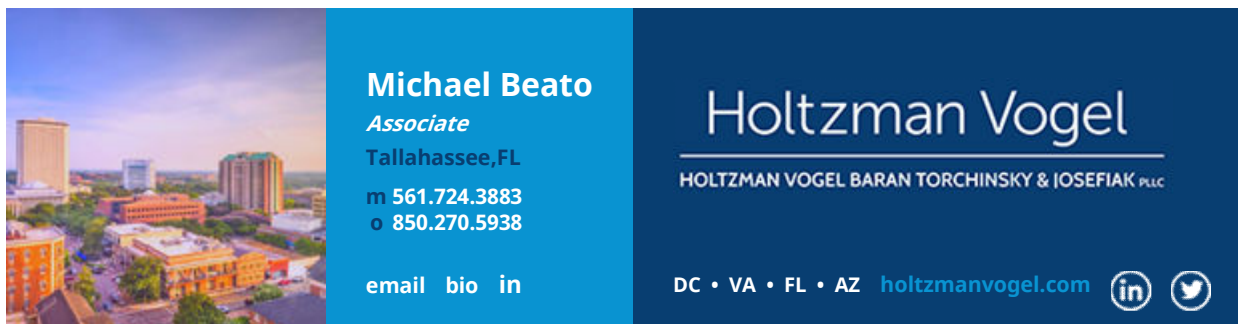
From: Michael Beato <mbeato@HoltzmanVogel.com>
Sent: Wednesday, May 31, 2023 7:24 PM
To: Li, Alvin (x2184); Halper, Michael (x2336)
Cc: Zack Henson
Subject: Common Cause Discussion

Caution: External Email!

Thanks again, Alvin and Michael, for the conversation today. Feel free to forward this email summary to your aligned counsel. And please amend the summary if I got something wrong.

During our conversation, we discussed:

1. Plaintiffs' Production
 - a. In terms of future organizational-plaintiffs productions, the State will receive:
 - i. A production from the NAACP either tomorrow or Friday
 - ii. Perhaps a small production from Common Cause this week
 - b. The FairDistricts production is complete
 - c. I will get back re: individual-plaintiff productions
2. Depositions and Deposition Dates
 - a. We will exchange deposition dates for each of our experts, and the State will seek 30(b)(6) depositions of the three organizational plaintiffs
 - i. I will get back re: deposition topics for the organizational plaintiffs
 - b. The depositions are likely to occur outside of the June 9 discovery deadline
 - i. After exchanging dates, we can submit a joint limited motion for an extension of time to conduct the depositions
 - ii. Owens's deposition is currently set for June 12
 - c. Plaintiffs can ask Mr. Foltz, who is being deposed in the state redistricting case on June 16, questions, including questions about Tom Bryan
3. Tom Bryan
 - a. The State doesn't believe that Mr. Bryan should be deposed. The reasons are that he's not being deposed in the state case; he hasn't waived any privilege in this case; and he's going to produce an affidavit evidencing his limited role. Granted, Plaintiffs take a different position, but we are likely to have another conversation on this point
4. Additional matters
 - a. Plaintiffs are going to send a draft confidentiality agreement
 - b. We can enter into an agreement regarding Zoom depositions



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