

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

ANNIE LOIS GRANT; QUENTIN T.
HOWELL; ELROY TOLBERT; THERON
BROWN; TRIANA ARNOLD JAMES;
EUNICE SYKES; ELBERT SOLOMON;
and DEXTER WIMBISH,

Plaintiffs,

v.

BRAD RAFFENSPERGER, in his official
capacity as the Georgia Secretary of State;
SARA TINDALL GHAZAL, in her
official capacity as a member of the State
Election Board; ANH LE, in her official
capacity as a member of the State Election
Board; EDWARD LINDSEY, in his
official capacity as a member of the State
Election Board; and MATTHEW
MASHBURN, in his official capacity as a
member of the State Election Board,

Defendants.

CIVIL ACTION FILE
NO. 1:22-CV-00122-SCJ

**DECLARATION OF JONATHAN P. HAWLEY IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, Jonathan P. Hawley, hereby declare as follows:

1. I am over the age of 18 and competent to make this declaration. I am an associate with the law firm Elias Law Group LLP and am admitted to practice

law in the States of Washington and California and before multiple federal courts of appeals and district courts. I have submitted an application for admission in this Court *pro hac vice* in the above-captioned matter, and I am counsel for Plaintiffs. I submit this declaration to provide the Court true and correct copies of certain documents submitted in support of Plaintiffs' Motion for Preliminary Injunction.

Exhibit 1 is a true and correct copy of the expert report of Blakeman B. Esselstyn, dated January 13, 2022.

Exhibit 2 is a true and correct copy of the expert report of Dr. Maxwell Palmer of Boston University, dated January 12, 2022.

Exhibit 3 is a true and correct copy of the expert report of Dr. Orville Vernon Burton of Clemson University, dated January 10, 2022.

Exhibit 4 is a true and correct copy of the expert report of Dr. Loren Collingwood of the University of New Mexico, dated January 13, 2022.

Exhibit 5 is a true and correct copy of the declaration of Annie Lois Grant, dated January 13, 2022.

Exhibit 6 is a true and correct copy of the declaration of Quentin T. Howell, dated January 12, 2022.

Exhibit 7 is a true and correct copy of the declaration of Elroy Tolbert, dated January 11, 2022.

Exhibit 8 is a true and correct copy of the declaration of Theron Brown, dated January 12, 2022.

Exhibit 9 is a true and correct copy of the declaration of Triana Arnold James, dated January 10, 2022.

Exhibit 10 is a true and correct copy of the declaration of Eunice Sykes, dated January 12, 2022.

Exhibit 11 is a true and correct copy of the declaration of Elbert Solomon, dated January 10, 2022.

Exhibit 12 is a true and correct copy of the declaration of Dexter Wimbish, dated January 11, 2022.

Exhibit 13 is a true and correct copy of the article entitled “Senate’s Redistricting Map Advances; Georgia Assembly Honors Max Cleland.” The article was published by Georgia Public Broadcasting on November 9, 2021, and is publicly available at: <https://www.gpb.org/news/2021/11/09/senates-redistricting-map-advances-georgia-assembly-honors-max-cleland>.

Exhibit 14 is a true and correct copy of the article entitled “Georgia House Wraps up Legislative Redistricting with Passage of GOP State Senate Map.” The article was published by the *Athens Banner-Herald* on November 15, 2021, and is

publicly available at: <https://www.onlineathens.com/story/news/2021/11/15/georgia-house-approves-new-map-state-senate-districts/8626264002>.

Exhibit 15 is a true and correct copy of the article entitled “Georgia House, Senate Approve Their Redistricting Maps. What’s Next?” The article was published by Georgia Public Broadcasting on November 10, 2021, and is publicly available at: <https://www.gpb.org/news/2021/11/10/georgia-house-senate-approve-their-redistricting-maps-whats-next>.

Exhibit 16 is a true and correct copy of the article entitled “Georgia House Legislative Redistricting Map Heads to Governor.” The article was published by Georgia Public Broadcasting on November 12, 2021, and is publicly available at: <https://www.gpb.org/news/2021/11/12/georgia-house-legislative-redistricting-map-heads-governor>.

Exhibit 17 is a true and correct copy of the article entitled “Public to State Lawmakers: Slow Redistricting Process Down.” The article was published by *The Albany Herald* on November 9, 2021, and is publicly available at: https://www.albanyherald.com/news/public-to-state-lawmakers-slow-redistricting-process-down/article_75e30286-4158-11ec-9cbb-cf2518e93cb2.html.

Exhibit 18 is a true and correct copy of the article entitled “Georgia Senate GOP Passes Map to Retain Republican Majority.” The article was published by *U.S.*

News & World Report on November 9, 2021, and is publicly available at: <https://www.usnews.com/news/best-states/georgia/articles/2021-11-09/georgia-senate-gop-passes-map-to-retain-republican-majority>.

Exhibit 19 is a true and correct copy of the article entitled “Georgia Lawmakers Pass Republican-Backed House Redistricting Map.” The article was published by *The Albany Herald* on November 11, 2021, and is publicly available at: https://www.albanyherald.com/news/georgia-lawmakers-pass-republican-backed-house-redistricting-map/article_f5fe6ff6-431e-11ec-aa63-439c16f8deb6.html.

Exhibit 20 is a true and correct copy of the article entitled “Georgia Redistricting Signed into Law and Lawsuits Quickly Follow.” The article was published by *The Atlanta Journal-Constitution* on December 30, 2021, and is publicly available at: <https://www.ajc.com/politics/georgia-redistricting-signed-into-law-as-lawsuits-loom/KDMPMUEXTZGDHIRUOYQAJSIUR4>.

Exhibit 21 a true and correct copy of the document entitled “2021 Committee Guidelines.” The document was published by the Georgia General Assembly, was last accessed on January 12, 2022, and is publicly available at: <https://www.legis.ga.gov/api/document/docs/default-source/reapportionment->

document-library/2021-senate-redistricting-committee-guidelines.pdf?sfvrsn=a9bbb991_2.

Exhibit 22 is a true and correct copy of the document entitled “2021-2022 Guidelines for the House Legislative and Congressional Reapportionment Committee.” The document was published by the Georgia House of Representatives, was last accessed on December 29, 2021, and is publicly available at: https://www.house.ga.gov/Documents/CommitteeDocuments/2021/Legislative_and_Congressional_Reapportionment/2021-2022%20House%20Reapportionment%20Committee%20Guidelines.pdf.

Exhibit 23 is a true and correct copy of the letter from Assistant Attorney General John R. Dunne to Senior Assistant Attorney General Mark H. Cohen, dated March 20, 1992. The letter was published by the U.S. Department of Justice, was last accessed on December 31, 2021, and is publicly available at: <https://www.justice.gov/sites/default/files/crt/legacy/2014/05/30/GA-2360.pdf>.

Exhibit 24 is a true and correct copy of the letter from Assistant Attorney General William Bradford Reynolds to Attorney General Michael Bowers, dated February 11, 1982. The letter was published by the U.S. Department of Justice, was last accessed on December 31, 2021, and is publicly available at: <https://www.justice.gov/sites/default/files/crt/legacy/2014/05/30/GA-1870.pdf>.

Exhibit 25 is a true and correct copy of the article entitled “Douglas Leader’s Racial Comments Spark Calls That He Resign.” The article was published by *The Atlanta Journal-Constitution* on September 30, 2016, and is publicly available at: <https://www.ajc.com/news/local/douglas-leader-racial-comments-spark-calls-that-resign/AVjoe8BDCXLsut6OBpjIHI>.

Exhibit 26 is a true and correct copy of the article entitled “GOP Candidate’s Husband Shares Image Urging Voters to ‘Free the Black Slaves from the Democratic Plantation.’” The article was published by CNN on May 2, 2017, and is publicly available at: <https://www.cnn.com/2017/05/02/politics/kfile-karen-handel-husband-tweet/index.html>.

Exhibit 27 is a true and correct copy of the article entitled “Roswell’s Wood Says ‘Ossoff’ Has Off-Puttingly Muslim Ring.” The article was published by Appen Media Group on March 15, 2017, and is publicly available at: https://www.appenmedia.com/opinion/columnists/roswell-s-wood-says-ossoff-has-off-puttingly-muslim-ring/article_729681a0-e082-5a2c-a639-9f15369a730a.html.

Exhibit 28 is a true and correct copy of the article entitled “Warring Republicans Try to Unite Against Ossoff in Georgia’s Sixth.” The article was published by *The Atlanta Journal-Constitution* on April 15, 2017, and is publicly

available at: <https://www.ajc.com/blog/politics/warring-republicans-try-unite-against-ossoff-georgia-sixth/CJca8W1Alqeob6jvA8gB5H>.

Exhibit 29 is a true and correct copy of the article entitled “Gwinnett Commissioner Calls John Lewis ‘a Racist Pig,’ Faces Backlash.” The article was published by *The Atlanta Journal-Constitution* on January 16, 2017, and is publicly available at: <https://www.ajc.com/news/gwinnett-commissioner-calls-john-lewis-racist-pig-faces-backlash/K2uAUZFikv57szlncpZilO>.

Exhibit 30 is a true and correct copy of the article entitled “Racist ‘Magical Negro’ Robo-Call from ‘Oprah’ Targets Stacey Abrams in Georgia Governor’s Race.” The article was published by *The Washington Post* on November 5, 2018, and is publicly available at: <https://www.washingtonpost.com/politics/2018/11/04/racist-magical-negro-robo-call-oprah-targets-stacey-abrams-georgia-governors-race>.

Exhibit 31 is a true and correct copy of the article entitled “It Was Too Easy for Brian Kemp’s Last-Minute Dog Whistle About Stacey Abrams to Go Viral.” The article was published by *Slate* on November 6, 2018, and is publicly available at: <https://slate.com/technology/2018/11/brian-kemp-stacey-abrams-dog-whistle-black-panthers-facebook.html>.

Exhibit 32 is a true and correct copy of the article entitled “Georgia Gubernatorial Candidate Brian Kemp Suggests Truck Is for Rounding up ‘Illegals.’” The article was published by *USA Today* on May 10, 2018, and is publicly available at: <https://www.usatoday.com/story/news/nation/2018/05/10/brian-kemp-illegals-ad/600212002>.

Exhibit 33 is a true and correct copy of the article entitled “Kelly Loeffler’s New Facebook Ad Darkens Skin of Raphael Warnock, Her Black Opponent.” The article was published by Salon on January 4, 2021, and is publicly available at: <https://www.salon.com/2021/01/04/kelly-loefflers-new-facebook-ad-darkens-skin-of-raphael-warnock-her-black-opponent>.

Exhibit 34 is a true and correct copy of the article entitled “Perdue’s Campaign Deletes Ad That Enlarges Jewish Opponent’s Nose, Insists It Was Accident.” The article was published by ABC News on July 28, 2020, and is publicly available at: <https://abcnews.go.com/Politics/perdues-campaign-deletes-ad-enlarges-jewish-opponents-nose/story?id=72039950>.

Exhibit 35 is a true and correct copy of the article entitled “Georgia Republican Senator Willfully Mispronounces Kamala Harris’ Name at Trump Rally.” The article was published by CNN on October 17, 2020, and is publicly

available at: <https://www.cnn.com/2020/10/16/politics/david-perdue-kamala-harris/index.html>.

Exhibit 36 is a true and correct copy of the article entitled “Crime Fears Emerge in Johns Creek, Sandy Springs Municipal Elections.” The article was published by *The Atlanta Journal-Constitution* on October 26, 2021, and is publicly available at: <https://www.ajc.com/neighborhoods/north-fulton/crime-fears-emerge-in-johns-creek-sandy-springs-municipal-elections/HAMJ4MEMVVA3BCYC36Z OGR3OKM>.

Exhibit 37 is a true and correct copy of the “2021-2022 GLBC Members” page of the website of the Georgia Legislative Black Caucus. The page was last accessed on January 3, 2022, and is publicly available at: <https://gablackcaucus.org/members>.

Exhibit 38 is a true and correct copy of the article entitled “Blacks in State Legislatures: A State-by-State Map.” The article was published by *Governing* on January 13, 2021, and is publicly available at: <https://www.governing.com/now/blacks-in-state-legislatures-a-state-by-state-map.html>.

Exhibit 39 is a true and correct copy of the article entitled “State Legislator Demographics.” The article was published by the National Conference of State Legislatures on December 1, 2020, and is publicly available at: <https://>

www.ncsl.org/research/about-state-legislatures/state-legislator-demographics.aspx.

Exhibit 40 is a true and correct copy of the “Former Georgia Governors” page of the website of the National Governors Association. The page was last accessed on December 31, 2021, and is publicly available at: <https://www.nga.org/former-governors/Georgia>.

Exhibit 41 is a true and correct copy of the article entitled “Stacey Abrams Is Running for Georgia Governor in 2022.” The article was published by *The Atlanta Journal-Constitution* on December 1, 2021, and is publicly available at: <https://www.ajc.com/politics/politics-blog/breaking-stacey-abrams-is-running-for-georgia-governor-in-2022/VRUXXJSQWBBAXAZQZV72FLP4LM>.

Exhibit 42 is a true and correct copy of the “States in the Senate | Georgia Senators” page of the website of the U.S. Senate. The page was last accessed on December 31, 2021, and is publicly available at: <https://www.senate.gov/states/GA/senators.htm>.

Exhibit 43 is a true and correct copy of the article entitled “Report Shows Black Georgians Were More Likely to Be Denied Unemployment Benefits.” The article was published by WUGA on November 19, 2021, and is publicly available

at: <https://www.wuga.org/post/report-shows-black-georgians-were-more-likely-be-denied-unemployment-benefits>.

Exhibit 44 is a true and correct copy of the final report of the House of Representatives Study Committee on Maternal Mortality. The document was published by the Georgia House of Representatives, was last accessed on December 31, 2021, and is publicly available at: https://www.house.ga.gov/Documents/CommitteeDocuments/2019/MaternalMortality/HR_589_Final_Report.pdf.

Exhibit 45 is a true and correct copy of the article entitled “Bill in Congress Could Bring Relief to Uninsured Georgians.” The article was published by *The Atlanta Journal-Constitution* on December 1, 2021, and is publicly available at: <https://www.ajc.com/life/health/bill-in-congress-could-bring-relief-to-uninsured-georgians/BQOWOU7O35FADAXG4LAL57YELQ>.

Exhibit 46 is a true and correct copy of the document entitled “2022 State Elections & Voter Registration Calendar.” The document was published by the Georgia Secretary of State, was last accessed on December 31, 2021, and is publicly available at: https://sos.ga.gov/admin/uploads/2022_State_Short_Calendar9.pdf.

Dated: January 13, 2022

Respectfully submitted,

By: **Johnathan P. Hawley**

Jonathan P. Hawley*

ELIAS LAW GROUP LLP

1700 Seventh Avenue, Suite 2100

Seattle, Washington 98101

Phone: (206) 656-0179

Facsimile: (206) 656-0180

Email: JHawley@elias.law

Counsel for Plaintiffs

**Pro hac vice* application pending