EXHIBIT M

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ALPHA PHI ALPHA FRATERNITY INC., A NONPROFIT ORGANIZATION ON BEHALF OF MEMBERS RESIDING IN GEORGIA; SIXTH DISTRICT OF THE AFRICAN METHODIST EPISCOPAL CHURCH, A GEORGIA NONPROFIT ORGANIZATION; ERIC T. WOODS; KATIE BAILEY GLENN; PHIL BROWN; JANICE STEWART,	CIVIL ACTION NO. 1:21-CV-05337-SCJ
PLAINTIFFS,	
v.	
BRAD RAFFENSPERGER, IN HIS OFFICIAL CAPACITY AS SECRETARY OF STATE OF GEORGIA,	
DEFENDANT.	

VIDEO RECORDED DEPOSITION OF LISA HANDLEY
(TAKEN by DEFENDANT)
ATTENDING VIA ZOOM IN WASHINGTON, D.C.
FEBRUARY 16, 2023

ALSO PRESENT: Alison Bos
VIDEOGRAPHER: James Downie

REPORTED BY: Meredith R. Schramek
Registered Professional Reporter
Notary Public
(Via Zoom in Mecklenburg County, North Carolina)

A Yes.
Q So in this, you make a distinction, though. You say in 67 percent of the contests that were not polarized, it was because black voters supported white candidates preferred by white voters.
Am I right?
A Right.
Q Why does that matter in your opinion?
A I'm not sure that matters so much to me, but it appears to matter to, say, Dr. Alford, who argues that black and white support -- that white voters vote for white and black candidates at comparable rates in the general election. They don't in the primary election. In the primary election, there's quite a difference between support for black-preferred black candidates and black-preferred white candidates on behalf of the white voters. So it's a counter, basically, to Alford -- Dr. Alford. I'm sorry.
Q That's fine. Counter to Dr. Alford.
A I'm sorry?
Q I was just repeating you and thinking.
Does it matter for purposes of finding racial polarization?
A I mean, it's a -- no. It's irrelevant, the race of the candidate that voters are supporting. It's

only relevant who they're supporting and whether they're supporting the same candidate or not.

Q Is that -- do you know if that is the Supreme Court's -- how do I phrase this? I'll probably get an objection but I'm going to go ahead and ask it.

Do you know if that standard that you just cited is supported by a case -- a Supreme Court case in which the majority made that pronouncement?

MS. LAKIN: Objection.

THE WITNESS: I can only speak to one Supreme Court case. So I -- I don't know the answer to that question.

I can tell you it -- that is from the -- it's founded in the Gingles, but -- in the Thornburg v Gingles opinion, but it could, of course, show up in many others. I don't know.

BY MR. JACOUTOT:

Q Do you know if the majority of the Court joined that standard or if it was a plurality?

MS. LAKIN: Objection.

THE WITNESS: I don't remember.

BY MR. JACOUTOT:

Q Okay. So when you say that what matters is the race of the voters supported the same candidate and not the race of the candidate, that's your opinion as a

political scientist, not necessarily a reflection of the legal standard, the prevailing legal standard?

A Yes.

Q Turning back to the democratic primary, you'd agree with me that there is much less racial polarization in the democratic primary than there is in the general election; correct?

A Yes. A hundred percent of the general elections were polarized. Of the elections I looked at, a hundred percent were polarized. That's higher than 55 percent.

Q Pretty dramatically higher, wouldn't you say?

A A hundred percent is pretty stark.

Q Okay. I want to move on to your concluding paragraph, which I think is on 31 -- yeah.

And so we might rehash a little bit of what we've already talked about here, but you say that "My analysis of voting patterns by race determined that voting in all seven areas of Georgia that I examined is residentially polarized."

Do you see that?

A Yes.

Q And just to be clear, you didn't look at the question of why the races vote the way they do to create this polarization. You've just established that

it exists in the general elections; is that right?
A I did not look at causation. That's correct.
Q Okay. And you've established, too, that to a lesser degree, it's present in the democratic primary contests -- excuse me. Let me make sure you know what "it" is referring to.
You state here that all the seven areas of Georgia you examined are racially polarized, but in the democratic primary contests you examined, it's true that they are racially polarized by your standards but to a lesser degree; is that right?
A Yes. But my conclusion that voting is polarized in Georgia is based on the general elections.
Q Okay. And why didn't you look into the causation -- potential for causation of the racial polarization?
A I have never looked into the reason for the polarization. I think the law is clear and certainly the analysis that I've conducted and everybody that I know has conducted looks at just the voting patterns of black and white and not the intent behind it or the causation behind it in terms of the Gingles factors.
Q Okay. And I think at the beginning of our deposition, you mentioned that it might be possible, I think you said, for some very clever people to