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Re: Assignment for Expert Report on Florida Redistricting Matter

Dear Dr. McCartan,

Below are instructions for you on the above matter.

1. We would like to you draw a portion of the Florida State House and congressional district maps.
2. For the State House map, we will provide you with the existing map (Plan 8013) with seven districts (HDs 112–116 and 118–119) removed.
3. For the congressional map, we will provide you with the existing map (Plan 109) with four districts (CDs 19, 26, 27, and 28) removed.
4. You should fill in the maps by complying with the Florida constitutional standards:
 - a. *No apportionment plan or district shall be drawn with the intent to favor or disfavor a political party or an incumbent; and districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or to diminish their ability to elect representatives of their choice; and districts shall consist of contiguous territory.*
 - b. *Unless compliance with the standards in this subsection conflicts with the standards in subsection (a) or with federal law, districts shall be as nearly equal in population as is practicable; districts shall be compact; and districts shall, where feasible, utilize existing political and geographical boundaries.*

The requirements within each subsection (“Tier”) are co-equal.

5. Alter surrounding districts only to the extent necessary to follow these instructions and comply with the Florida constitutional mandates.



6. The attached memorandum provides further information on how to comply with the Florida constitutional mandates.
7. House districts must have a total population within the range in Plan 8013 (from 175,216 to 183,737) and must be as nearly equal in population as is practicable. Any population deviation must be justified by the need to comply with other Tier-Two criteria.
8. Congressional districts must be exactly mathematically equal in population.
9. Note that three House districts and two congressional districts adjacent to the areas you will redraw are protected from minority vote diminishment and/or dilution under Florida's Tier-One standards and/or Section 2 of the Voting Rights Act. These districts are HDs 108, 109, and 117, and CDs 20 and 24. Evaluating the extent to which a new district performs for minority voters requires a "functional analysis" of voting behavior within the district at issue. If you alter any of these districts, another expert will perform a full functional analysis. Therefore, you must not refer to any racial or political data when conducting your work.

We look forward to working with you, and please reach out with any questions or concerns.

Sincerely,

/s/ Patrick Jones

Patrick Jones
Counsel
for O'MELVENY & MYERS LLP