

# **Exhibit 6**

## Portorreal, Newton (x2854)

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**From:** Michael Beato <mbeato@HoltzmanVogel.com>  
**Sent:** Monday, June 5, 2023 7:29 PM  
**To:** Li, Alvin (x2184); Halper, Michael (x2336)  
**Cc:** Zack Henson; ~chrisshenton@scsj.org  
**Subject:** RE: Common Cause Discussion

**Caution: External Email!**

Thanks, Alvin and Michael.

I'll respond to both of your emails here.

Michael: thanks for that information. Our position is that we would like documents evidencing standing. We think that would include documentation of the individual plaintiffs' addresses pre- and post-enacted map, voter registration information pre- and post-enacted map, and statements from the individual plaintiffs about the enacted map.

Alvin: thanks for that information as well. Putting aside the Tom Bryan matter for the moment, our position is that we would like a deposition of FairDistricts. In the amended complaint, FairDistricts alleged organizational standing, and we would like to explore that in a deposition. And for Adam Foltz, we understand your position.

Having said that, perhaps we can reach a compromise whereby we reach get some of what we'd like:

- For the individual plaintiffs, we can agree to affidavits in lieu of discovery documents
- We won't depose FairDistricts
- And you agree that Tom Bryan can submit an affidavit in lieu of being deposed

Let me know your thoughts on that. And below are the deposition topics for the organizational plaintiffs that we are thinking about. We will send out deposition notices soon.

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### 30(b)(6) Deposition Topics

1. The number of members of each organization, and the number of those members in each district of Florida's enacted congressional map.
2. The general purpose or mission of each organization, and how implementing the enacted or any other congressional map advances the purpose and mission.
3. How the enacted congressional map results in diversion of the organization's resources, whether they be personnel, personnel time, or monetary resources.
4. Any change in activities after the enacted congressional map was signed into law.
5. Any affects on the organization's members who will testify in this case.

**Michael Beato**  
*Associate*  
**Holtzman Vogel**  
Office: 850.270.5938  
Mobile: 561.724.3883  
mbeato@HoltzmanVogel.com // www.HoltzmanVogel.com

**From:** Li, Alvin (x2184) <ali@pbwt.com>

**Sent:** Thursday, June 1, 2023 1:46 PM

**To:** Halper, Michael (x2336) <mhalper@pbwt.com>; Michael Beato <mbeato@HoltzmanVogel.com>

**Cc:** Zack Henson <zhenson@HoltzmanVogel.com>; ~chrisshenton@scsj.org <chrisshenton@scsj.org>

**Subject:** RE: Common Cause Discussion

Good afternoon Michael,

Thank you for drafting up the summaries in the first and second emails on this chain. We'll start zipping up the third party productions to y'all shortly. Just a few points of clarification and follow-up below:

- First, we don't believe that a deposition of Fair Districts Now is necessary. As previewed on our call, we don't intend to rely on Fair Districts Now for standing.
- Second, we agreed with John Cycon that the ruling on the Kelly deposition would also apply to the Bryan deposition (see attached email). That means that we reserve 5 hours with the same constraints as the state court matter.
  - Given our discussions on the call, it should be a pretty short deposition and we are more than glad to do it remotely—unless Zack wants to take a trip down to Richmond.
- Third, in terms of Foltz, since we also agreed that he would be governed by the same parameters as Kelly, we would reserve our full five hours as well. While we will attempt to coordinate with the state court plaintiffs, we suspect that it will not be possible to get through all of our questions in one day. We therefore ask that Foltz be made available for another day as well.

Please let us know if have questions. Today is a bit hectic for me, but I should be available tomorrow for any further discussions.

Best regards,

Alvin

**Alvin Li**

He | Him | His

Associate

**Patterson Belknap Webb & Tyler LLP**

1133 Avenue of the Americas | New York, NY 10036

T: 212.336.2184

[ali@pbwt.com](mailto:ali@pbwt.com) | [www.pbwt.com](http://www.pbwt.com)

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**From:** Halper, Michael (x2336) <[mhalper@pbwt.com](mailto:mhalper@pbwt.com)>

**Sent:** Thursday, June 1, 2023 12:32 PM

**To:** Michael Beato <[mbeato@HoltzmanVogel.com](mailto:mbeato@HoltzmanVogel.com)>; Li, Alvin (x2184) <[ali@pbwt.com](mailto:ali@pbwt.com)>

**Cc:** Zack Henson <[zhenson@HoltzmanVogel.com](mailto:zhenson@HoltzmanVogel.com)>; ~chrisshenton@scsj.org <[chrisshenton@scsj.org](mailto:chrisshenton@scsj.org)>

**Subject:** RE: Common Cause Discussion

Thanks, Michael. It's correct that the individual plaintiffs don't have anything to produce for 1 and 2. Regarding 3, can you please check with your team whether affidavits from the plaintiffs would suffice for standing purposes? Or, in the alternative, what specific documents evidencing standing you would be looking for?

Thanks,  
Michael

**Michael K. Halper**

**Patterson Belknap Webb & Tyler LLP**

T: 212.336.2336

[mhalper@pbwt.com](mailto:mhalper@pbwt.com) | [www.pbwt.com](http://www.pbwt.com)

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**From:** Michael Beato <[mbeato@HoltzmanVogel.com](mailto:mbeato@HoltzmanVogel.com)>

**Sent:** Thursday, June 1, 2023 9:57 AM

**To:** Li, Alvin (x2184) <[ali@pbwt.com](mailto:ali@pbwt.com)>; Halper, Michael (x2336) <[mhalper@pbwt.com](mailto:mhalper@pbwt.com)>

**Cc:** Zack Henson <[zhenson@HoltzmanVogel.com](mailto:zhenson@HoltzmanVogel.com)>

**Subject:** RE: Common Cause Discussion

**Caution: External Email!**

Good morning, Alvin and Michael,

I reviewed the individual plaintiffs' RFPs, and I think I can clarify things.

I think the RFPs seek three buckets of documents: (1) documents used for court filings (complaint, discovery responses, etc.); (2) correspondence with state officials regarding redistricting; and (3) documents that evidence standing. Granted, I imagine that there may not be documents responsive to all the requests, but I think those three buckets are what we are looking for.

Let me know if that helps; if not, I am more than happy to have another quick call.

**Michael Beato**

*Associate*

**Holtzman Vogel**

Office: 850.270.5938

Mobile: 561.724.3883

[mbeato@HoltzmanVogel.com](mailto:mbeato@HoltzmanVogel.com) // [www.HoltzmanVogel.com](http://www.HoltzmanVogel.com)

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Michael Beato <[mbeato@HoltzmanVogel.com](mailto:mbeato@HoltzmanVogel.com)>

**Sent:** Wednesday, May 31, 2023 7:26 PM

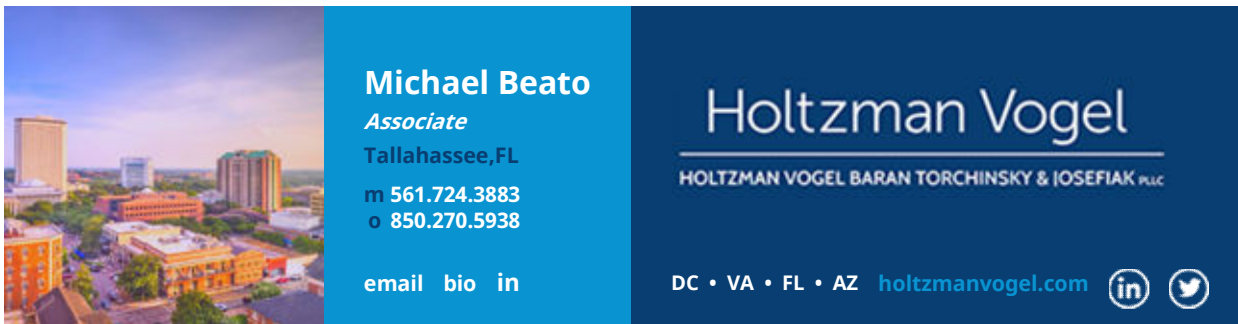
**To:** Li, Alvin (x2184) <[ali@pbwt.com](mailto:ali@pbwt.com)>; [mhalper@pbwt.com](mailto:mhalper@pbwt.com)

**Cc:** Zack Henson <[zhenson@HoltzmanVogel.com](mailto:zhenson@HoltzmanVogel.com)>

**Subject:** RE: Common Cause Discussion

I also note that we would like the third-party documents you offered to provide for us.

Best,



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**From:** Michael Beato  
**Sent:** Wednesday, May 31, 2023 7:24 PM  
**To:** Li, Alvin (x2184) <[ali@pbwt.com](mailto:ali@pbwt.com)>; [mhalper@pbwt.com](mailto:mhalper@pbwt.com)  
**Cc:** Zack Henson <[zhenson@HoltzmanVogel.com](mailto:zhenson@HoltzmanVogel.com)>  
**Subject:** Common Cause Discussion

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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