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

GEORGIA STATE CONFERENCE OF THE)
NAACP, et al.,) Case No.
Plaintiffs,) 1:21-CV-5338-
v.) ELB-SCJ-SDG
STATE OF GEORGIA, et al.)
)
Defendants.)

COMMON CAUSE, et al.,)
Plaintiffs,) Case No.
v.) 1:22-CV-00090-
BRAD RAFFENSPERGER) ELB-SCJ-SDG
Defendant.)

The DEPOSITION of:

HELEN BUTLER

Being taken pursuant to stipulations herein:

Before Kathryn Taylor, CCR

FRIDAY, JANUARY 13, 2023

Commencing at 9:00 a.m.

All parties, including the court reporter, appeared by videoconference.

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A T T A C H M E N T S

Certificate
Reporter's Disclosure Statement
Errata Sheet

* * *

T R A N S C R I P T C O D E S:

--	interruption/change in thought
. . .	incomplete thought
[sic]	denotes word/phrase that may seem strange or incorrect has been written verbatim
(ph)	phonetically spelled
(indiscernible)	not capable of being understood

1 I N D E X TO E X H I B I T S

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(Originally marked exhibits attached to the original of the deposition and a copy attached to all copies produced.)

P R O C E E D I N G S

9:00 a.m.

(Whereupon, the court reporter complied with the requirements of O.C.G.A. Section 9-11-28(d).)

(Witness sworn.)

MR. TYSON: I'm to do this in pieces and then we will kind to get into the process of the deposition here.

So this will be a 30(b)(6) deposition of the Georgia Coalition for the Peoples' Agenda, taken by the Defendants in this case for the purposes of discovery and all purposes allowed under the Federal Rules of Civil Procedure.

And, Shawn, do we want to reserve objections, except to the form and responsiveness until trial or first use?

MS. BERRY: That's fine, but I'll be defending, Randy -- Bryan, sorry.

MR. TYSON: I'm sorry, Crinesha.

MS. BERRY: That's fine.

MR. TYSON: Apologies. I'm sorry about that.

MS. BERRY: That's okay.

MR. TYSON: Shawn did the other one and I thought he'd be doing this one too, that's all.

Whereupon,

HELEN BUTLER,
was called as a witness herein and, having first been duly sworn, was deposed and testified as follows:

EXAMINATION

BY MR. TYSON:

Q. All right. Well, good morning, Ms. Butler. My name is Bryan Tyson. It's good to see you again. So I represent the Secretary of State and the State Election Board folks in the litigation. And our goal today is just to ask some questions about the Georgia Coalition. And our goal today also is -- my goal is to try not to confuse you or ask you a bunch of trick questions. I just want to get some information about the coalition and about its claims in this case.

So if I ask a question and you have absolutely no idea what I'm saying, that's totally fine. Just let me know that, and I can rephrase the question. Another thing, since we're on Zoom, it's -- I know it's a little challenging. In normal conversation, we tend to talk over each other or you know where I'm going with a question, so you want to start to answer before I get to the question mark.

Just for our court reporter's sake and for just clarity on the transcript, if you can let me ask my question, and then I'll stop, and then you can

answer your question with a yes or a no instead of a uh-huh or a uh-uh. So will that work for you?

A. Yes, it will.

Q. Okay. Great. If you need a break at any point, just let me know that. My only request is that we not take a break while I have a question pending for you. After you answer the question, we can take a break, and we can take as many breaks as you need along the way. In other kind of background -- since we're on Zoom today, can you just let me know who all is in the room with you there?

A. Shawn, of course, and Cindy Battles.

Q. Okay. And we'll -- we'll talk with Ms. Battles here in a little bit I know, so that's good. And then if you could, just make sure that -- besides Exhibit Share, that you don't have any sort of electronic devices in front of you that would display anything or make noise as we go along. That would also just help make things work easier for everybody. So with all that --

A. The only thing I have is the iPad with the Exhibit Share.

Q. Okay. Great.

A. And my phone is off.

Q. Great. Thank you. So that, we're going --

A. I've got to make sure that my phone is totally off.

Q. Got it.

A. It's off.

Q. That's good. All right. So what I'm going to do today, is we're going to start with just kind of some background information about you, some biographical information. Then we'll move into kind of how you got ready for the deposition today, and then we will get to the topics that are covered for the Georgia Coalition specifically.

So if we can start with your full name, please.

A. Helen Marie Butler.

Q. And, Ms. Butler, can you provide the office address for the Georgia Coalition?

A. [redacted] Atlanta, [redacted]

Q. Okay. And are you a resident of Fulton County in Atlanta or are you a resident of a different county in Georgia?

A. I'm a resident of Morgan County.

Q. And I know at one time you served on the board of elections there. Are you still a member of the board of elections in Morgan County?

A. No, I'm not. My term expired in 2021.
Q. Okay. I do have a couple of additional background questions I have to ask. Please don't be offended. Are you under any medication or have any medical condition that would keep you from truthfully and fully participating today?
A. No.
Q. Have you ever been arrested before?
A. Just for traffic violations.
Q. Okay. Yeah, we don't need to count those. So I'm assuming you've never been convicted of a felony at all, right?
A. No.
Q. All right. Now, I know -- I know we've seen each other before in court, but do you recall approximately how many times you've testified in a deposition before?
A. Approximately -- it would be hard to guesstimate, but maybe -- because I've done depositions in a prior life. So maybe -- oh, I -- estimating in terms of deposition, oh, gosh --
Q. Well, maybe --
A. I know since I've been with the Peoples' Agenda, maybe three or four.
Q. And that's what I was going to ask.

Specifically with the Peoples' Agenda, three or four is what you recall?

A. Correct.

Q. Okay. And do you recall what the cases were about where you gave a deposition previously?

A. One was with the exact match, I believe, case. One had to do with extending voting hours because -- our voter registration deadline because of a storm, and I don't recall the others.

Q. Okay. That's totally fine. This is not a memory test today. It's what you remember, and that's totally fine.

And then do you recall -- I know you've testified before -- in a court setting before. Do you recall approximately how many times you've testified in court related to something with the coalition for the Peoples' Agenda?

A. In court -- and I guess I got confused about court, because the situation with the storm was a court setting. And the other deposition was with a Hancock County polling location closures that I remember.

Q. Okay.

A. The -- in terms of court setting, I know the one with the extending of the voter registration deadline, and I -- as you know I was a witness in one

of the cases in court. I can't remember exactly, so I don't want to misspeak.

Q. Certainly, and that's totally fine. I recall one related to Gwinnett County early voting sites too that I believe you testified?

A. Right. Yes.

Q. Okay. Good. If you can just give me kind of a brief overview, I'm assuming you have a college degree; is that right?

A. I do.

Q. And from where and when did you get that degree?

A. I am a graduate of the University of Georgia. I have an undergraduate degree in business administration, and I started a master's of public administration in both with the University of Georgia. My last year of attendance was 1972.

Q. Okay. And go Dawgs. What a great week it has been for the Bulldogs.

So after you -- some I'm assuming you finished your MPA in 1972; is that right?

A. Correct.

Q. Okay. And after that point, have you had any other graduate programs you've participated in as a student?

A. No, I haven't.
Q. Okay. And do you hold any certifications or professional licenses of any sort?
A. The only other certification I got was with the Midwest Academy for organizing.
Q. And do you recall approximately when you received that certification?
A. Lord, that was 20 years ago. Probably --
Q. Okay.
A. -- in -- oh, gosh, in 2000, or thereabout. I can't remember the exact time range, but I was with the NAACP at that time.
Q. Okay. And that's totally fine. Thank you. So let's talk next just briefly about your employment history. Can you just walk me through kind of after you graduated with your MPA, kind of what your job history has been since that point, just an overview?
A. Overview, I worked for General Motors in Doraville, as well as their central office in Warren, Michigan. I worked for a retail grocery chain, Grand Union. And then after that, I went to work for the NAACP Voter Fund, and then I came to work with the Peoples' Agenda in 2003.
Q. Okay. So do you recall approximately when you started working with the NAACP Voter Fund?

A. In 2000.
Q. 2000, okay. And is that the same thing as the Legal Defense Fund, or is it a different entity?
A. It's different. The Legal Defense Fund is the legal arm. The NAACP Voter Fund was strictly devoted to civic engagement work.
Q. Okay. Got it. And what was your position with the NAACP Voter Fund?
A. I was a -- with the Voter Fund, I was a coordinator for the State of Georgia.
Q. And in your role of coordinator, what did you do?
A. Basically, I coordinated the activities -- civic engagement activities for the registration, voter education, mobilization, that kind of thing.
Q. Okay. Great. And then did you volunteer with the NAACP Voter Fund to come over to the Peoples' Agenda?
A. Did I what? I'm sorry, I didn't understand the question.
Q. Sure. Did you volunteer -- did you choose to leave the NAACP Voter Fund to come -- to come to the Coalition for the Peoples' Agenda?
A. Well, the funding for the Voter Fund ended, and then I came to work for the Peoples' Agenda. I had

met -- worked with the Peoples' Agenda in my role with the Voter Fund, and after that, they recruited me to the Peoples' Agenda.

Q. Okay. Great. So when you got to the Peoples' Agenda, I think you said it was in 2003; is that right?

A. Correct.

Q. And what was your role when you got there?

A. I was a state coordinator responsible for a -- similar activities I did with the NAACP Voter Fund: Voter registration, education, mobilization, and other activities of the organization.

Q. And have -- have you -- what other titles have you held at the Peoples' Agenda since 2003?

A. The only other title I've held is as executive director.

Q. Okay. And when were you made executive director?

A. Oh, it's been -- it was about three years after joining the Peoples' Agenda, thereabouts. I don't recall the exact dates.

Q. That's totally fine. If you could just briefly sketch for me what kind of role or what your responsibilities are as the executive director. I'm sure it's all-encompassing.

A. It is all-encompassing. I oversee the entire operation of the Peoples' Agenda, do a lot of funding, development, membership, civic engagement work, work on issues that we feel are important to communities of color, especially African American communities.

(Whereupon, Defendants' Exhibit No. 1 was identified for the record.)

BY MR. TYSON:

Q. Okay. All right. So let's move next to the Notice of Deposition. So if you will look in your Exhibit Share, Exhibit 1 is the Notice of Deposition. Can you get that in front of you there?

A. I see it.

Q. Okay. And I am assuming you've seen Exhibit 1 before, right?

A. Let me look at it. Yes.

Q. Okay. So let me take you down -- if you go to the second page, there is a -- from I guess the second full paragraph on that page it begins, "Please note."

Do you see that?

A. Yes.

Q. And there is indication that the "Organization must designate one or more officers, directors, managing agents, or other appropriate

persons who consent to testify on behalf of the organization."

Do you see that?

A. I do.

Q. And it's correct that you are the designee for the topics as modified -- and we will get into that -- along with Ms. Battles, for the topics that are listed in Exhibit A; is that right?

A. That's correct.

Q. Okay. Now, I know we have an e-mail that you are not the designee for every topic. We will go through those, but besides you and Ms. Battles, there are no other designees for the Georgia Coalition, right?

A. Right. That's correct.

Q. Okay. And since this is what we call a 30(b)(6) deposition, it's a little different than a normal deposition because you're not testifying about just your personal knowledge, but the knowledge of the organization and information that is known or reasonably available to it. Do you understand that role?

A. I believe I do.

Q. Okay.

A. Yes.

Q. And when we use the term "organization," throughout here, we're going to be referring to the Georgia Coalition for the Peoples' Agenda, correct?
A. That's correct.
Q. And do you have a preferred way, a shorthand way, to refer to the coalition? Do you refer to it as the coalition or as something else?
A. We refer to it as Peoples' Agenda.
Q. Peoples' Agenda, okay. Got it. I'll do my best to use that just so we'll be as not confusing as possible.
All right. So let's talk a little bit about getting ready for today. When did you first learn that this deposition was going to be happening?
MS. BERRY: I -- sorry, Helen, I just wanted to object. You can testify as long as you don't disclose any communications with counsel.
BY MR. TYSON:
Q. Certainly. And I want to be clear, Ms. Butler, for any of the questions that I ask about getting ready for the deposition, I'm not asking for anything you've talked about with your lawyers. Just about the -- just information on that.
So with that understanding, when did you first learn that this deposition was going to be

1 happening?
2 A. When I got the notice of the deposition.
3 Q. Okay. And when did you learn -- and maybe
4 this was assumed from the beginning -- that you were
5 going to be one of the 30(b)(6) witnesses in the case?
6 A. Well, after getting the deposition in terms
7 of what was required there, I, along with Cindy, were
8 the most logical people to respond.
9 Q. Okay. And that makes sense. So in terms of
10 getting ready, do you recall approximately when you
11 started preparing for the deposition?
12 A. I mean, I reviewed the complaint in the
13 deposition material here, but other than that, I don't
14 remember an exact date.
15 Q. Okay.
16 A. I mean, it's within the last couple of weeks.
17 Q. Okay. That makes sense. And I'm not asking
18 you with this question for a legal conclusion or your
19 understanding as a lawyer, but just in your own words,
20 what did you understand that your obligations were to
21 get ready for the deposition today?
22 A. My obligation is to provide the necessary
23 information that I am aware of, and give that
24 information in this deposition.
25 Q. Okay. Great. So let's talk a little bit

more about kind of getting ready. And, again, I want to make sure I'm not asking you for anything that you talked about with your lawyers. I just want to get some general categories of ways you prepared. So first of all, to get ready for today, did you review any paper documents?

A. I reviewed the complaint, and --

Q. Okay.

A. -- our response.

Q. Did you look at any other documents besides the complaint and the response?

A. I'm trying to think of what would be considered -- no. Basically, just reviewing the information in the complaint, and, you know, what is asked in the exhibit. Those are the documents.

Q. Okay. Makes sense. And then did you look at any e-mails or kind of electronic documents to get ready for the deposition today?

A. I believe -- e-mails between whom? I guess -- no, there were no specific e-mails that I recall that I looked at.

Q. Okay. That's fine. And I know we're going to look at documents in Exhibit Share, but besides -- I'm not asking for documents I'm going to give to you to look at, but did you bring any documents with you to

your deposition today?
A. No.
Q. In terms of getting ready for the deposition, did you talk with anybody at the Peoples' Agenda about the different topics?
A. I reviewed with my counsel, and of course, just Cindy.
Q. Okay. And I want to be clear, I don't want to ask for anything you've talked with with your counsel, but -- so is it correct, then, that you spoke with Ms. Battles, but didn't speak with anybody else at the Peoples' Agenda about the deposition and preparing for it?
A. No.
Q. Okay. And when you talked with Ms. Battles, was your lawyer present at those conversations with her?
A. Yes.
Q. Okay. In terms of the topics we're going to be discussing today, I know that there's a few that we've withdrawn, but -- actually, I'll just ask this as we go because I think it will be easier to address as we move along, as opposed to trying to do it as a group.
So let me get to that. So let me go next to

Exhibit A that's in the Notice of Deposition in Exhibit 1. And it's nice and confusing to have Exhibit A to Exhibit 1, but what I'm going to do today is work my way through the topics. And as best I can, I'm going to go in order. Some of the topics may end up kind of bleeding over into some of the others, so I'll work to avoid that, but that may happen along the way. All right. So first --

A. You're talking about exhibit -- I just want to make sure.

Q. Exhibit 1, the fourth page of the PDF is titled Exhibit A at the top.

A. Oh, yeah. Okay.

Q. So are we together on that?

A. We are together.

Q. Okay. So what I want to do is first look at Topics 1 and 2. Topic 1 is "The Organization's allocation of resources and budgetary decisions from January 1, 2021, through the present that reflect the diversion of funds and resources the organization alleges it has undertaken in its Complaints."

MR. TYSON: And through our agreement of counsel, Crinesha, if we could just confirm, the Peoples' Agenda is not asserting any financial diversion of resources, and so the questions about

Topic 1 will be one that is the nonfinancial diversion, and Topic 2 is withdrawn. Does that reflect your understanding of our agreement?

MS. BERRY: Yes. That's correct.

MR. TYSON: Okay. Great.

BY MR. TYSON:

Q. So, Ms. Butler, you are -- I'm going to -- now kind of a series of questions I'll ask for each topic that's going to be kind of repetitive, but we ask them each time. You're the designee for Topic 1; is that correct?

A. That's correct.

Q. And I believe Ms. Battles is also designated for Topic 1, right?

A. That's correct.

Q. Okay. Did you review any documents specifically to get ready for Topic Number 1?

A. Not specific documents, no.

Q. Okay. And did you speak with anyone at the Peoples' Agenda specifically to prepare for Topic 1?

A. No. Other than as I indicated before.

Q. Okay. So you're aware that the Peoples' Agenda is alleging that it had to divert resources, or nonfinancial resources, in order to respond to the redistricting plans passed by the General Assembly; is

that right?

A. That's correct.

Q. Okay. What types of activities has the Peoples' Agenda had to divert resources from as a result of the redistricting maps?

A. Well, the Peoples' Agenda -- our goals and activities that we do are more than just our civic engagement where we do voter registration, voter education, mobilization, or election-protection work. We also do issue organizing around the criminal justice system, around education equity, around economic equity, and sometimes other issues with the Black Women's Roundtable around issues that impact women.

So we do a lot of things. You know, we had to assign -- and we have a very limited staff. And so we had to assign and prioritize the activities of our staff and volunteers that work with us to be able to accomplish a lot of things that were impacted by the redistricting. And that took our time and energies away from doing these other activities. For instance, we've been trying to get our citizen review boards adopted throughout the state.

So we were able to do those activities to get people engaged in the process. And we had to also try to prioritize our efforts that we normally do in a

normal election cycle with voter registration, education, mobilization, and election protection. And mirror that with trying to accomplish educating the public about the redistricting process, how it was happening, how it would impact the communities. So we had to really reorganize and reprioritize our limited staff and volunteers that could do the work.

Q. And I definitely hear you in terms of prioritizing. Are you able to identify what portions of that prioritization were due to the redistricting maps and what portions were due to other causes within the Peoples' Agenda?

A. I don't know a basic percentage per se, but I would say that a large portion of our activities had to be diverted to holding different town hall hearings. Trying -- Cindy had to spend most of her time at hearings, trying to get people educated about the process, how they could have an impact, trying to help people know -- get tools to really draw their own maps to be engaged in the redistricting process because it's critical.

And as you know, Georgia -- since I've been working in this field, Georgia has a history of discriminatory maps that they draw that don't allow communities of color to really be able to really select

1 people of their -- that will represent them based on
2 their issues and their community interests. So
3 therefore, that's why we had to allocate more time to
4 the redistricting process while still trying to do our
5 municipal elections at that time in 2021.
6 So a large portion of that, our time and
7 resources, were diverted to that. Doing the meetings,
8 developing materials, all of those things that we had
9 to do, that could have been spent on the other issues
10 that we do, like criminal justice, like education
11 equity, like improving our economic equity in the -- in
12 the state. So we could not do those effectively. We
13 had to devote more time to the redistricting process.
14 Q. Certainly. So I want to try to drill down a
15 little bit on the timeline of those activities. When
16 you were talking about engaging in the redistricting
17 process, are you referring to the time between when the
18 census information came out and the conclusion of the
19 special session, or in your mind, does the
20 redistricting process go beyond the special session?
21 A. Well, of course, in my mind, it starts with
22 the census in 2020 where we were working with getting
23 people engaged in the census and educating about the
24 census, how to do it, getting it filled out, getting
25 out people, making sure we had that. Then coming in

2021, where we knew that the laws -- where lines, rather, would be redrawn to determine who gets to represent us and who gets to decide on how much funds come to our organizations and to our communities.

So to me, the redistricting process also -- as a part of that, we've had to now help people understand what that process was. It wasn't very transparent. So we had to make sure people knew when, where, how to get engaged, how to provide testimony within those situations at the hearings.

Also, we're continuously still doing it. There are a lot of local maps that were redrawn, so it's now educating the voters about who their new representatives are, where the lines are, where the precincts are being changed to. Those kinds of activities are our ongoing part of the redistricting process.

Q. Okay. That's really helpful. Thank you. So trying to drill down again on timeline, what kind of activities has the Peoples' Agenda had to divert resources from after December 30th, 2021, when the governor signed the redistricting plans?

A. Again, it's a lot of trying to help educate, you know, not only with the redistricting plans, we had SB 202 that changed election procedures, so you had to

1 talk about how the lines were, who your new
2 representatives are. There are seven -- approximately
3 seven million voters -- registered voters in Georgia,
4 which approximately 2 million are African American.
5 And that doesn't include other people of color that
6 needed to be educated about the changes, the lines, how
7 they were drawn, who would get to represent them, and
8 how it would impact our communities.
9 Q. Got it. And so when you're educating voters,
10 are you educating them at the same time about Senate
11 Bill 202 and the district changes after December 2021?
12 A. Not necessarily. So they -- you know, during
13 the election cycle, we talk about the new changes to
14 their districts. But the hearings that were done for
15 the redistricting were a little different than that.
16 Q. Okay. Makes sense. So let me talk a little
17 bit about, then, what the Peoples' Agenda has begun
18 doing or has started doing after December 2021. Are
19 there activities that the Peoples' Agenda engaged in
20 after December 2021 that were related to the
21 redistricting plans?
22 A. Again, with regards to the plans, we had to
23 educate people about those changes and the lines, how
24 that would impact them in terms of their new polling
25 locations, and in terms of who their representatives

are. We had an election, you know, after then. So we had midterm elections that were impacted based on the redrawing of those lines, what the -- who would be the representatives and people needed to know those. So we've been doing that, as well as there have been some polling location changes that were impacted by that as well.

Q. And so -- and I do want to say I know everybody appreciates getting education to voters. That's a very important task, so I'm very grateful for that. Besides the voter education efforts since December 2021, are there other programs or specific activities the Peoples' Agenda has undertaken related to redistricting?

A. I mean, you know, we have developed materials that go along with that. We've given presentations, those kind of things that take time away, to go to community functions to talk about that where we could talk about other things. So -- so our staff has to do that.

Q. Okay. And I guess I want to understand, are those -- are those things where you have to develop materials or kind of take time from talking about other topics, are those part of voter education or is that a different activity in your mind?

A. I mean, it's all that --

MS. BERRY: I'm sorry, Helen. Really quickly, I just want to object and clarify. Bryan, when you say "in your mind," are you asking Helen in her personal capacity or are we still talking about Peoples' Agenda?

MR. TYSON: I'm still talking about Peoples' Agenda, but let me ask the question a little better and see if I can maybe clarify that. Thank you, Crinesha.

BY MR. TYSON:

Q. So, Ms. Butler, what I'd like to understand is you mentioned developing materials and taking time away and presentations. Does that Peoples' Agenda consider the presentations and the materials that are being developed part of its voter education efforts?

A. I mean, it could be considered part of it, but it's extra steps that we had to take that we could be doing some other presentations on other goals and activities within the organization. As I said, we have a limited staff, and so we use a lot of volunteers. We also have to redirect our volunteers to assist with those activities.

So -- whereas, we could be doing other issues. Like education is really critical. And my

1 personal and to the organization, education is one of
2 our critical issues that we work on. So those -- we
3 could be doing other things around education. But
4 instead, we are having to talk about and do things to
5 help people understand their new district line-ups,
6 what that means to them, what -- based on the
7 representation that they now have.
8 So those are additional things. But while it
9 is still voter education, but it's a little more
10 different and intense than we normally would probably,
11 say -- have to do with regards to talking about
12 redistricting, moving polling locations, and that kind
13 of thing.
14 Q. Okay. Now, I know you have been involved
15 around the states and redistricting for probably
16 multiple redistricting cycles at this point; is that
17 right?
18 A. Since 20 -- 2000, yes.
19 Q. Okay. And is it -- in your experience, and
20 in the work of the Peoples' Agenda, is educating voters
21 about new district lines something that has to happen
22 after each redistricting cycle?
23 A. It's something that we have to educate people
24 about. But, again, based on the way the districts are
25 drawn helps determine how much time you have to spend

on it and whether it adversely impacts your communities and how you get that involved. Again, it's -- it's more -- it was more intense to really be involved in this and to get people engaged in the process so that we could have fair maps and we could have representation based on the results of the census.

Q. And you actually anticipated my next question I was going to ask, which was that obviously the Peoples' Agenda claims that the 2021 redistricting plans are unlawful. Are there specific things that the Peoples' Agenda is having to do in its communication to voters regarding the -- the allegedly illegal nature of the 2021 plans?

A. Well, as I said, to us, the -- our -- the voting strength of a lot of people of color has been diluted as a result of these maps, and we haven't had the real opportunity to elect more people that represent our interests and will do -- help to improve our communities.

So it's moving people based on racial -- you know, race that really helps to dilute our voting strength. So that's why we feel that this is a situation that we have to educate the voters on, that voters have to be engaged in the process a little more than we normally would.

Q. Okay. And just so I fully understand, you mentioned that the maps dilute voting strength and so you have to educate voters in a particular way. Are there particular messages that the Peoples' Agenda gives to voters to educate them about the results of what the Peoples' Agenda says is the dilution?

A. Well, what we do is basically show them the maps. And that's why I said we do presentations. We develop presentations that we give. We have town halls that we talk to people about how they would draw -- how fair maps could be drawn as examples, you know, that kind of thing. So that would be some of the activities that we do.

Q. Okay. And that helps. Thank you. Do you have a -- and you may not, so I want to preface this, it's fine if you don't have an answer to this question. But do you have a rough percentage of how much of the Peoples' Agenda's time is being spent on issues related to the 2021 redistricting plans versus its other activities?

A. I don't have a rough percentage, but I do know that, again, I've had to divert my staff's time, had to divert our volunteers that work with us to this to help us. Again, we are trying to reach people of color, especially African Americans. And there are

1 approximately two million African Americans registered
2 to vote in the state of Georgia that are impacted by --
3 that are drawn -- impacted by these lines that are
4 drawn. So it's taking time for us to help educate
5 them.
6 Q. And which staff members of the Peoples'
7 Agenda have you had to reassign to tasks related to the
8 redistricting plans?
9 A. Of course, Cindy Battles, who's our policy
10 engagement director, our coordinators have to assist
11 with setting up town hall meetings and other activities
12 we do in other parts of the state. You know, we are
13 in -- not just in Metro Atlanta. We are in rural
14 Georgia with limited resources, which are much more
15 strict -- limited than in Metro Atlanta.
16 So it really puts an extra burden on us
17 trying to get those activities done in rural Georgia
18 versus Metro Atlanta. So it's those -- and our
19 volunteers that work with us and volunteer their time,
20 making the most use of their time to help us get the
21 messaging out, doing phone banking, texting to voters
22 to help them understand the differences and the
23 changes. Again, those activities could be done for
24 other good things that we want to accomplish as our
25 organizational goals.

Q. Yes. And that's -- actually was going to be my next question. So you mentioned your coordinators have to set up these town hall meetings. Are those town hall meetings that would happen regardless of redistricting, but the topic has to be about redistricting?

A. No. They are not necessarily town halls that we would have with the -- these are specifically dedicated to the redistricting activities that we are doing, not necessarily that.

Q. Okay.

A. You know, we do -- and I do want to be clear, we do conduct town hall meetings sometimes, but we've been doing, more frequently, town halls with regards to redistricting to make sure, as I said, we reach the people so that they know who is representing them and how it impacts their communities.

Q. Okay. And then I had the same question. You mentioned the phone banking and the texting programs. Are those programs that the Peoples' Agenda engages in regardless of redistricting, but has to give a different message because of redistricting?

A. We engage in phone banking and texting as a part of our voter registration activities. But, again, the messaging has to be diverted to other things, not

issues like education equity, not like criminal justice. Getting those citizen review boards that we've been trying to do or economic justice equity issues. We are spending more time doing that with regards to polling changes and -- and these redistricting -- how redistricting has impacted the communities.

Q. Okay. Thank you. And just so I understand, does the Peoples' Agenda have any sort of documents that reflect the, you know, we were going to phone bank about this issue, but now we're going to phone bank about another issue?

A. I don't have a document that specifically says that, no.

Q. Okay. Let me move next -- and we'll go next to Topic Number 3 on the list. And that is the "The Organization's exempt purpose and activities it undertakes in accordance with its exempt purpose."

Do you see that?

A. I do.

Q. Okay. So I'm going to start with my same questions for this topic. You're the designee for the Peoples' Agenda on Topic 3, right?

A. That's correct.

Q. And did you prepare -- I mean, I'm sorry, did

you review any documents specifically to prepare for Topic Number 3?

A. No.

Q. And did you speak with anybody at the Peoples' Agenda specifically to prepare for Topic Number 3?

A. No.

(Whereupon, Defendants' Exhibit No. 2 was identified for the record.)

BY MR. TYSON:

Q. So what I'd like to do, I'm going to mark the Articles of Incorporation as an exhibit. All right. So if you can refresh your Exhibit Share, those should show up now as Exhibit 2.

A. Okay.

Q. Can you see Exhibit 2 now, Ms. Butler?

A. I do.

Q. Okay. Is Exhibit 2 the Articles of Incorporation for the Peoples' Agenda?

A. Yes. It is the amended Articles of Incorporation.

Q. Okay. And if you could just go with me down to Article Number 3 that's titled "Purposes."

Do you see that?

A. Yes.

Q. And listed here, the purpose of the Corporation, the second sentence, "Shall be to the charitable and educational purposes of conducting research and educating the public on exercising their right to vote, being active participants in our democracy, and on issues that affect their lives."

Do you see that?

A. I do.

Q. Could you just -- and I know we've already talked about some of these, but just briefly explain to me some of the activities that the Peoples' Agenda undertakes to further the purposes listed in the Articles of Incorporation here?

A. As I stated before, our mission really is to improve the quality of us by having actively informed people that will be engaged, and will hold our officials accountable. What we do with regards to that, we do a lot of civic engagement work. We do voter registration, we do voter education, we do voter mobilization, we do a lot of election protection work. We are working on other issues, like I said, education equity. We've worked on criminal justice reform, economic empowerment. We sometimes work on health care issues.

But it's on issues -- as it states there,

1 issues that affect the lives of predominantly African
2 American communities, but also people of color and
3 underserved communities. That's what we do. Yeah, we
4 are a nonprofit organization, and that's basically what
5 we do.
6 (Whereupon, Defendants' Exhibit No. 3 was
7 identified for the record.)
8 BY MR. TYSON:
9 Q. Okay. Thank you. I want to introduce
10 another exhibit if you could refresh the Exhibit Share.
11 Exhibit Number 3 should be up there in just a second.
12 Can you see the exhibit now? Okay.
13 A. I do.
14 Q. And is Exhibit 3 part of the Peoples' Agenda
15 website titled, "Mission & History"?
16 A. It is.
17 Q. Okay. And I wanted to ask you, if you go to
18 the second page, there's a reference there to the
19 second -- well, the first full paragraph, I guess:
20 "Our mission is to improve the quality of governance in
21 Georgia, help create a more informed and active
22 electorate, and have responsive and accountable elected
23 officials."
24 Do you see that?
25 A. Correct.

Q. And is that an accurate summation of what the Peoples' Agenda is seeking to do in Georgia?
A. Yes, it is.
Q. And part of the way that the Peoples' Agenda serves its purpose as an organization is sometimes by filing litigation to advance its interests, right?
A. Well, we file litigation when we believe that our communities have not been given the opportunities that it should. But, yes, we do file some litigation as a part of the activities.
Q. Let me ask you about one other exhibit under this topic. Hang on. I haven't uploaded it yet. So just a second. Let me get this one set.
(Whereupon, Defendants' Exhibit No. 4 was identified for the record.)
BY MR. TYSON:
Q. All right. So Exhibit 4 should be in Exhibit Share now, and this is the complaint -- the amended complaint filed in this case.
A. Okay.
Q. Okay. All right. So I know it's over 100 pages. I'm not going to ask you about all of those. I just wanted to take you to page 15, it's Paragraph 43, which begins, "Plaintiff the Georgia Coalition for the Peoples' Agenda."

So if you could get to that page, and let me know when you're there.

A. What was the page? Oh, 15?

Q. Page 15, Paragraph 43.

A. Okay.

Q. All right. So what I wanted to do is just ask a few questions about the portions of the complaint related to the Peoples' Agenda and its mission. So down on Paragraph 46 on page 15, the second sentence in Paragraph 46 says, "The GCPA's support of voting rights is central to its mission."

Do you see that?

A. Correct.

Q. How is the support of voting rights central to the mission of the Peoples' Agenda?

A. Well, as you know, Dr. Lowry, our founder, the Peoples' Agenda was very instrumental in getting the 1965 Voting Rights Act passed, and those provisions in place that allow people of color opportunities -- more opportunity to participate in the electoral process. So, therefore, him being our founder, that's why voting -- protecting voting rights, and -- and ensuring people have access to that right to vote is central to our mission.

Q. And is it correct that one of the ways the

1 Peoples' Agenda supports voting rights is by seeking to
2 have fair maps or redistricting maps put in place in
3 Georgia?
4 A. We do want to have the representation by
5 having fair maps that would allow us to elect
6 representatives that would provide representation for
7 our communities and will consider our issues as
8 priority, so yes.
9 Q. So let's go down to page number 17 of the
10 complaint, and Paragraph 51. There's a paragraph that
11 begins, "During this redistricting cycle."
12 Do you see that?
13 A. Yes.
14 Q. And the first thing there is that, "the GCPA
15 provided oral testimony to the House and Senate
16 redistricting committees."
17 Do you see that language?
18 A. I do.
19 Q. And was the Peoples' Agenda providing
20 testimony to the redistricting committees to advance
21 its mission of voting rights?
22 A. We were providing testimony to ensure that
23 there was transparency, that the voters who are being
24 able to be engaged, and that -- especially people of
25 color and underserved communities, and that they would

be able to watch the maps -- where maps are drawn, would be able to have representation, the most representation that would benefit our communities.

Q. And the Peoples' Agenda was able to testify at the various hearings. held by the redistricting committees, right?

A. Yes.

Q. And the second thing there in Paragraph 51 is a reference to the submission of the proposed Georgia Unity Maps. Do you see that?

A. Yes.

Q. And were the unity maps an example of what the Peoples' Agenda believed would be fair maps for Georgia voters?

A. Yes. The unity maps were maps that we thought would be -- are examples of how fair maps could be drawn.

Q. And then there's a reference toward the end of that paragraph, "and advocated for the adoption of fair maps that adhere to the requirements of the Voting Rights Act of 1965 and the 14th and 15th Amendments to the Constitution."

Do you see that?

A. Yes, I do.

Q. And this advocacy for fair maps is something

that Peoples' Agenda undertook, again, to further its mission related to the voting rights of Georgia voters, right?

A. It did. But of course, again, it has to do with the representation. Making sure our people were not cracked or packed so that we could have fair maps that would give us the most representation, and we could elect represent -- people that will represent our interest.

Q. And when you refer to "people that will represent our interests," what -- what does that refer to?

A. Our representatives, our elected officials, whether it's on a national or federal level, state level, or local level. So it's representation at all levels.

Q. And the Peoples' Agenda is a nonpartisan organization, right?

A. Correct.

Q. All right. Let's go ahead and move to Topic Number 4. I'm sorry to make you keep flipping back and forth to the topics in the other documents. We'll try to keep it as minimal as we can.

A. Where am I going now?

Q. So we're going back to Exhibit 1 --

A. Okay.
Q. -- the list of topics on there. And, Ms. Butler, we've been going about an hour. Do you want to take a break at this point or keep going?
A. Can we take a break?
Q. Certainly we can.
A. Okay.
Q. Yeah.
(Whereupon, a brief break was taken.)
BY MR. TYSON:
Q. Okay. So we'll get back to our topic list in Exhibit 1. And the next topic is going to be Number 4, which is, "The Organization's organizational structure, including individuals who have the authority to make funding and resource-allocation decisions for the Organization from January 1, 2021 through the present." Do you see that topic?
A. Yes.
Q. Okay. And we are, pursuant to our agreement, that the Peoples' Agenda is not seeking standing based on a financial diversion. My questions are only going to be about nonfinancial resource allocation decisions. Do you understand that?
A. Yes.
Q. Okay. And so I'll go through my same

1 questions again. You're the designee for Topic Number
2 4, right?
3 A. Yes, I am.
4 Q. And did you review any documents or speak to
5 anybody specifically -- at the Peoples' Agenda
6 specifically to prepare for this particular topic?
7 A. No.
8 Q. And so if you could just give me a general
9 overview of how the organization or how the Peoples'
10 Agenda is structured as an organization.
11 A. Generally speaking, we have the main office
12 here in Metro Atlanta. We have -- well, first of all,
13 we have a board of directors, then we have the main
14 office here with the actual staff, and then we have, I
15 guess, you would say satellite offices in other parts
16 of the state. And that's generally how we're
17 structured.
18 Q. And I know there's a reference -- you don't
19 have to turn back there -- within the complaint,
20 there's a reference to the Peoples' Agenda being a
21 coalition of more than 30 organizations. Is that an
22 accurate way to talk about the Peoples' Agenda?
23 A. Yes. And when the Peoples' Agenda was
24 founded, it was founded sort of differently than --
25 most organizations have individual memberships. While

we do have individual memberships, it was mainly -- the coalition was to bring organizational heads together to work on issues that would impact our communities to have better impact and effect. So there are approximately 30 organizations that are members of the Peoples' Agenda, but we do have individual members as well.

Q. Okay. And -- and just so I understand, for the organizational members, do they have any role in the decisions about resource allocation by the Peoples' Agenda?

A. No.

Q. Do the individual members have any role in deciding resource allocation for the Peoples' Agenda?

A. No.

Q. Okay. So when we talked earlier about the decisions to hold the town hall meetings or to do the voter education differently in light of the redistricting plans, who or what entity in the Peoples' Agenda makes that decision?

A. I, as the executive director, along with -- I would seek the advice of my staff, like Cindy and Linden, with regards to that. And sometimes with regards -- it depends on the activity with regards to the coordinators.

Q. Okay. And then you mentioned that there was a board as well. Does the board have any role in those resource allocation decisions for nonfinancial resources?

A. No. I basically do review what we're doing, our activities with the board chair, but they don't specifically decide how the resources should be allocated.

Q. So when we talked about the diversion of resources related to the redistricting plans, is it correct to say that those were decisions you made in consultation with your staff?

A. Correct.

Q. All right. So let's go to Topic Number 5. I think that was our shortest topic yet, so we'll keep moving our way along here. This one will be -- this one will be a little longer, unfortunately. Topic Number 5 is, "The specific ways in which the actions of the Defendants that form the basis of its Complaints in this action caused the Organization to divert resources away from its organizational activities to activities in which the Organization had not previously engaged, and the identification of the overall amount of the diverted resources."

And then Subtopic A is, "The specific activities and projects the Organization was unable to engage in due to the diversion of resources to activities necessitated by such actions."
So you see that topic, right?
A. I do.
Q. And you are the designee for the Peoples' Agenda for Topic Number 5, right?
A. Yes.
Q. And I think I know the answer, but did you review any documents or speak to anyone specifically to prepare for Topic Number 5?
A. No, no, no, no.
Q. Okay.
MS. BERRY: Bryan, I just want to interject here just to clarify, I know we didn't list 5 in -- when we reserved our response -- responses and objections, but I just want to make sure that the end of 5 where it says, "The overall amount of diverted resources," that your questions won't include -- won't try to seek information about diversion of financial resources.
MR. TYSON: Correct. Yeah.
MS. BERRY: Okay.
MR. TYSON: I'm not asking any questions

about financial resources, yeah.

MS. BERRY: Great. Okay. Thank you.

BY MR. TYSON:

Q. Thank you. All right. So, Ms. Butler, I know we've talked a lot about a lot of different activities already. And I don't want to necessarily go back over all those grounds, but I did want to ask a question about the complaint. So back to Exhibit Number 4. So if you can get that back in front of you for me. And this time, we'll be on page number 17 of the PDF.

A. Okay.

Q. Okay. That's fine. Just let me know when you're there. I know --

A. I'm at page 17.

Q. Okay. So in Paragraph 52, there towards the bottom of page 17, I want to ask you about the last couple of sentences there. So there's a statement about the middle of Paragraph 52 that says, "Funds and volunteers normally directed towards programs that the GCPA implements, such as voter empowerment efforts and voter registration drives, have had to be and will continue to be" -- "have to be" -- I'm sorry -- "and will continued to have to be redirected and diverted towards efforts to combat the effects of these new maps

on its constituents."
Do you see that?
A. Yes.
Q. And we've talked about the fact that the Peoples' Agenda is not alleging that the funds will be diverted, but that other resources will be diverted, right?
A. That's correct.
Q. And so I know we've talked about already in Topic 1 a number of things that the Peoples' Agenda is going to have to do differently, and my list from that was that voter education looks different, you're holding voter town hall meetings that you would not have held otherwise, and that you have had to set up phone banking and texting, other types of activities like that. Are there other activities that the Peoples' Agenda will have to implement to combat the effects of these new maps on its constituents as referenced in this paragraph that we haven't talked about yet?
A. I think we've covered most of them. Like we still have to move some of our volunteers around to do these activities that they could be doing other activities to volunteer with us, those kinds of things. You know, like I said, working to do presentations to

the community, getting those done. You know, we -- those -- I -- I think I've covered most of the activities that were additional that were diverted from our regular activities that we could do -- get done if we were not doing these activities.

Q. Okay. So then now I want to ask you about the next sentence there in 52 which says, "By diverting time and resources to these priorities, GCPA will be unable to commit to other programs that are core to its mission."

Do you see that?

A. Yes.

Q. And so the reference to other programs that the Peoples' Agenda is unable to commit to, I believe we've talked already about the effort to get citizens review panels in different counties. Is that one of the programs that GC --

A. That's --

Q. -- that the Peoples' Agenda is unable to commit to?

A. That's correct.

Q. Are there other programs beyond the citizen review panels that the Peoples' Agenda will not be able to commit to as a result of its work combating the effects of the redistricting maps?

A. A lot of it has to do with that education initiatives, working with parents with regards to schools and involvement in schools getting community schools. One of the issues we want to have is community schools that have wraparound service. We won't have time to dedicate a lot to that.

From an economic empowerment standpoint, we want to make sure that our communities are able to participate in a lot of the funding that comes through governmental agencies that would empower, or either for training -- that our people would get training to have a livable wage. Those kinds of activities that would improve the outcomes and the success of our communities is things like that. Getting Medicaid expansion for health care. We are adversely impacted as a community of color by those kinds of issues. We won't have time to vote, to get those things for our community.

So it's those kinds of things that we go lacking because we are prioritizing and having to make sure that people first of all, get to have fair maps and get the representation because the people that make the policies for those areas that we talked about, impact those policy areas.

So it's -- that's why we are devoting so much time to this redistricting because we have to have

fair representation that would give us, you know -- would help us to achieve our goals in our community from those other issues standpoint.

Q. Okay. And just so I understand, is it the Peoples' Agenda's view that if there were fair maps in Georgia, you would be able to devote all the necessary resources to all those different programs you just listed, like community schools and things like that?

A. Yes.

(Whereupon, Defendants' Exhibit No. 5 was identified for the record.)

BY MR. TYSON:

Q. So let me give us another exhibit here because I want to work through some of these activities.

All right. So I just uploaded Exhibit Number 5, and this unfortunately is a 98-page PDF, but I only need to start looking at page 9. So if you could let me know when you have that loaded.

A. I have Exhibit 5.

Q. Okay. So if you could, go to page 9 with me. And just for the record, this is the Peoples' Agenda's First Supplemental Objections and Responses to Defendants' First Set of Interrogatories and Requests for Admission -- I'm sorry, Request for -- First Set of

Interrogatories Requests for Production of Documents and Requests for Admission.

A. Okay. I'm on page 5.

Q. Page 9?

A. Page 9. Page 9, yeah.

Q. So, first of all, I just wanted to ask, have you seen the responses that began on subject to the instructions -- I'm sorry, subject to the objections to instructions and definitions and the specific objections to this interrogatory set forth above Plaintiff responds as follows. Have you seen this -- these interrogatory responses before?

A. Yes.

Q. Okay. So what I wanted to do is ask about the different examples of the work of the Peoples' Agenda prior to the adoption of the redistricting plan. Starting at the bottom of page 5. There's a bulleted list. Do you see that?

A. Uh-huh.

Q. Is that a yes?

A. Oh, I'm sorry, yes.

Q. That's fine. We all do it all the time.

A. I'm sorry, yes.

Q. So what I want to do --

MS. BERRY: Bryan, you said page 5. You

1 meant page 9, right?
2 MR. TYSON: I'm sorry, yes. I definitely
3 meant page 9. I'm not on page 5 at all, so . . .
4 BY MR. TYSON:
5 Q. All right. Ms. Butler, so what I want to ask
6 is -- just for each one of these, I was going to walk
7 through them and ask about whether the Peoples' Agenda
8 is still engaged in this kind of activity. So the
9 first bullet references voter outreach efforts in
10 greater Metro Atlanta and throughout other areas in
11 Georgia through the field offices. Is the Peoples'
12 Agenda's still engaged in its voter outreach efforts
13 after the redistricting plans were adopted?
14 A. Yes.
15 Q. On the next page, there's a reference to
16 encouraging voter registration and participation,
17 particularly among black and AAPI Georgians and other
18 underrepresented communities of color in Georgia. Is
19 the Peoples' Agenda still engaged in encouraging voter
20 registration and participation in Georgia?
21 A. Yes. But, again, it's been impacted having
22 to move our time and efforts to redistricting.
23 Q. Certainly, and maybe I can actually do this a
24 little bit easier. Because I understand that the
25 change of the activity from that. What I'm trying to

1 understand is, in this list that actually runs through
2 page 12, are there any activities that the Peoples'
3 Agenda has had to stop engaging in because of its work
4 around redistricting plans?
5 MS. BERRY: And, Helen, just take whatever
6 time you need to read through the exhibit.
7 THE WITNESS: I am.
8 BY MR. TYSON:
9 Q. Yeah, that would be easier than walking
10 through each one. If you just want to read through all
11 of them and then answer.
12 A. Again, as I stated earlier, while we still do
13 those -- but those have been -- the activities, the
14 intensity of those activities are limited because we
15 did have to divert resources, and to specifically talk
16 about those -- the impact of redistricting on our
17 communities and who those representatives are.
18 Reaching people in rural Georgia, I mean, if you've
19 never been down to Lincoln County where there's not
20 mass transit and other things, trying to get access to
21 people broadband, it's not there.
22 So it's devoting more of our -- our staff and
23 volunteers' time to go do these things to make sure
24 people know how they're going to be impacted, the
25 changes that are involved. These are -- again, while

we're spending time doing a lot of that, we could be doing other things, like getting the citizen review board or getting community schools through the school boards into the school system that would improve the outlook for education for our communities.

So it's that kind -- it's, again, prioritizing more to get people -- people's time, their effort, making sure they have the tools to get -- to reach the people to get where they're -- they are. So yes, we're still doing those things. But, again, we're having to put more time and effort in helping with this redistricting process, so we cannot devote as much time and effort to our other activities.

Q. Got it. So it would be correct to say that while you haven't stopped doing any of the activities in the list that runs from page 9 to page 12, your ability to engage in those activities has been impacted by the focus on redistricting plans, right?

A. That's correct.

Q. And I'm with you. I still remember the first time I drove from Columbus to Blakely, and I was amazed as a -- as an Atlanta-raised guy. It's a very different part of Georgia, so . . .

A. That's right. I mean, I was just in Hancock County, and I mean, you know, you drive miles and you

don't see anything except trees. So, you know, it's that kind of thing.

Q. That's very true. I also remember my dad broke down on -- in Buckhead, Georgia off I-20.

A. The real Buckhead.

Q. The real Buckhead.

A. That's Morgan County. You do know that, right?

Q. Oh, I didn't realize that was Morgan County. Oh, that's great.

A. Yes.

Q. We thankfully found a great repair shop, but I very much remember being on the side of I-20 and not much being around, so . . .

A. Yeah.

Q. Well, let me do this next: On page 11 of the list of activities there's a reference to the -- the Peoples' Agenda participating in a website for the Georgia Unity maps, and there's a link for that. Do you see that?

A. Yes.

(Whereupon, Defendants' Exhibit No. 6 was identified for the record.)

BY MR. TYSON:

Q. So what I wanted to do is mark the Unity Maps

website as exhibits -- I just hit the wrong button. Hang on. There we go. As Exhibit 6.

So if you could pull up Exhibit 6 for me, please. Do you see Exhibit 6 in front of you?

A. I do.

Q. So if you can go to the second page. Is this the website that announced the release of the Unity Maps by the Peoples' Agenda and some other folks?

A. It is.

Q. Okay. And I wanted to ask -- and this may be a question for Ms. Battles, but do you personally know if any legislator ever introduced the Unity Maps as a bill in the legislature?

A. I don't know personally, no.

MS. BERRY: Objection. Bryan, do you mean Helen -- do you mean Helen personally or as . . .

MR. TYSON: That's why I asked personally.

MS. BERRY: Okay.

MR. TYSON: Just her personal knowledge, because it may be Ms. Battles who would know, so I figured I can ask her as well. So that's -- that's fine.

BY MR. TYSON:

Q. And so, Ms. Butler, these are maps that the Peoples' Agenda undertook as part of its work in

redistricting to promote fair redistricting, right?
A. Yes, it is.
Q. Okay. And on the second paragraph of the second page, there's a reference to the organizations being nonprofit, nonpartisan organizations. Do you see that?
A. Yes.
Q. Does the Peoples' Agenda know if these particular Unity Maps had a particular partisan effect, or did it never look at that question?
A. We looked at the way they moved people of color, again, based on race from our perspective -- from my perspective rather, from the Peoples' Agenda's perspective. Again, in this redistricting process, you know, I have seen where Democrats as well as Republicans try to draw maps that would not be fair for our communities. So from a partisan lens, we don't look at that. We look at how it impacts the people of color within those districts.
Q. Got it. And if you could go with me to the third page. There's a paragraph that begins, "Our proposed maps demonstrate."
Do you see that?
A. Yes.
Q. And that sentence says, "Our proposed maps

demonstrate that the creation of redistricting plans for Georgians of color have an equal opportunity to elect candidates of choice is possible without partisan or racial gerrymandering."

Do you see that?

A. Correct.

Q. So is it the Peoples' Agenda's belief that the Unity Maps are neither partisan nor racial gerrymanders?

A. We believe that our maps are fair and don't take into consideration partial or racial gerrymandering nor partisan gerrymandering.

Q. Okay. The next sentence after that says, "Moreover, our proposed maps unpack districts which are overconcentrated with voters of color while observing traditional geographic county and city concerns, particularly in the Atlanta region."

Do you see that?

A. Yes.

Q. What does the Peoples' Agenda mean by "unpack districts which are over concentrated with voters of color?"

A. It means that the maps that we had seen, and other maps that have been drawn, really pack people of color, and we actually -- our maps didn't pack a

1 certain race based on racial designation. We actually
2 drew communities of interest that were fair, and that
3 it wasn't, you know -- tried to take one racial group
4 and split them or divert them or move them to other
5 districts. But it would -- are, you know -- not
6 necessarily packed them all in one district. So it
7 would really draw lines that would give fair
8 representation into all communities of interest.
9 (Whereupon, Defendants' Exhibit No. 7 was
10 identified for the record.)
11 BY MR. TYSON:
12 Q. Okay. There is a link for the community maps
13 in the -- in the discovery responses, and I wanted to
14 mark the landing page for that link as Exhibit Number
15 7. So is that something you can pull up for us? So do
16 you have that in front of you, Ms. Butler?
17 A. I do.
18 Q. I'm sorry, did you -- I didn't hear an answer
19 if you answered me.
20 A. Yes, I do.
21 Q. Okay. I'm sorry. So is Exhibit Number 7,
22 the Georgia Unity Map for congress that the Peoples'
23 Agenda proposed?
24 A. It is.
25 Q. Okay. And I'm sorry to keep bouncing you

around here, but back to Exhibit Number 5 on the discovery responses. You can get -- once you're back in Exhibit 5, you can head to page 11.

A. Okay. I have it.

Q. Okay. So down at the bottom, there is a reference to, "Plaintiff also participated in Town Halls conducted by the Joint House and Senate Redistricting Committees during the summer of 2021."

Do you see that?

A. Yes.

Q. So the Peoples' Agenda was able to participate in the town halls and offer it's prospective on the redistricting process, right?

A. That's correct. Cindy actually participated.

Q. Got it. Okay. And I can ask her some more specifics. And go over to the next page, "Also presented testimony during the 2021 special legislative session prior to the adoption of the subject Redistricting Plans."

Do you see that?

A. Yes.

Q. And so the Peoples' Agenda was able to present testimony before the plans were adopted about its view of those plans, right?

A. That's correct.

Q. Okay. And then still on page 12, if you go down a little more, there is a reference to you participating in the virtual census and redistricting events as a presenter at various -- different groups about redistricting. Do you see that?

A. Yes.

Q. And one of them is a presentation to the National Coalition of 100 Black Women. Do you see that?

A. Yes.

(Whereupon, Defendants' Exhibit No. 8 was identified for the record.)

BY MR. TYSON:

Q. So I would like to mark as Exhibit 8 -- let me put this in the pile. There we go. So Exhibit Number 8 is a PowerPoint that was provided to us in discovery titled, "National Coalition of 100 Black Women."

I wanted to ask you some questions about that.

A. Okay. Yes.

Q. Okay. So -- okay. Thank you. So is Exhibit 8 the presentation that you made to the National Coalition of 100 Black Women about redistricting?

A. It is.

Q. And do you recall if this was a presentation made before the special session or after the special session?

A. I don't remember the exact date on here -- date on here, but this was, I believe this was after. So I believe -- I'm not really sure in terms of the date. But it looks like it may have been after.

Q. And, I'm sorry, it broke up a little bit for me. You said you believe it was after the special session?

A. I believe, but I'm not sure.

Q. Okay.

A. I'd have to look at the date of the presentation. Normally, I put the date on there, but I didn't on this particular instance.

Q. Okay. And my question is just about the very last slide on there that's titled, "Action Items - Redistricting."

In the first bullet there it says, "Collect stories about the impact of new district maps for legal actions."

Do you see that?

A. Correct.

Q. And --

A. Yes.

Q. -- was -- was the Peoples' Agenda, asking the National Coalition of 100 Black Women to take action by collecting stories with this bullet point?

A. Yes. We were because they wanted to know -- the reason they asked me there, they wanted to know what they could do and how they could get involved.

Q. Okay. And the second bullet point of how they could get involved is to educate voters about the new maps and who will represent them, right?

A. Correct.

Q. Okay.

A. Yes, I'm sorry.

Q. That's fine. Thank you. Let me mark another presentation. Just a second. Technology is great when it works and challenging when it doesn't, so . . .

There's also a reference to some other presentations that you made to, for example, the Gwinnett Alumni Chapter of Delta Sigma Beta sorority. Do you recall that?

A. Yes.

(Whereupon Defendants' Exhibit No. 9 was identified for the record.)

BY MR. TYSON:

Q. And so I've marked Exhibit 9 in the Share file, if you could take a look at that. Once you have

Exhibit 9, Ms. Butler, we're going to be asking you about just what it is.

A. Okay. I have Exhibit 9.

Q. Okay. So is Exhibit 9 the presentation that you gave to the Gwinnett County Alumni Chapter of the Delta Sigma Theta sorority?

A. Yes.

Q. Okay. So what I wanted to ask, I couldn't tell the date on this one either, but it looks like it might have been kind of in between the public hearings and the special session. But what I wanted to ask about for this presentation begins on page 15 of the PDF. There's a slide titled, "What does a fair district look like?"

A. On page what?

Q. On page 15.

A. Okay.

Q. And from page 15 through page 18, there's a list of, I guess, criteria for drawing redistricting maps. Could you look at those and tell me, is that what the Peoples' Agenda believes is the right criteria to have a fair district drawn?

MS. BERRY: I would just object that this calls for a legal conclusion. Helen, is not an attorney.

MR. TYSON: Certainly.
BY MR. TYSON:
Q. Ms. Butler, you can answer if you know. I'm not asking for a legal conclusion. Just the Peoples' Agenda's view.
A. I believe it does have some -- help determine fair districts.
Q. Okay. And on page 18, there's entitled, "Other Criteria." There's one that says, "Respect existing legislative boundaries," and one that says, "Respect Incumbency."
Do you see that?
A. Uh-huh.
Q. And is that a yes?
A. Yes. I'm sorry, yes.
Q. That's all right. Is it correct that respecting existing legislative boundaries and respecting incumbency is in the Peoples' Agenda's view not as a legal matter, but in the Peoples' Agenda's view as something that is part of a fair district plan?
A. I believe that other criteria that have been used to draw maps, not necessarily that it might be a part of the fair parts of maps.
Q. Okay.
A. That's from my interpretation.

Q. Yeah. And thank you, that's helpful. Just wanted to clarify that point.

All right. So we are finished up with Topic Number 5. Ready to move to -- actually, you know what? I think, we withdrew -- whoops -- Number 6. Give me just a second. I'll find my notes here.

All right. Yeah. So we -- since we weren't sure of future activities, we've withdrawn Number 6, which means we can -- whoops -- we've withdrawn Topic Number 7. So let's move to Topic Number 8. Are you still doing all right? Do you need another break or do you want to keep going for a little bit.

A. No, I'm fine. No, I'm fine.

Q. Okay. So Topic Number 8 is the nature --

MS. BERRY: In which exhibit?

BY MR. TYSON:

Q. Oh, I'm sorry. Ms. Butler, it's back to Exhibit 1. Back to our topic list.

A. Oh, okay.

Q. I'm sorry. We are on the last page of the topics now, though. So the end is in sight on that front.

A. Topic Number 8?

Q. Yes, ma'am.

A. Okay.

Q. So Topic Number 8 is the nature of membership of the organization, "The nature of membership of the Organization, including how individuals become members, any obligations of members, and any benefits offered by the Organization to its members."

So you see that topic, right?

A. Yes, I do.

Q. And, again, you're the designee of the Peoples' Agenda for Topic Number 8, right?

A. Yes.

Q. And did you review any documents or talk to anybody specifically to prepare for Topic Number 8?

A. No.

Q. So we've talked about -- a little bit already on the kind of organizational membership and individual membership. Can you just briefly describe the nature of organizational membership in the Peoples' Agenda in -- currently?

A. Organizational membership is any organization working in the communities that we work together in are able to join. They pay a fee for joining. There are also corporate memberships that join as well as individuals and student memberships. And they pay --

Q. Okay.

A. -- they fill out an application, a membership

application. They pay their dues for the membership, and the requirement is, is that they participate with us, they work on issues with us collectively that we can help improve our communities.

Q. Okay. So that's exactly what I was going to ask. So people do -- or, I guess, let me start with the organizational members. The organizational members pay dues as part of their membership; is that right?

A. Correct.

Q. And they also are expected to participate in advocacy or activities of the organization, let's say, as part of their membership, right?

A. Yes.

Q. Okay. And then for individual members, individual members also pay dues to be part of the Peoples' Agenda?

A. Yes.

Q. And they're also expected to participate in organizational activities?

A. Yes.

Q. And I'm not asking for this list, but the Peoples' Agenda maintains a list of its current members, right?

A. Yes.

Q. Okay. And there's also a reference in the

complaint that the 30 organizations that are members collectively have more than 5,000 individual members. Do you know how that information was collected?

A. That's basically by --

MS. BERRY: I -- one second, Helen. I object based on privilege. So anything you learned from your attorneys can't -- do not disclose it, but you can answer the question.

BY MR. TYSON:

Q. You can answer, Ms. Butler. I just asked if you knew --

A. Okay. What was the question again?

Q. So the question -- I'm -- again, I'm not asking for anything you've learned -- conversations with your lawyers. I'm just asking if you know how the number of 5,000 individual members of the more than 30 organizations was determined?

A. Based on the organizational relationships, and their actual membership numbers.

Q. And, again, I'm not asking for the specific numbers or any conversations with your lawyers, but does the Peoples' Agenda have a way of determining which house senate and congressional districts its members are located in?

A. I'm sorry, I don't understand that question.

Q. So maybe what we can do is this: If you want to jump back to Exhibit Number 4, the complaint, and we'll go to page -- page 15. Again, I'm sorry. This is a lot easier when we're in the same room and I can -- we can keep the documents open in front of us.

A. I have it.

Q. Okay. On page 15, and I wanted to ask -- what I am asking about is paragraph 45.

It says, "The GCPA brings this action on behalf of itself and its individual members who are registered voters residing in Georgia House, State Senate, and Congressional districts where their voting power will be reduced under the new plans."

Do you see that?

A. Yes.

Q. And so what I'm asking is just, does the Peoples' Agenda have a way to determine which House, Senate, and Congressional districts its individual members reside in?

A. They have a way of determining -- let's see, we can -- we go by our members, where they live, and by the voter files.

Q. Okay. And, again, I'm not asking for anything that might have come from work with your lawyers on this topic, but I'm just ask -- I'm just

1 going to ask: Unrelated to that, did the Peoples'
2 Agenda do any analysis of which House, Senate, and
3 Congressional districts its members live in either
4 before filing a lawsuit or after filing it?
5 A. I think that, again, is something we work
6 with our counsel on.
7 Q. Okay. Then that's totally fine. There also
8 is the name of one individual that was provided in the
9 discovery responses. And to make things easier, I
10 don't want to put that person's name on the transcript
11 of the deposition. But does the Peoples' Agenda know
12 what district for House, Senate, and Congress the
13 identified member lives in?
14 A. We know, yes.
15 Q. And what districts are those?
16 A. I didn't look at them to refresh my memory on
17 it -- the numbers, but I know he lives in Cobb County,
18 in the Cobb County districts.
19 Q. Okay.
20 A. The numbers change, so, you know . . .
21 Q. Yes. My district numbers change too. You
22 get used to that.
23 A. Uh-huh.
24 Q. All right. So next, let's go ahead and go to
25 the next topic, which is Topic Number 9, which is,

"Whether and how the Organization determined if any of its individual members are impacted by the laws, policies, and protocols challenged in this action."

And I think based on your answer earlier, this -- this may be one there's not a whole lot to talk about. But just to clarify, you're the designee for Topic 9, right?

A. Yes.

Q. And is there any method the organization used to determine whether its individual members were in districts that it challenges that did not involve working with your lawyers to make that determination?

A. No.

Q. Okay. Then that is definitely our shortest topic yet. So I suspect Number 10 may be similar, but let's move to that one. Topic 10, "The method(s) used by the Organization to challenge" -- I'm sorry -- "to determine which district(s) it would challenge in this action."

MR. TYSON: And, Crinesha, I know this is one that y'all had not planned to produce a witness on. And I'm assuming based on Ms. Butler's answer to Number 9, every answer to the methods used would also be privileged; is that right?

MS. BERRY: That's correct.

MR. TYSON: Okay. Perfect.
BY MR. TYSON:
Q. So let's move to the next Topic Number 11. Which is, "The Organization's communications with the Georgia General Assembly regarding the laws, policies, and protocols it challenges in this action, from January 1, 2021 to the present."
Do you see that topic?
A. I do.
Q. And, Ms. Butler, I know you and Ms. Battles are both the designee for the Peoples' Agenda for Topic 11, right?
A. That's correct.
Q. And so aside from speaking with Ms. Battles, did you talk to anyone or review any documents specifically for Topic Number 11?
A. None other than talking to Cindy.
Q. And I know we've already referenced that the Peoples' Agenda provided testimony at both the public hearings and during the special session. Were there other communications the Peoples' Agenda provided to the General Assembly that were not in a public forum like the public hearings or a legislative hearing?
A. Not to my knowledge. Cindy worked directly with the General Assembly, but -- I'm trying to

1 remember. No.
2 Q. Okay. And that's fine, I can ask her about
3 those. Did the Peoples' Agenda take a position on
4 either the Republican or Democratic introduced maps
5 during the special session in support of or opposition
6 to them?
7 A. I believe our position was that we wanted
8 transparency, we wanted to fair maps drawn, but that
9 testimony was given by Cindy.
10 Q. Okay. Yeah, then I'll ask -- I'll ask
11 Ms. Battles on those topics then, and we can move on.
12 All right. So Topic Number 12 is,
13 "Communications between the Organization and any of the
14 Co-Plaintiffs, its individual member plaintiffs, its
15 other members, and other advocates and advocacy
16 organizations, concerning this litigation or the
17 redistricting plans challenged in this action."
18 MR. TYSON: And, Crinesha, I know that the
19 Peoples' Agenda was not going to produce a witness
20 on this topic. I just wanted to note for the
21 record that the questions for this topic were
22 going to relate to public communications that the
23 Peoples' Agenda had, and I believe we've mostly
24 covered those with the Unity Maps. So I just
25 wanted that to be on the record of what we were

1 going to seek to ask if the Peoples' Agenda had
2 put forward a witness on this topic.
3 MS. BERRY: Okay. And just to clarify, when
4 you said -- when you say that you believe your
5 questions has already been covered, there aren't
6 any additional questions that you would have asked
7 for Topic 12?
8 MR. TYSON: Right. The only additional
9 question I would have asked is whether there were
10 other communications beyond the Georgia Unity Maps
11 presentation with other organizations about the
12 redistricting process. So that was going to be
13 the question that I -- that I had not asked that I
14 would ask if we had a witness on this topic.
15 MS. BERRY: Okay. Understood. Thank you.
16 MR. TYSON: Thank you.
17 BY MR. TYSON:
18 Q. Well, Mr. Butler, we're moving right along to
19 Number 13, which is, "The specific relief the
20 Organization seeks that will cause it to cease
21 diverting resources to address the laws, policies, or
22 protocols challenged in this action."
23 And you're the designee for the Peoples'
24 Agenda for Topic 13, right?
25 A. Yes.

Q. And did you speak with anybody or review any documents specifically to prepare for this topic?

A. No.

Q. And so what I want to understand here is the Peoples' Agenda is alleging in its complaint -- and we've talked about the different activities that the Peoples' Agenda is engaged in as a result of the redistricting maps. Without asking for your legal opinion, because you're not a lawyer and I'm not asking you for that, but what would type that -- what types of relief would the Peoples' Agenda need to receive in order to stop diverting resources to address the redistricting plans?

MS. BERRY: I am going to object. That, you know, this question calls for speculation, and Helen lacks personal knowledge. You can answer him.

THE WITNESS: I know that we want to have, again, fair maps where we have the opportunity to elect people that will represent our community and issues.

BY MR. TYSON:

Q. So if Georgia had maps that allowed voters of color the opportunity to elect candidates that were responsive to their issues, then the Peoples' Agenda

would be able to stop engaging in any additional activities related to the 2021 plans?

MS. BERRY: Again, I'm going to object that the question cause for speculation and lack of personal knowledge. You can answer.

THE WITNESS: Again, I -- we would be using those resources that we are using to talk about this redistricting plan for other parts of our organizational activities, so that's the best way I can sum it up.

BY MR. TYSON:

Q. Okay. Let me move then to Topic Number 14. "The documents produced in this litigation by Plaintiffs and the information contained in the documents."

And you're the designee for Topic Number 14, correct?

A. Yes.

Q. So what I want to ask is -- well, actually, maybe I -- Ms. Butler, I can do it this this way.

MR. TYSON: Crinesha, what I want to just clarify from the witness, and this kind of covers our conversation about 15 as well, is that the Peoples' Agenda has searched for and turned over all responsive documents that have been located to

this point. And then to inquire whether those productions are complete, absent any supplementation that would be necessary under the rules. Is that something we could stipulate to and just handle it that way?

MS. BERRY: No. We're not going to stipulate, but I think questions about the production is probably more appropriate for a discussion between counsel. Helen would not have been involved in what we actually produced.

MR. TYSON: Okay. So then just to clarify, she had no involvement in the search process for the documents? That was all done with counsel?

MS. BERRY: What -- what -- what I was responding to, I think the last part of your comment you mentioned about maybe -- I don't think you said everything, but you made a comment about what had been produced and that the production was complete. And I was clarifying that that's not something Helen or Peoples' Agenda would have been involved in.

MR. TYSON: Okay.

BY MR. TYSON:

Q. Then let me ask this, Ms. Butler: Was there any part of a search for documents that the Peoples'

Agenda undertook that your lawyers were not involved in?

MS. BERRY: I think, Bryan, this gets on Topic 15, which we objected to and indicated that we would not be producing a witness for.

MR. TYSON: Okay. So I just want to make sure the record is clear then. You're declining to make a witness available to answer questions about the process by which the Peoples' Agenda searched for responsive documents in this case, even if counsel was not involved in that process, right?

MS. BERRY: Well, the -- that's not exactly correct. The basis of our objections that we served included privilege, but it was also -- we objected based on there not being any objection by Plaintiffs that something was wrong with production or there is any type of deficiency.

MR. TYSON: Okay. And just -- just so the record is clear. We haven't made that allegation, but I do think we're entitled to understand the search process to understand if the production is complete. But I understand we have a disagreement about that, and we can take that up with the court later if we need to.

MS. BERRY: Okay.
BY MR. TYSON:
Q. All right. So with that, Ms. Butler, that's the questions I have for you, and so thank you for bearing with me this morning through this. And I guess it's now going to be Ms. Battles' turn, so maybe we should take a break here 5 or 10 minutes to be able to kind of reset.
MS. BERRY: Yeah, that's good.
THE COURT REPORTER: Mr. Tyson, you're going to be ordering, correct?
MR. TYSON: I will.
THE COURT REPORTER: And, Ms. Berry, will you be ordering as well?
MS. BERRY: Yes.
THE COURT REPORTER: Okay.
(Whereupon, after a discussion off the record, counsel requested to resume the deposition.)
(Whereupon, Defendants' Exhibit Nos. 11, 12, 13, and 14 were identified for the record.)
BY MR. TYSON:
Q. All right. Ms. Butler, just a couple more clean-up things here, and we'll be finished. I put in the Exhibit Share what I've marked as Exhibit Number

11. So are you able to pull that up for me?
A. Yes.
Q. And is Exhibit Number 11 a copy of the Georgia Unity Maps for the state Senate that the Peoples' Agenda proposed in 2021?
A. Yes.
Q. Okay. And now I'm placing in the Share file Exhibit Number 12. Let me know when you have that.
A. Hold on a second. I have it.
Q. Okay. And Exhibit Number 12 the Metro Atlanta zoom of the Georgia Unity Maps for the state Senate that was proposed by the Peoples' Agenda?
A. Yes, it is.
Q. Next, I put in the Exhibit Share what is marked as Exhibit Number 13, if you could pull that up.
A. I have it.
Q. Okay. And is Exhibit Number 13 the Georgia Unity Maps for the House of Representative proposed by the Peoples' Agenda in 2021?
A. Yes, it is.
Q. And last one, I put Exhibit 14 into the Exhibit Share.
A. Okay.
Q. And is Exhibit Number 14 the Metro Atlanta zoom for the Georgia Unity Maps for the Georgia House

of Representatives as proposed by the Peoples' Agenda?
A. Yes, it is.
Q. Okay. And the Peoples' Agenda today still supports the Georgia Unity Maps for Congress, State House, and State Senate, right?
A. Yes.
Q. Okay. And, Ms. Butler, that's all the questions I have for you. Thank you for your help with that last little bit and thank you for your time.
A. Thank you. All right. See you. Have a good one.

* * *

(Whereupon, the deposition ended at 11:15 a.m.)
(Pursuant to Rule 30(e) of the Federal Rules of Civil Procedure and/or O.C.G.A. 9-11-30(e), signature of the witness has been reserved.)

D I S C L O S U R E

STATE OF GEORGIA Deposition of HELEN BUTLER
COUNTY OF HENRY FRIDAY, JANUARY 13, 2023

Pursuant to Article 8.B of the rules and regulations of the Board of Court Reporting of the Judicial Council of Georgia, I make the following disclosure:

I, Kathryn Taylor, am a Georgia Certified Court Reporter. I am here as an independent contractor for Veritext Legal Solutions.

Veritext Legal Solutions was contacted by TAYLOR ENGLISH DUMA LLP, to provide court reporting services for this deposition. The firm will not be taking this deposition under any contract that is prohibited by O.C.G.A. 15-14-37(a) and (b).
FRIDAY, JANUARY 13, 2023

_____
KATHRYN TAYLOR, CCR
No. 5082-8490-7080-9088
CERTIFIED COURT REPORTER

C E R T I F I C A T E

STATE OF GEORGIA)
COUNTY OF HENRY)

I, KATHRYN TAYLOR, Certified Court Reporter for the County of Henry and for the State of Georgia, do hereby certify:

That the foregoing transcript is a true and accurate account of evidence and testimony taken by me in the matter of GEORGIA STATE CONFERENCE OF THE NAACP, et al. versus STATE OF GEORGIA, et al., to the best of my ability.

I further certify that the foregoing pages 7 through 86 of testimony represent a true and correct record of the evidence given upon said plea;

And I further certify that I am not a relative by blood or marriage, or an employee of attorney or counsel of any of the parties in the case, nor am I financially or in no way interested in the outcome of the action.

This, the 2

Kathryn Taylor

_____

KATHRYN TAYLOR, CCR
No. 5082-8490-7080-9088
CERTIFIED COURT REPORTER

E R R A T A S H E E T

DEPOSITION OF HELEN BUTLER

Deposition Date: FRIDAY, JANUARY 13, 2023

Deponent: HELEN BUTLER

Case Name: GEORGIA STATE CONFERENCE OF THE NAACP, et al. v. STATE OF GEORGIA, et al.

_____ I have read and examined the foregoing pages and the following changes are required:

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CERTIFICATE OF DEPONENT

I hereby certify that I have read and examined the foregoing transcript, and the same is a true and accurate record of the testimony given by me.

Any additions or corrections that I feel are necessary, I will attach on a separate sheet of paper to the original transcript.

_____

HELEN BUTLER

I hereby certify that the individual representing himself/herself to be the above-named individual, appeared before me this _____ day of _____, 20__, and executed the above certificate in my presence.

_____

NOTARY PUBLIC IN AND FOR

_____ County Name

MY COMMISSION EXPIRES:

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

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Signature and Errata Sheet
January 13, 2023 Deposition of Helen Butler
Georgia State Conference of the NAACP, et al v. State Of Georgia, et al

I, Helen Butler, have reviewed the attached transcript of my January 13, 2023 deposition testimony and certify, pursuant 28 U.S.C. § 1746 that the attached transcript is my true and correct testimony during that deposition, subject to the corrections shown below.

Page/Line	Now Reads	Correction	Reason
49:17	reserved	served	Transcription error
78:8	wanted to fair	wanted to have fair	Clarification

Executed on March 22, 2023, at Atlanta, Georgia.

Helen Butler, Executive Director
Georgia Coalition for the People's Agenda, Inc.

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

GEORGIA STATE CONFERENCE OF THE NAACP, et al. *Plaintiffs*, v. STATE OF GEORGIA, et al. *Defendants*.	)	Case No. 1:21-CV-5338-ELB-SCJ-SDG
COMMON CAUSE, et al., *Plaintiffs*, v. BRAD RAFFENSPERGER *Defendant*.	)	Case No. 1:22-CV-00090-ELB-SCJ-SDG

NOTICE OF 30(b)(6) DEPOSITION OF GEORGIA COALITION FOR THE PEOPLE'S AGENDA

PLEASE TAKE NOTICE that, pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure, counsel for Defendants the State of Georgia, Governor Brian Kemp, and Brad Raffensperger, in his official capacity as Secretary of State of Georgia, will take the oral examination under oath of the designated representatives of the Georgia Coalition for the People's Agenda ("Ga Coalition" or "Organization") on Friday, January 13, 2023, beginning at 9:00 a.m. and continuing thereafter until completed via Zoom

Exhibit
0001

videoconferencing through Veritext Legal Solutions. Details regarding the videoconferencing will be emailed to those participating once all arrangements are finalized.

The deposition shall be taken before a Notary Public or some other officer authorized by law to administer oaths for use at trial. The deposition will be taken by oral examination with a written and/or sound and visual record made thereof (*e.g.*, videotape, LiveNote, etc.). The deposition will be taken for the purposes of cross-examination, discovery, and for all other purposes permitted under the Federal Rules of Civil Procedure or any other applicable law.

Please note, under Rule 30(b)(6) of the Federal Rules of Civil Procedure, the Organization must designate one or more officers, directors, managing agents, or other appropriate persons who consent to testify on behalf of the organization. The Person(s) must be ready to testify about the information known or reasonably available to the Organization regarding the topics listed in Exhibit A, attached hereto.

Respectfully submitted this 29th day of December, 2022.

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Attorneys for Defendants

Exhibit A

1. The Organization's allocation of resources and budgetary decisions from January 1, 2021 through the present that reflect the diversion of funds and resources the Organization alleges it has undertaken in its Complaints.

2. The changes made to the Organization's budgets – as well as any contemporaneous rationale for such changes – during its budget years from January 1, 2021 through the present related to the laws, policies, or protocols challenged in this action.

3. The Organization's exempt purpose and activities it undertakes in accordance with its exempt purpose.

4. The Organization's organizational structure, including individuals who have the authority to make funding and resource-allocation decisions for the Organization from January 1, 2021 through the present.

5. The specific ways in which the actions of the Defendants that form the basis of its Complaints in this action caused the Organization to divert resources away from its organizational activities to activities in which the Organization had not previously engaged, and the identification of the overall amount of the diverted resources.

    a. The specific activities and projects the Organization was unable to engage in due to the diversion of resources to activities necessitated by such actions.

6. The activities or expenditures the Organization plans to undertake in the future related to the laws, policies, and protocols challenged in this action if it is unsuccessful in achieving relief through this action.

7. The total expenditures of the Organization on activities related to this action since the Organization began participating in this litigation.

8. The nature of membership of the Organization, including how individuals become members, any obligations of members, and any benefits offered by the Organization to its members.

9. Whether and how the Organization determined if any of its individual members are impacted by the laws, policies, and protocols challenged in this action.

10. The method(s) used by the Organization to determine which district(s) it would challenge in this action.

11. The Organization's communications with the Georgia General Assembly regarding the laws, policies, and protocols it challenges in this action, from January 1, 2021 to the present.

12. Communications between the Organization and any of the co-Plaintiffs, its individual member plaintiffs, its other members, and other advocates and advocacy organizations, concerning this litigation or the redistricting plans challenged in this action.

13. The specific relief the Organization seeks that will cause it to cease diverting resources to address the laws, policies, or protocols challenged in this action.

14. The documents produced in this litigation by Plaintiffs and the information contained in the documents.

15. The process by which the Organization searched for and identified documents responsive to discovery requests served in this case.

CERTIFICATE OF SERVICE

I hereby certify that, on December 29, 2022, I caused to be served the foregoing **NOTICE OF 30(b)(6) DEPOSITION OF GEORGIA COALITION FOR THE PEOPLE'S AGENDA** via email to the following:

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(404) 900-0030
kurt@kastorflaw.com

Jon Greenbaum*
Ezra D. Rosenberg*
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*Pro Hac Vice

Georgia State Conference of the NAACP Plaintiffs

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**Pro Hac Vice*

Common Cause Plaintiffs

This 29th day of December, 2022.

/s/ Bryan P. Tyson
Bryan P. Tyson
Georgia Bar No. 515411

Articles of Incorporation, Amended
Of
The Georgia Coalition for The People's Agenda, Inc.

AMENDED ARTICLES ADOPTED May 18, 2018 by THE GEORGIA COALITION FOR THE PEOPLE'S AGENDA, INC. BOARD OF DIRECTORS

The undersigned do hereby amend and execute these Articles of Incorporation for the purpose of forming a nonprofit corporation (the "Corporation") under the laws of the State of Georgia. The Corporation is organized pursuant to the Georgia Nonprofit Corporation Code. The Georgia Coalition For The People's Agenda, Inc. Board of Directors adopted these amended Articles of Incorporation on May 18, 2018.

Article 1.

NAME
The name of this corporation is THE GEORGIA COALITION FOR THE PEOPLE'S AGENDA, INC.

Article 2.

DURATION
The period of the duration of the Corporation shall commence on the date of filing of the Articles of Incorporation with the Secretary of State and the Corporation shall have perpetual existence unless sooner dissolved as provided by law.

Article 3.

PURPOSES
The Corporation is not for profit and is a Public Benefit Corporation. The purpose of the Corporation shall be to the charitable and educational purposes of conducting research and educating the public on exercising their right to vote, being active participants in our democracy, and on issues that affect their lives, and to do all things allowable for non-profit corporations in the State of Georgia, and allowable for a corporation which is exempted from Georgia and Federal income tax. This corporation is organized pursuant to the Georgia Non-profit Corporation Code.

The Corporation is organized exclusively for charitable, religious, educational or scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code of 1986 as amended, or the corresponding section of any future Federal tax code (the Code)

Article 4.

POWERS
This corporation shall have all powers under law which is necessary or convenient to carry out its purposes as described in this Charter. No part of the net earnings, gains or assets of the corporation shall inure to the benefit of or be distributed to its directors, officers, or other private individuals, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered to make payments and distributions in furtherance of the purposes set forth herein.

This corporation shall neither have nor exercise any power, nor shall it engage directly or indirectly in activity which would invalidate its status as (1) a corporation which is exempted from federal income taxes as an organization defined in Section 501 (c)(3) of the Internal Revenue Code of 1986, or (2) as a corporation to which contributions are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986.

Exhibit
0002

The purposes for which this corporation is organized are exclusively charitable within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding provision of any future United States Internal Revenue Law.

No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall be empowered to make the election authorized under Section 501(h) of the code. The Corporation shall not participate in or intervene in (including the publishing of distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision herein, the Corporation shall not carry on any other activities not permitted to be carried on: (a) by an organization exempt from deferral income taxation under Section 501(a) of the Code as an organization described in Section 501(c)(3) of the Code; (b) by an organization described in Sections 509(a)(1), (2), or (3) of the Code (as the case may be); and/or (c) by an organization, contributions to which are deductible under Sections 170(c)(2), 2055(a)(2), or 2522(a)(2) of the Code [reference herein to Sections of the Code are to provisions of the Internal Revenue Code as those provisions are now enacted or to corresponding provisions of any future United States revenue law].

Article 5.

DISSOLUTION OR FINAL LIQUIDATION

Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by a court of competent jurisdiction in the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

Article 6.

ELIMINATION OF MONETARY LIABILITY OF DIRECTORS

(a) No member of the Board of Directors shall have any personal liability to the Corporation for monetary damages for breach of duty of care or other duty as a director, by reason of any act or omission occurring subsequent to the date when this provision becomes effective, except that this provision shall not eliminate or limit the liability of a director for: (a) any appropriation, in violation of his duties, or any business opportunity of the Corporation; (b) acts or omissions which involve intentional misconduct or a knowing violation of law; (c) liabilities of a director imposed by Sections 14-3-860 through 14-3-864 of the Georgia Nonprofit Corporation Code, or (c) any transaction from which the director derived an improper personal benefit.

(b) Any repeal or modification of the provisions of this Article shall be prospective only, and shall not adversely affect any limitation on the personal liability of a director of the Corporation with respect to any act or omission occurring prior to the effective date of such repeal or modification.

(c) If the Georgia Nonprofit Corporation Code hereafter is amended to authorize the further elimination or limitation of the liability of directors, then the liability of a director of the Corporation, in addition to the limitation on personal liability provided herein, shall be limited to the fullest extent permitted by the amended Georgia Nonprofit Corporation Code.

(d) In the event that any of the provisions of this Article (including any provision within a single sentence) are held by a court of competent jurisdiction to be invalid, void, or otherwise unenforceable, the remaining provisions are severable and shall remain enforceable to the fullest extent permitted by law.

Article 7.

SHARES OF STOCK
The Corporation shall not have or issue shares of stock. No dividends shall be paid.

Article 8.

MEMBERS
The Corporation will have members. The definition of members or membership with the qualification and rights of such members are set out in the Bylaws of the corporation.

Article 9.

ADDRESS
The principal mailing address of the corporation is 501 Pulliam Street, Suite 4, Atlanta, GA 30312.

Article 10.

AMENDMENT OF ARTICLES
The Articles of Incorporation may be amended by the affirmative vote of a majority of directors, subject to any approval required pursuant to Section 14-3-1041 of the Georgia Nonprofit Corporation Code. Approval by membership is not required.

IN WITNESS WHEREOF, the undersigned has amended and executed these Articles of Incorporation.

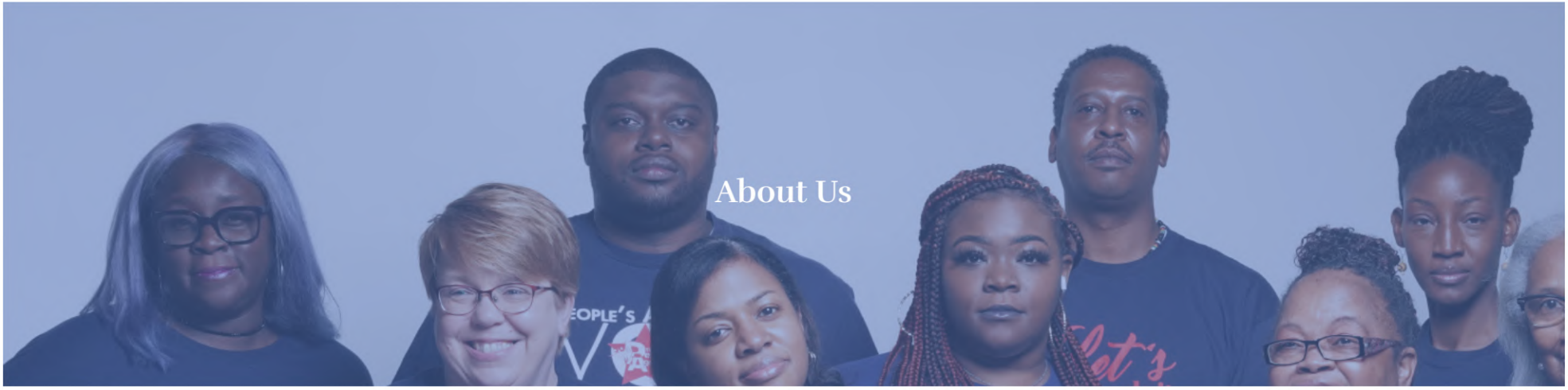
This 3rd day of July, 2018.

James A. Milner

James A. Milner, Vice President /Treasurer

Jeanetta Johnson

Jeanetta Johnson, Secretary



MISSION & HISTORY.

Founded in 1998 by Reverend Joseph Lowery, The Georgia Coalition for the People's Agenda is an umbrella organization of human rights, civil rights, labor, women's, youth, and peace and justice groups which advocate for voting rights protection, elimination of barriers to the ballot box, criminal justice reform, quality education, affordable housing, economic development and equal participation in the political process for Georgians of color and underrepresented communities.

In the 1990s, Rev Lowery, representing members of the coalition, successfully challenged the constitutionality of the Georgia state flag leading to a major design change. In 2007, after the Atlanta mayor and city council were lobbied

Exhibit
0003

approved by voters, that earmarked a one cent sales tax for the expansion of bus and mobility services and future commuter line for the county. In the area of voter protection, lawsuits were won against the secretary of state for unilaterally eliminating voters from the rolls and discarding absentee ballots where signatures did not exactly match. Efforts to reduce early voting periods have been thwarted while the coalition has effectively petitioned election boards in order to prevent the closure of polling locations.

Our mission is to improve the quality of governance in Georgia, help create a more informed and active electorate, and have responsive and accountable elected officials.

Our mission is best served by an informed and concerned electorate. To this end, we have put into place a Citizenship Education program with students and adults alike. This program is designed to empower the overall electorate and is made available to anyone desirous of making a positive difference for our future.

Need to Register to Vote
REGISTER TO VOTE HERE

REQUEST YOUR BALLOT

PARTNERS.

379	45
POLITIC PROGRAMS	SOCIAL ADVICE
93	95
POSITIVE CHANGES	REGULATIONS

Contact US

Interested in learning how you can continue to engage Georgia voters? Leave us your information and somebody from our team will reach out to you shortly.

Phone

SEND MESSAGE

ADDRESS

501 Pulliam St SW
#310, Atlanta, GA
30312

PHONE

(404) 653-1199

EMAIL

info@thepeoplesagenda.org

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

GEORGIA STATE CONFERENCE OF THE NAACP; GEORGIA COALITION FOR THE PEOPLE'S AGENDA, INC.; GALEO LATINO COMMUNITY DEVELOPMENT FUND, INC. *Plaintiffs*, v. STATE OF GEORGIA; BRIAN KEMP, in his official capacity as the Governor of the State of Georgia; BRAD RAFFENSPERGER, in his official capacity as the Secretary of State of Georgia, *Defendants.*	Case No. 21-civ-5338 **Requesting a three-judge panel pursuant to 28 U.S.C. § 2284**

AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

INTRODUCTION

In the wake of the growth of communities of color in Georgia, which was reflected in the 2020 elections and the January 2021 Senate runoffs, the State of Georgia has drawn its Congressional and State legislative maps in violation of the U.S. Constitution and the Voting Rights Act. Reverting to the strategies of the Jim

Exhibit 0004

Crow era, Georgia has employed the two classic tactics of gerrymandering to tilt the balance of electoral power to the White majority: "cracking" (diluting the voting power of voters of color across many districts) and "packing" (concentrating the voting power of voters of color in one district to reduce and dilute their voting power in other districts). These redistricting techniques undermine the voting rights of Georgia's Black, Hispanic/Latino ("Latinx") and Asian American Pacific Islander ("AAPI") citizens and deny them an equal opportunity to elect candidates of their choice.

Plaintiffs GEORGIA STATE CONFERENCE OF THE NAACP; GEORGIA COALITION FOR THE PEOPLE'S AGENDA, INC.; and GALEO LATINO COMMUNITY DEVELOPMENT FUND, INC., file this Amended Complaint for Declaratory and Injunctive Relief against Defendants STATE OF GEORGIA; BRIAN KEMP; and BRAD RAFFENSPERGER, and allege as follows:

BACKGROUND

1. According to the 2020 census, Georgia was among the top five States gaining population in the past decade, with the State adding 1,024,255 residents since 2010—a 10.6% increase. *See* U.S. Census Bureau, *Georgia: 2020 Census*, August 24, 2021, available at: https://www.census.gov/library/stories/state-by-state/georgia-population-change-between-census-decade.html.

2. Communities of color in the state account for nearly all of Georgia's reported population growth since 2010. This is so despite the well-documented undercounting of racial and ethnic minorities in the 2020 Census. The State's Black population increased by 12.5%, Latinx population increased by 31.6% and AAPI population increased by 52.3%. By contrast, Georgia's White population decreased by 4%.

3. In short, the reality is that Georgia's population is becoming more racially and ethnically diverse. With full knowledge of the State's fast changing demographics, the party controlling the Georgia General Assembly ("Controlling Party") created redistricting maps for Georgia's House, Senate, and Congressional districts which are based upon the unconstitutional and unlawful use of race. Governor Brian Kemp endorsed these unconstitutional and unlawful maps by enacting them into law.

4. Racial considerations by the Controlling Party and its chosen map drawers predominated in crucial districting decisions, diluting the voting rights of Black, Latinx, and AAPI voters. Moreover, the Controlling Party ignored the growth of communities of color by failing and refusing to create additional majority-minority and minority opportunity districts in the House, Senate, and Congressional maps.

5. Had the chosen map drawers and the Georgia General Assembly drawn districts that accurately reflect Georgia's increasingly diverse population without the improper consideration of race, opportunities for people of color to elect candidates of their choice would have necessarily increased. Instead, the Controlling Party deliberately targeted Black, Latinx, and AAPI Georgians and moved them into and out of districts to deny them equal opportunities to elect candidates of their choice, splitting communities of interest, and ensuring safe districts where White voters can elect their candidates of choice.

6. The Controlling Party in the General Assembly and their map drawers made districting decisions in which race predominated the process.

7. These maps ensure that White voters and the party favored by those voters will maintain control of the Georgia General Assembly and Georgia's Congressional delegation for the foreseeable future, despite their dwindling population, denying voters of color an opportunity to elect candidates of their choice.

8. To accomplish this, the map drawers, chosen by the Controlling Party, used similar tactics on all three maps. First, they unconstitutionally manipulated populations based on race in many districts, moving populations of color in and out of key districts. Second, they unlawfully diluted the voting strength of Black, Latinx and AAPI voters in many districts. And, finally, they abdicated their legal

responsibility to create appropriate majority-minority districts, including coalition districts where necessary to give voters of color an opportunity to elect candidates of their choice.

9. These unconstitutional and illegal redistricting tactics are nothing new in Georgia. As a result, federal courts have repeatedly invalidated Georgia State House, State Senate, and Congressional districts that disadvantaged Black people and other people of color by impermissibly drawing district lines based on race.

10. It is well-documented that voting is racially polarized in Georgia and Senator John Kennedy, Chair of the Senate Redistricting and Reapportionment Committee, admitted that this is the case during a redistricting hearing on the Controlling Party's State Senate plan.

11. In fact, Georgia legislators are aware of the degree of racial polarization and have crafted redistricting plans which pack or crack communities of color into and out of districts to dilute their voting strength in order to prevent them from having a meaningful opportunity to elect candidates of their choice.

12. Georgia's Black, Latinx, and AAPI voters often vote cohesively in the State to elect candidates of choice and White voters favor different candidates in federal and State elections. In most instances where people of color comprise the majority of the electorate, their preferred candidates win. When White voters

comprise a substantial majority of voters, the preferred candidates of voters of color usually lose.

13. The elected officials who cast the votes to enact the three maps are generally preferred by White voters and not by voters of color – they acted in their own self-interest and that of White voters, and against the voters of color. Indeed, the maps manipulate populations of Black, Latinx, and AAPI person in and out of districts to make otherwise competitive districts safe for White voters and their preferred candidates, which is decidedly unconstitutional. Manipulating populations by race and diluting the votes of persons of color with the goal of maintaining political power is no more lawful when Republicans do it in Georgia today than it was when Dixiecrats did it in Georgia decades ago.

14. Instead of allowing the incumbents the opportunity to appeal to their districts' increasingly diverse electorate, the Controlling Party in the General Assembly created these new redistricting maps to make districts safer for the Controlling Party's incumbents and candidates, while diluting the voting strength of Georgia's increasingly diverse electorate, with racial considerations used as the means for achieving this partisan end.

15. To accomplish its goal, the Controlling Party operated with surgical precision to crack and pack districts with higher percentages of Black, Latinx, and

AAPI voters, while moving the lines to increase the number of White voters in many districts.

16. Because Georgia maintains voter registration by race but not by party, the proponents of these maps necessarily used race when redrawing the boundary lines of the districts, including by racial gerrymandering, diluting the voting power of racial and ethnic minorities, and failing to create majority-minority districts.

17. Moreover, the legislature and map drawers' actions were intentional, occurring in an atmosphere that was racially charged. These three plans were enacted following a regular legislative period that was undeniably hostile to Black, Latinx, and AAPI people.

18. Just this year, the Georgia General Assembly enacted SB 202, a law that eliminated or changed longstanding voting options in the State that were particularly used in areas with high populations of people of color and resulted in high voter turnout and voters of color electing their candidates of choice.

19. SB 202 shortens the time between an election where no candidate received a majority of the vote and the runoff in apparent reaction to the approximately 76,000 new voters who registered between the November 2020 general election and the January 2021 Senate runoff elections in which Reverend Raphael Warnock and Jon Ossoff were the first Black and Jewish Senators elected

in Georgia. *See* Mark Niesse, *76K new Georgia voters registered before US Senate runoffs*, Atlanta Journal-Constitution, December 17, 2020, available at: https://www.ajc.com/politics/75k-new-georgia-voters-registered-before-us-senate-runoffs/H3CXAFIKFVCKHJNW5MBFZKQDZU/.

20. SB 202 also changed the deadline by which voters are required to request absentee ballots from the Friday before an election to 11 days before an election and also requires voters to provide a Georgia driver's license number, State ID card number, or copy of another form of acceptable ID with their absentee ballot applications.

21. According to a November 26, 2021, article in the Atlanta Journal-Constitution, about 52% of the absentee ballot applications submitted by voters for November 2021 general elections were rejected due to voters making the request after the new deadline established by SB 202 and about 15% were rejected due to the new ID requirements mandated by SB 202. The report also found that about 4% of absentee ballots applications for the November 2021 elections were rejected – a three percentage point increase over the 1% rejection rate in the November 2020 general election before these changes were enacted. The report further noted that few voters whose absentee ballots applications were rejected cast ballots in person on election day. *See* Mark Niesse, *Georgia voting law drives rejections of absentee*

requests made too late, AJC (November 26, 2021) https://www.ajc.com/politics/georgia-voting-law-drives-rejections-of-absentee-requests-made-too-late/HEZUYZA3RZBEVKZSDLEOBXLQ3E/.

22. SB 202 also provides a clear path for the intimidation of voters by allowing unlimited challenges by partisan organizations and their advocates on an expedited hearing schedule, which gives voters only three days' notice of a hearing by mail.

23. SB 202 also criminalizes efforts by nonpartisan volunteers to provide water, food, and PPE, even as wait times for voting are notoriously long in communities of color, among other voting changes.

24. The three Georgia redistricting bills were rushed through in a secretive and dubious process that gave little notice about the maps to the public or even members of the General Assembly who were not in the Controlling Party. Controlling Party members refused to answer questions about why districts were drawn as they were and what information was conveyed to them by their map drawers and consultants.

25. While paying lip-service to the Voting Rights Act, Controlling Party members refused to explain how these maps were drawn in alleged compliance with the Voting Rights Act and did not provide any of the data produced from a racially

polarized voting study they claim to have obtained from a consultant.

26. The Controlling Party's map drawers (1) strategically removed Black, Latinx, and AAPI voters from existing and performing majority-minority districts and dispersed them into White majority districts in rural and/or suburban areas where they will no longer have the ability to elect the candidates of their choice, and (2) packed Black voters and other voters of color into districts with high minority populations. The Controlling Party's legislators could have had only one motive for passing such facially unconstitutional plans: the desire to limit the voting strength of voters of color statewide.

27. There are one or more alternative maps for each body that would remedy violations of Section 2 of the Voting Rights Act present in the redistricting plans as described in more detail below, including a congressional map in which one (1) additional majority Black congressional district is drawn in the western Atlanta suburbs; a state senate map in which four (4) additional majority Black plus two (2) multi-racial coalition state senate districts are drawn; and a state house map in which seven (7) additional majority Black and (2) multi-racial coalition state house districts are drawn.

28. In addition, in many of the congressional and state legislative districts, race was the predominant factor in the drawing of the districts. To that end, the

Controlling Party's map drawers intentionally manipulated populations of voters of color by various mechanisms, including the packing of them into districts where it was unnecessary in order for them to have an opportunity to elect candidates of their choice, and by cracking these populations across several districts. These map drawers also ignored or violated traditional districting principles in order to achieve their goals.

29. As alleged in detail below, Plaintiffs respectfully seek a declaratory judgment that the redistricting plans for the Georgia Senate (SB 1 EX/AP), Georgia House of Representatives (HB 1EX LC 47 1163S/AP), and Congress (SB 2 EX/AP) are racial gerrymanders in violation of the Fourteenth and Fifteenth Amendments to the United States Constitution; that these redistricting plans dilute the voting strength of voters of color and deny them the opportunity to elect preferred candidates of their choice in violation of Section 2 of the Voting Rights Act of 1965; that these redistricting plans were drawn by the Controlling Party's mappers and were allowed to become law for the express purpose of impermissibly discriminating against voters of color in violation of the Fourteenth Amendment to the United States Constitution and the intent prong of Section 2 of the Voting Rights Act.

30. Plaintiffs seek a permanent injunction that prohibits Defendants from calling, holding, supervising, or certifying any election under these plans and further

requests the creation of revised redistricting plans that do not infringe upon the constitutional and statutory rights of Georgians of color by diluting their voting strength.

31. Finally, Plaintiffs also seek an order requiring Georgia to preclear voting changes during the following ten-year period pursuant to 52 U.S.C. § 10302.

REQUEST FOR THREE-JUDGE PANEL

32. Because this action challenges the constitutionality of the apportionment of a statewide legislative body, as well as the apportionment of a State's Congressional delegation, Plaintiffs request the convening of a three-judge panel pursuant to 28 U.S.C. § 2284.

PARTIES

33. Plaintiff GEORGIA STATE CONFERENCE OF THE NAACP (Georgia NAACP) is a non-partisan, interracial, nonprofit membership organization that was founded in 1941. Its mission is to eliminate racial discrimination through democratic processes and ensure the equal political, educational, social, and economic rights of all persons, in particular African Americans. It is headquartered in Atlanta and currently has approximately 10,000 members.

34. The Georgia NAACP works to protect voting rights through litigation, advocacy, legislation, communication, and outreach, including work to promote

voter registration, voter education, get out the vote efforts, election protection, and census participation.

35. The Georgia NAACP brings this action on behalf of itself and its individual members, including the thousands of Georgia NAACP members who are registered voters residing in Georgia House, State Senate, and Congressional districts where their voting power will be reduced under the new plans.

36. The Georgia NAACP has branches in counties across the State of Georgia that are involved in voter registration, voter assistance, voter education, election protection, grassroots mobilization, and get out the vote efforts, including Sunday early voting events, such as "Souls to the Polls."

37. The Georgia NAACP has sought to prevent efforts to suppress or disenfranchise African American voters and has been involved in voting rights litigation in Georgia to vindicate their rights.

38. The Georgia NAACP engages in voter outreach efforts, including voter education on voting in-person during early voting, voting by mail, and voting in person on election day.

39. The Georgia NAACP has conducted text and phone banking programs and reached out to voters throughout Georgia to encourage voter participation and to educate the public about the voting process, including about voting by mail.

40. The Georgia NAACP and its members have a history of advocating for fair redistricting, including a history of advocating for majority-minority coalition districts in Georgia with Black, Latinx, and AAPI voters and litigating claims challenging State legislative, county and school district plans in Georgia as well as other voting rights litigation in the State.

41. This redistricting cycle, the Georgia NAACP provided oral and written testimony to the House and Senate redistricting committees and submitted proposed Georgia Unity Maps, along with co-Plaintiffs, the Georgia Coalition for the People's Agenda, Inc. and GALEO Latino Community Development Fund, Inc., via the committees' public comment portal and advocated for the adoption of fair maps that adhere to the requirements of the Voting Rights Act of 1965 and the Fourteenth and Fifteenth Amendments to the U.S. Constitution.

42. The Georgia NAACP has had to commit significant time and resources, and will have to continue to commit significant time and resources to combatting the effects of these new maps on communities of color throughout the State now that they have been enacted. Funds and volunteers normally directed towards programs that the Georgia NAACP implements, such as voter education efforts and voter registration drives, have had to be and will continue to have to be redirected and diverted towards efforts to combat the effects of these unconstitutional new maps on

its constituents. By diverting time and resources to these priorities, Georgia NAACP will be unable to commit to other programs that are core to its mission.

43. Plaintiff THE GEORGIA COALITION FOR THE PEOPLE'S AGENDA, INC. ("GCPA") is a Georgia nonprofit corporation with its principal place of business located in Atlanta, Georgia. The GCPA is a coalition of more than 30 organizations, which collectively have more than 5,000 individual members.

44. In addition to its main office in Atlanta, the GCPA has field offices in Athens, Albany, Augusta, Macon, Savannah, and LaGrange, Georgia where it is able to provide outreach and support to voters and prospective voters of color and underserved communities outside of the Metro Atlanta area.

45. The GCPA brings this action on behalf of its itself and its individual members who are registered voters residing in Georgia House, State Senate, and Congressional districts where their voting power will be reduced under the new plans.

46. The GCPA encourages voter registration and participation, particularly among Black and other underrepresented communities of color in Georgia. The GCPA's support of voting rights is central to its mission. The organization has committed, and continues to commit, time and resources to protecting voting rights through advocacy, legislation, communication, and outreach, including work to

promote voter registration, voter education, get out the vote efforts, election protection, census participation and litigation.

47. The GCPA conducts voter registration drives, voter ID assistance, "Souls to the Polls" get out the vote events during Sunday early voting and other get out the vote efforts in Georgia that seek to encourage voter participation among Black and Brown voters and voters in historically underserved communities of color. The GCPA in coalition with other civic engagement organizations in Georgia also participates in voter education and voter empowerment programs.

48. GCPA's voter education and empowerment programs have included, but are not limited to, educating prospective voters about how to register to vote and to confirm their registration status; educating voters about the options to vote in-person during advanced voting, in-person on Election Day, and by mail via absentee ballot; providing information to voters about accessing absentee ballot drop boxes to cast their absentee ballots safely and securely, and helping voters to understand the new voting system implemented for the first-time during the 2020 election cycle statewide.

49. The GCPA has also distributed civic education materials to voters and prospective voters; arranged for rides to the polls for voters; and supported the Georgia Election Protection field program in order to assist voters on the ground near polling sites.

50. The GCPA also participates in media interviews, sponsors Public Service

Announcements (PSAs), places billboard ads, conducts phone banking, and engages in text message campaigns to educate voters and to encourage participation.

51. During this redistricting cycle, the GCPA provided oral testimony to the House and Senate redistricting committees and submitted proposed Georgia Unity Maps, along with co-Plaintiffs, the Georgia NAACP and GALEO Latino Community Development Fund, Inc., via the committees' public comment portal and advocated for the adoption of fair maps that adhere to the requirements of the Voting Rights Act of 1965 and the Fourteenth and Fifteenth Amendments to the U.S. Constitution.

52. The GCPA has had to commit significant time and resources, and will have to continue to commit significant time and resources to combatting the effects of these new maps on communities of color throughout the state now that they have been enacted. Funds and volunteers normally directed towards programs that the GCPA implements, such as voter empowerment efforts and voter registration drives, have had to be and will continue to have to be redirected and diverted towards efforts to combat the effects of these new maps on its constituents. By diverting time and resources to these priorities, GCPA will be unable to commit to other programs that are core to its mission.

53. Plaintiff GALEO LATINO COMMUNITY DEVELOPMENT FUND, INC. ("GALEO") is a non-partisan, nonprofit corporation. GALEO is one of the oldest, largest, and most significant organizations promoting and protecting the civil rights of Georgia's Latinx community. GALEO has approximately 165 members across Georgia.

54. GALEO's headquarters is in Norcross, which is in Gwinnett County, and a substantial amount of GALEO's civic engagement, voter registration and get-out-the-vote work takes place in Gwinnett County and other Metro Atlanta counties, areas in which the Controlling Party targeted people of color in its redistricting maps.

55. GALEO's work includes organizing voter education, civic engagement, voter empowerment and get out the vote events and conducting voter registration drives. After Gwinnett County became a covered jurisdiction for Spanish under Section 203 in December 2016, GALEO has worked also with the Gwinnett County Board of Registrations and Elections in an effort to bring its procedures and election materials into compliance with the law's requirements.

56. During the 2020 election cycle, GALEO also worked to address challenges facing Gwinnett County's limited-English-proficiency Spanish speaking voters as a result of the impact of the COVID-19 pandemic.

57. GALEO sent bilingual mailers to Latinx Gwinnett County voters with information about the presidential primary as well as additional mailers after the primary was postponed due to COVID-19.

58. In this redistricting cycle, GALEO provided oral testimony to the House and Senate redistricting committees and submitted proposed Georgia Unity Maps, along with co-Plaintiffs, the Georgia NAACP and GCPA via the committees' public comment portal and advocated for the adoption of fair maps that that adhere to the requirements of the Voting Rights Act of 1965 and the Fourteenth and Fifteenth Amendments to the U.S. Constitution.

59. GALEO has had to commit significant time and resources, and will continue to have to commit significant time and resources to combatting the effects of these new maps on communities of color throughout the State now that they have been enacted. Funds and volunteers normally directed towards programs that the GALEO implements, such as voter empowerment efforts and voter registration drives, have had to be and will continue to have to be redirected and diverted towards efforts to combat the effects of these new maps on its constituents. By diverting time and resources to these priorities, GALEO will be unable to commit to other programs that are core to its mission.

60. Defendant STATE OF GEORGIA is a sovereign State of the United

States of America.

61. Defendant BRIAN KEMP is the Governor of Georgia and is the chief executive officer of the State of Georgia. Governor Kemp is sued in his official capacity.

62. Defendant BRAD RAFFENSPERGER is the Secretary of State of Georgia, the State's chief election officer and is responsible for administering and implementing Georgia's election laws and regulations. Secretary Raffensperger is sued in his official capacity.

LEGAL STANDARDS

63. Section 2 of the Voting Rights Act, 52 U.S.C. § 10301(a), prohibits any "standard, practice, or procedure" that "results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color[.]" A violation of Section 2 is established if it is shown that "the political processes leading to nomination or election" in the jurisdiction "are not equally open to participation by [minority voters] in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice." 52 U.S.C. § 10301(b).

64. Section 2 of the Voting Rights Act prohibits the dilution of minority voting strength. The dilution of minority voting strength may be caused by, among

other things, the dispersal of the minority population into districts where they constitute an ineffective minority—known as "cracking"—and the concentration of minority voters into districts where they constitute an excessive majority—known as "packing." *Thornburg v. Gingles*, 478 U.S. 30, 46 n.11 (1986).

65. When in the Under *Gingles* standard, plaintiffs who are challenging a redistricting plan violates dilutes the voting strength of people of color under Section 2 of the Voting Rights Act must first demonstrate that three preconditions are met:

a. that the racial minority group or groups are sufficiently large and geographically compact to constitute a majority in a single-member district;

b. the minority group is politically cohesive; and

c. the white majority votes as a bloc such that it will usually defeat the minority group's preferred candidate.

66. In addition to the *Gingles* preconditions, vote-dilution claims under Section 2 are subject to "[a] totality of circumstances" analysis, which is guided by non-exhaustive factors set forth in Senate Report that accompanied the 1982 amendment to the Voting Rights Act.

67. These Senate factors include, but are not limited to: (1) the extent of any history of official discrimination that touched the right of the members of the

minority group to register, to vote, or otherwise to participate in the democratic process; (2) the extent to which voting is racially polarized; (3) the extent to which the State has voting practices or procedures that may enhance the opportunity for discrimination against the minority group; (4) whether the members of the minority group have been denied access to a candidate slating process, if any; (5) the extent to which members of the minority group in the State bear the effects of discrimination in such areas as education, employment and health, which hinder their ability to participate effectively in the political process; (6) whether political campaigns have been characterized by overt or subtle racial appeals; and (7) the extent to which members of the minority group have been elected to public office in the jurisdiction.

68. Courts have also considered additional factors, including whether there is a significant lack of responsiveness on the part of elected officials to the particularized needs of the members of the minority group; and whether the policy underlying the State's use of the challenged standard, practice or procedure is tenuous.

69. The Equal Protection Clause forbids racial gerrymandering, that is, intentionally assigning citizens to a district on the basis of race without sufficient justification. *Shaw v. Reno*, 509 U.S. 630, 641 (1993). The plaintiff must prove that

race was the predominant factor motivating the legislature's decision to place a significant number of voters within or without a particular district. A conflict between the enacted plan and traditional redistricting criteria is not essential to establish racial predominance, but may be persuasive circumstantial evidence. *VBethune-Hill v. Va. State Bd. of* Elections, 137 S. Ct. 788, 799 *2017). If racial considerations predominate over others, then the redistricting decision will be subject to strict scrutiny and the burden will shift to the State to prove that its redistricting decisions served a compelling interest and was narrowly tailored to that end. *Cooper v. Harris,* 136 S. Ct. 2512 (2017).

70. Intentional discrimination is proved by reference to factors set forth in *Village of Arlington Heights v. Metropolitan Dev. Corp.*, 429 U.S. 252 (1977), including whether the impact of the official action bears more heavily on one race than another; the specific sequence of events leading up to the challenged decision, including whether there are departures from the normal procedural sequence or substantive departures; and the legislative or administrative history. A plaintiff does not have to prove that the challenged action rested solely on racially discriminatory purposes. 429 U.S. at 265-267.

STATEMENT OF FACTS

71. The Georgia House of Representatives is comprised of 180 members.

Each representative is elected from a single-member district. Georgia State legislative and Congressional elections are partisan. Primary and general elections feature a majority vote requirement. If no candidate receives a majority of the votes cast, a runoff election is held between the top two candidates.

72. The majority vote requirement and runoffs make it more difficult for Latinx, Black, and AAPI voters to elect candidates of choice because they individually comprise a minority of the electorate and voting patterns in Georgia State legislative and Congressional election contests are racially polarized.

73. These polarized voting patterns are highly correlated with support for Georgia's two major political parties. Georgia's Latinx, Black, and AAPI voters strongly favor candidates from the Democratic Party, while the State's White voters overwhelmingly favor candidates from the Republican Party.

74. Racial, ethnic and language minorities historically have been and continue to be underrepresented in the Georgia General Assembly, particularly with respect to Georgia's Latinx and AAPI communities. According to the 2020 Census, Georgia's total population is comprised of 51.9% of individuals identifying as White alone; 31% as Black alone; 10.5% as Hispanic or Latino; and 4.5% as Asian alone. *See* United States Census Bureau, Georgia: 2020 Census (August 25, 2021), https://www.census.gov/library/stories/state-by-state/georgia-population-change-

between-census-decade.html.

75. By contrast, according to a December 2020 report by the National Conference of State Legislatures, 71% of the Georgia General Assembly's legislators were White, and only 1% were Latinx or AAPI. *See* National Conference of State Legislatures, *State Legislator Demographics* (December 1, 2020), https://www.ncsl.org/research/about-state-legislatures/state-legislator-demographics.aspx (note that this study was not updated to reflect the demographics of newly elected candidates who took their seats after the November 2020 general election).

I. History of Discrimination in Georgia Relevant to Redistricting

76. There is a long and well-documented history of voting discrimination against voters of color in Georgia. Indeed, Courts repeatedly have acknowledged Georgia's extensive history of discrimination in this area. *See Fair Fight Action, Inc. v. Brad Raffensperger*, Order, 1:18-cv-05391-SCJ, Document 636 at 41 (11/15/21) (taking judicial notice of Georgia's "long sad history of racist policies in a number of areas including voting"); *Wright v. Sumter Cnty. Bd. of Elections & Registration*, 301 F. Supp. 3d 1297, 1310 (M.D. Ga. 2018), *aff'd*, 979 F.3d 1282 (11th Cir. 2020) ("Georgia has a history chocked full of racial discrimination at all levels. This discrimination was ratified into state constitutions, enacted into state

statutes, and promulgated in state policy."); *Georgia State Conference of the NAACP v. Fayette County Bd. of Comm'rs*, 950 F. Supp. 2d 1294, 1314-16 (N.D. Ga. 2013) (citing *Brooks v. State Bd. of Elections*, 848 F. Supp. 1548, 1560–61, 1571 (S.D. Ga. 1994) (Georgia's "segregation practice and laws at all levels has been rehashed so many times that the Court can all but take judicial notice thereof"), *vacated and remanded on other grounds*, 775 F.3d 1336 (11th Cir. 2015); and *Johnson v. Miller*, 864 F. Supp. 1354, 1379-80 (S.D. Ga. 1994), *aff'd and remanded*, 515 U.S. 900 (1995) ("we have given formal judicial notice of the State's past discrimination in voting, and have acknowledged it in the recent cases").

77. The history of voting discrimination against voters of color in Georgia is further detailed in various expert reports filed in federal voting rights litigation in Georgia and was also documented by Laughlin McDonald, et al., in *Quiet Revolution In The South: The Impact of the Voting Rights Act 1965-1990*, pp. 67-102 (Chandler Davidson & Bernard Grofman eds., 1994).

78. The historical background of redistricting by the Georgia Legislature includes numerous federal court orders revising Georgia's redistricting plans to cure violations of the federal Voting Rights Act or the Constitution. *See, e.g.*, *Georgia v. United States*, 411 U.S. 526 (1973) (finding a violation of Section 5 of the Voting Rights Act); *Busbee v. Smith*, 549 F. Supp. 494, 517 (D.D.C. 1982), *aff'd mem.*, 459

U.S. 1116 (1983) (finding discriminatory purpose); *Miller v. Johnson*, 515 U.S. 900, 917 (1995) (finding racial gerrymandering); *Abrams v. Johnson*, 521 U.S. 74, 107 (1997) (same); *Larios v. Cox*, 300 F. Supp. 2d 1320, 1356 (N.D. Ga.), aff'd, 542 U.S. 947 (2004) (finding that the redistricting plan violated one person, one vote principle); *Georgia v. Ashcroft*, 539 U.S. 461, 486 (2003) (noting that redistricting plan made it more difficult for minority voters to elect a candidate of their choice).

79. The socioeconomic realities of Georgia have placed a greater burden on minority residents to effectively participate in the electoral process. The effects of Georgia's long history of discrimination against Black residents remains present. Black Georgians have poverty rates more than double those of White residents. There are also substantial disparities between Black and White Georgians in access to health care and health outcomes, in involuntary residential mobility, and in employment. And Black Georgians face unequal access to education and discrimination in housing and lending. Due to these and related factors, Black Georgians participate in elections at lower rates than White residents. For example, even after an historic increase in Black voter registration in the 2020 election, the levels of Black electoral participation still remain lower than for White residents.

80. The Latinx community in Georgia faces similar socioeconomic burdens that limit their ability to effectively participate in the electoral process. Poverty rates

for Latinx Georgians are almost double the rates for White Georgians. Latinx Georgians also are less likely to graduate from high school or receive a graduate degree than White Georgians. And Latinx Georgians have lower median income than their White counterparts, and also are more likely to lack health insurance than their White counterparts. In addition, access to in-language voter assistance in Georgia is significantly limited. For example, the Georgia Secretary of State does not include bilingual information on its website, including no bilingual or multilingual voter registration information, absentee ballots or other election-related materials. This substantially hampers the ability for Latinx Georgians who lack English proficiency to participate in the electoral process. For all these and related reasons, Latinx Georgians participate in elections at lower rates than White residents.

81. And the AAPI community faces socioeconomic burdens that limit their ability to effectively participate in the electoral process as well. About 10% of AAPI Georgians lack health insurance, and about 10% live in poverty. The AAPI population also faced extreme violence in March 2021, when a gunman murdered 6 people in Atlanta, including 6 AAPI women. Also, similar to the Latinx population in Georgia, the AAPI population that lacks English proficiency is substantially hampered from participating in the electoral process due to the Georgia Secretary of

State's failure to include bilingual information on its website, and other barriers to in-language access. For all of these and related reasons, AAPI Georgians participate in elections at lower rates than White residents.

II. Racial and Ethnic Demographics of Voting in Georgia

82. The Secretary of State of Georgia maintains detailed records as to the racial demographics of voters because Georgia's voter registration forms ask applicants to identify their race or ethnicity to comply with the Voting Rights Act. *See* Georgia Voter Registration Form, https://sos.ga.gov/admin/files/GA_VR_APP_2019.pdf. The form also does not ask voters to identify their political party preference. As a result, the Controlling Party legislators and its elected officials are well aware of the implications of making decisions as to voting on racial and ethnic minorities.

83. In every presidential election since 2004, the share of registered voters who are White has decreased in Georgia from 68% in 2004, to 63% in 2008, to 59% in 2012, to 56% in 2016, to 53% in 2020. During that same period, the cumulative share of registered Black, Latinx, and AAPI voters and other voters of color has increased.

84. The percentage of the vote that the Republican Presidential candidate has received in Georgia has decreased in every election since 2004 with the

exception of 2012.

85. The 2018 statewide election in Georgia demonstrated how fragile the Republican party's hold on the State was. While Republican candidates won the races for Governor, Lieutenant Governor, Secretary of State, and Attorney General, all of the winners received less than 52% of the vote and the Secretary of State election went to a run-off.

86. In 2020, a Democratic presidential candidate won Georgia's electoral college votes for the first time in Georgia since 1992, and two senatorial races were sent to run-offs, with both Democratic candidates winning in January 2021. This was the first time a Democrat had won a United States Senate race in Georgia since 2000.

87. Between 2016 and 2020, the share of registered voters who are White decreased from 56% to 53% and the percentage of voters who turned out who were White decreased from 61% to 58%. These percentages stayed the same for the January 2021 run-off elections. The 3% drop was determinative in who won the 2020 and 2021 elections.

88. Election analysis demonstrates that Black, Latinx, and AAPI voters of color overwhelmingly provide strong support to Democratic candidates. Members of the Georgia General Assembly are aware of this fact.

89. In fact, during the 2021 regular legislative session, the Controlling

Party in the Georgia General Assembly passed SB 202, an omnibus voter suppression bill, which took aim at the voting methods increasingly being used by voters of color—including absentee and mail-in voting, early voting, out of precinct voting, and the use of ballot drop boxes. The Controlling Party did so in an effort to stem the tide of Black, Latinx, and AAPI voters electing candidates of choice in statewide and local elections. Passage of SB 202 was largely premised upon a false narrative of alleged voter fraud in majority-Black Fulton County following President Joe Biden's win in Georgia.

90. Apparently unsatisfied that making it harder for Black voters and other voters of color to cast ballots in Georgia's elections would guarantee their electoral success notwithstanding their dwindling share of the vote, the Controlling Party rammed through State legislative and Congressional redistricting maps to racially gerrymander districts which dilute the voting strength of Black, Latinx, and AAPI voters to deny them an equal opportunity to elect candidates of choice.

91. Manipulating voting districts in an effort to retain its dwindling vote share is nothing new for the Controlling Party.

III. Demographic Changes in Georgia between 2010 and 2020

92. There have been pronounced demographic shifts in Georgia since the 2010 Census. In fact, the 2020 Census found that the percentage of people of color

residing in Georgia grew dramatically since 2010, with Black residents growing by 12.5%, Latinx by 31.6%, AAPI residents by 52.3%, while the White population of Georgia decreased by 4%.

93. Moreover, while the percentage of Georgia's White voters has steadily decreased since 2004, the percentage of the voters of color has steadily increased. From 2004 to 2020, registered voters of color increased in Georgia from 29.8% to 38.3%. White voter registration decreased from 68.7% in 2006, to 52.7% in 2020. In the 2021 Georgia senate runoff election, 228,000 new voters cast ballots who did not participate in the November 2020 general election. These voters tended to be more racially diverse and younger than in past elections.

94. Of Georgia's 250 Congressional and statewide legislative districts prior to the enactment of the new redistricting maps, 74 State House, 20 State Senate and 5 Congressional districts had a voting age population of people of color of more than 50%.

95. Packing minority voters into as few districts as possible—while maximizing the number of districts where White voters comprise 55% or more of the electorate—has long been a strategy to maintain political dominance for White voters in Georgia. This strategy is present in the new redistricting plans passed by the General Assembly and which were signed into law by Governor Kemp.

IV. The Georgia 2021 Redistricting Process and Proceedings

A. Town Halls Convened by the Joint House and Senate Committees on Redistricting and the Public Comment Portal

96. The Georgia General Assembly's Joint House and Senate Redistricting Committee held a series of Town Halls in various locations around the State where they solicited public comment about the redistricting process prior to the introduction of any redistricting plans by the General Assembly and before the 2020 Census data were published.

97. As a result, the public was unable to comment on any maps or plans proposed by legislators, nor did they have the 2020 Census data yet to inform map drawing considerations.

98. Instead, a considerable focus of the oral public comment at the Town Halls, as well as in hundreds of public comments submitted to the committees via a public portal on the General Assembly's website (including by Plaintiffs), was on demands for a transparent, fair and equitable process, rather than a focus upon specific mapping proposals by the legislature or Census results.

99. During these Town Halls, legislators did not respond to numerous questions posed to them by the public (including by Plaintiffs) about how the redistricting process would be conducted; when and how redistricting plans and background about the plans would be shared with the public; and whether the

legislature would consider maps, data and alternatives plans submitted by the public. The legislators also did not respond to written public comments submitted to the committees' public comment portal.

100. While there were many members of the public who expressed concerns about the fact the Town Halls did not provide accommodations for persons with limited English proficiency, who were vision or hearing impaired, or were otherwise physically disabled, no action was taken by the Joint Committee Chairs, Representative Bonnie Rich and Senator John Kennedy, to make the Town Halls accessible for Georgians who needed such accommodations. Once the special redistricting session began on November 3, 2021, the Chairs of the Committees also failed to make such accommodations available for Georgians who needed them.

101. The pleas for transparency and a fair and equitable process made by members of the public at the Town Halls and on the public comment portal were virtually ignored by the Controlling Party.

102. Instead, the Controlling Party rammed through all three maps during the special session, providing little to no information about the rationale for drawing the districts and refusing to share information with the public about the role consultants played in the drawing of the Controlling Party's maps, what voter data the map-makers relied on to draw the maps (and in particular, whether that included

race-based data), and what advice they were given by the consultants about how the maps should be drawn and why.

103. When members of the public complained about the lack of transparency in the process during committee hearings and the absence of any real opportunity to examine and analyze the proposed maps before and after the commencement of the special session on November 3, 2021, these complaints were frequently met with Controlling Party legislators pointing to the Town Halls as evidence that the process was transparent – even though they all took place before a single map was proposed by legislators, none of the legislators responded in substance to any of the comments or questions made by the public during the Town Halls or on the public portal, and Georgia's final Census data was not released until after the final Town Hall was held on August 11, 2021.

B. Events Prior to the Commencement of the Special Session on November 3, 2021

104. On September 23, 2021, Governor Kemp signed a proclamation ordering the commencement of a special session of the Georgia General Assembly on November 3, 2021, for the purpose of drawing new redistricting maps for Georgia's House, Senate and Congressional districts, among other things. *See* https://gov.georgia.gov/executive-action/proclamations.

105. On September 27, 2021, before the special session began, the General

Assembly's Legislative and Congressional Reapportionment Office posted a proposed Congressional redistricting plan submitted by Senator John Kennedy, Chair of the Georgia Senate Redistricting Committee, on its website: https://www.legis.ga.gov/api/document/docs/default-source/reapportionment-document-library/cong-s18-p1-packet.pdf?sfvrsn=dd7b16e7_2. This plan included total population and voting age population data for the racial and ethnic composition of each proposed district.

106. The Reapportionment Office is a joint office of the Georgia House and Senate responsible for providing the General Assembly with redistricting services. According to the General Assembly's website, the "office uses data provided to the State of Georgia by the U.S. Census Bureau for the purpose of redistricting. In addition to providing the technical assistance to redistrict, the website states that the office provides an array of maps and up to date data reports which include information on demographics, precincts, and local redistricting." *See* GEORGIA GENERAL ASSEMBLY: LEGISLATIVE AND CONGRESSIONAL REAPPORTIONMENT OFFICE (2021), https://www.legis.ga.gov/joint-office/reapportionment.

107. While the Reapportionment Office is supposed to be nonpartisan and open to all members of the General Assembly from any party, and its employees are paid by the taxpayers of Georgia, the House and Senate redistricting committees

passed guidelines ("Committee Guidelines") for the 2021 redistricting special session which provided, among other things, that:

> [R]edistricting plans and other records related to the provision of [Reapportionment Office] staff services to individual members of the General Assembly will not be subject to public disclosure. Only the author of a particular map may waive the confidentiality of his or her own work product. This confidentiality provision will not apply with respect to records related to the provision of staff services to any committee or subcommittee as a whole or to any records which are or have been previously disclosed by or pursuant to the direction of an individual member of the General Assembly.

See Georgia Senate redistricting committee's guidelines, https://www.legis.ga.gov/api/document/docs/default-source/reapportionment-document-library/2021-senate-redistricting-committee-guidelines.pdf?sfvrsn=a9bbb991_2; House redistricting committee's guidelines here: https://www.legis.ga.gov/api/document/docs/default-source/reapportionment-document-library/2021-senate-redistricting-committee-guidelines.pdf?sfvrsn=a9bbb991_2.

108. Additionally, communications between legislators and Reapportionment Office staff and the nature of the services provided by the Reapportionment Office to legislators are exempt from Georgia's Open Records Act, meaning that the public has no access to this information absent obtaining it in discovery during litigation.

109. Thus, the Reapportionment Office and Controlling Party members

engaged in a secretive process which excluded the public and minority party members, preventing them from obtaining critical information about how and why the redistricting plans were drawn the way they were. In particular, the public and minority party members were denied information regarding whether the Reapportionment Office and the Controlling Party's members relied on race as a predominant factor to draw the maps, whether the Reapportionment Office and Controlling Party members complied with the VRA to draw the maps, and whether the Reapportionment Office and the Controlling Party intentionally drew the maps to discriminate against Georgians on the basis of race or ethnicity.

110. Aside from the map, data, and shapefiles posted on the Reapportionment Office website, the initial version of the Congressional district plan sponsored by Senator Kennedy was not accompanied by information explaining any rationale about how or why the plan was drawn as it was. No legislative hearings were ever held on this Congressional plan.

111. On October 21, 2021, the Reapportionment Office posted a Congressional district plan submitted by the Georgia House and Senate Democratic Caucuses identified as HB 5EX.

112. On October 28, 2021, the Reapportionment Office posted a State Senate

plan submitted by the Georgia Democratic Senate Caucus identified as SB 4EX.

113. On October 29, 2021, the Reapportionment Office posted a State House plan submitted by the Georgia House Democratic Caucus identified as HB 4EX.

114. On November 2, 2021, the day before the special session was scheduled to begin on November 3, 2021, the Reapportionment Office posted a House district plan identified as HB 1EX submitted by the House committee's Controlling Party's Chair and a Senate district plan identified as SB 1EX submitted by the Senate committee's Controlling Party's Chair.

C. The Georgia Senate Redistricting Plan and Proceedings

115. The 2021 Georgia redistricting process was designed by the Controlling Party to be anything but transparent. Line drawing was done by design in secret by Controlling Party's members with the assistance of the supposedly non-partisan Reapportionment Office; multiple committee meeting agendas were issued with the only information provided as, "TBD," i.e., "To be Determined;" redistricting plans and substitute bills were sometimes disclosed within hours of their introduction or even after committee meetings discussing them had already begun.

116. The lack of transparency and the intentionally rushed process virtually guaranteed that the Controlling Party's redistricting plans would not be reflective of the interests and concerns of Georgia's voters—particularly those of Georgia's fast-

growing communities of color demanding that the plans comply with the Voting Rights Act, United States Constitution and respect their communities of interest, during the redistricting proceedings.

117. On November 2, 2021, the Senate Reapportionment and Redistricting Committee Chair, Senator John Kennedy, issued a notice that the committee would meet on November 3, 2021, at 1:00 p.m. The agenda for the meeting stated it was "TBD." A skeletal bill, SB 1EX LC 47 1159, was also submitted to the Senate Hopper on November 2, 2011, which contained no specific information about the Controlling Party's Senate redistricting plan.

118. The November 3, 2021, Senate committee meeting was relatively short and generally included a brief discussion of the aforementioned Senate redistricting committee guidelines by Chair Kennedy, the committee's process going forward, and an announcement that there would be another meeting the following day on November 4, 2021, where public comment would be allowed.

119. Chairman Kennedy also indicated that he expected to pass a Senate districting redistricting plan out of committee as early as on November 5, 2021 – just two days after the start of the special session and before any substantive discussion of the bills by the committee.

120. On November 4, 2021, Chairman Kennedy introduced a Senate substitute bill, SB 1EX LC 47 1165S, also known as, "User: S018 Plan Name: Senate-prop1-2021 Plan Type: Senate." It is available at: https://www.legis.ga.gov/api/legislation/document/2021EX/202757. This Senate plan included total population and voting age population data regarding of the racial and ethnic composition of each proposed district, but no other information was made available concerning how or why the plan was drawn as it was.

121. Chairman Kennedy also announced that he planned to permit the minority leader, Senator Gloria Butler, to introduce the Democratic Caucus' Senate plan (SB 4EX LC 47 1154), but leader Butler objected because the minority party had not been informed that the Chair planned to take up the Democratic caucus' bill at this meeting. As a result, the hearing on the minority party's map was deferred to the following day's meeting on November 5, 2021.

122. The Senate Reapportionment and Redistricting Committee met next on November 5, 2021. The Agenda included a reference to public comment and that the committee would be conducting a hearing on SB 4 (Sen. Butler) and consideration of SB 1 (Sen. Kennedy). (These bills were introduced as SB 4EX LC 1154 and SB 1EX 1165S, respectively).

123. During this hearing, Chairman Kennedy stated that the 2021 Committee

Guidelines included prioritizing keeping counties whole, yet the Senate plan splits 29 of Georgia's 159 counties, including counties where communities of color account for the significant growth in population reported in the 2020 Census.

124. The committee considered the Controlling Party's Senate Plan, SB 1EX 1165S, as well as the minority party's plan, SB 4EX LC 47 1154. Public comment on the bills was received, with the majority of the public comments opposed to the passage of the Controlling Party's plan.

125. Members of the public and the minority party objected to the Controlling Party's lack of transparency and the rushed process which failed to give the public any reasonable opportunity to analyze the bill. Members of the public also objected to the plan because of racially gerrymandered districts and minority vote dilution present in the Controlling Party's plan.

126. Nevertheless, the Controlling Party's Senate plan was voted out of committee at this meeting after only three days of hearings.

127. This plan was passed by the General Assembly on November 15, 2021, following a Senate floor vote along party lines of 34-21 on November 9, 2021, and a House floor vote along party lines of 96-70 on November 15, 2021.

128. Governor Kemp signed the Senate plan, which is a racial gerrymander

and violates Section 2 of the Voting Rights Act, into law.

D. The Georgia House Redistricting Plan and Proceedings

129. On Friday, November 5, 2021, Representative Bonnie Rich, the Chair of the House Legislative and Congressional Reapportionment Committee, convened the first meeting of the committee to discuss HB 1EX, the Controlling Party's House redistricting bill, and HB 4EX, the Democratic Caucus' House redistricting bill. The agenda provided no information about whether the committee would entertain public comment. During this meeting, the Chair and members of the committee generally discussed the committee's redistricting guidelines and the process for the hearings on the proposed House plans.

130. On the following Monday, November 8, 2021, the Reapportionment Office posted a substitute House district plan, HB 1EX LC 47 1163S, submitted by Chair Rich, replacing the previous skeletal redistricting bill proposed by the Controlling Party. This bill was subsequently introduced the same day at the House committee meeting convened by Chair Rich, giving the public and minority party lawmakers little time to review changes made to the Controlling Party's House redistricting bill. The substitute bill was also not mentioned in the agenda circulated prior to the meeting.

131. On the following day, November 9, 2021, Chair Rich convened another

hearing on HB 1EX LC 47 1163S and received public comment, most of which was negative, with members of the public complaining about the lack of transparency and the failure of the Controlling Party to provide the public with information about the rationale for the way districts were drawn in the plan. Members of the public, as well as minority members of the committee, also provided negative comments about the racial gerrymanders and minority vote dilution present in the plan.

132. Nevertheless, the Controlling Party's House substitute redistricting bill was voted out of committee on November 9, 2021, after only three days of public hearings, and was later passed by a House floor vote along party lines of 99-79 the following day on November 10, 2021. It was subsequently passed by a Senate floor vote two days later on November 12, 2021, on a vote of 32-21 along party lines.

133. Governor Kemp chose not to veto the Controlling Party's unconstitutional and unlawful House redistricting plan and allowed it to become law.

E. The Georgia Congressional Redistricting Plan and Proceedings

134. A skeletal Congressional redistricting bill was filed as SB 2EX LC 47 1158 in the Senate Hopper on November 2, 2021, and was read and referred to the Senate Reapportionment and Redistricting Committee on November 3, 2021. This bill contained no details about the map or plan and did not reference the Congressional plan posted by the Reapportionment Office that had been submitted

by Chairman Kennedy on September 27, 2021.

135. On November 17, 2021, just hours before the Senate Reapportionment and Redistricting Committee was scheduled to convene that day, the Reapportionment Office posted a Congressional district plan jointly sponsored by the House and Senate Controlling Party's redistricting committee chairs, giving neither the public nor the minority party's legislators any reasonable opportunity to review or analyze the plan before the hearing began. *See* https://www.legis.ga.gov/api/document/docs/default-source/reapportionment-document-library/congress-prop1-2021-packet.pdf?sfvrsn=104b7388_2. This plan was introduced in the Georgia Senate and considered by the House redistricting committee as SB 2EX LC 47 1166S and in ("Joint Congressional Plan"). This plan included data on the race and ethnicity of the total population and voting age population (VAP) in each proposed district.

136. Hearings on the joint Congressional plan began on November 17, 2021, in both the Senate and House redistricting committees.

137. The very next day, on November 18, 2021, the Senate Reapportionment and Redistricting Committee voted the joint Congressional plan out of committee and it was passed on the Senate floor the following day, November 19, 2021, by a vote of 32-21, along party lines—only two days after the plan was first made

available to the public and the hearings on the bill were commenced in the Senate redistricting committee.

138. The House committee also held a hearing on November 18, 2021, on the joint Congressional plan, SB 2EX LC 47 1166S, and on the Democratic Caucus' Congressional plan, HB 5EX LC 47 1149. The House committee scheduled another hearing on the joint Congressional plan on Saturday, November 20, 2021, at 9:00 a.m. where the Congressional plan was passed out of committee.

139. A House floor vote was held on Monday, November 22, 2021, and SB 2 EX LC 47 1166S was passed by a vote of 96-68 along party lines. A copy of the final bill as passed by the Georgia General Assembly is entitled "SB 2EX/AP and is available on the Georgia General Assembly's website at: https://www.legis.ga.gov/api/legislation/document/2021EX/203133.

140. The joint Congressional plan is a racial gerrymander and violates Section 2 of the Voting Rights Act because race predominated in the drawing of the plan and the plan dilutes the voting strength of voters of color.

141. Nevertheless, Governor Kemp signed the Controlling Party's unconstitutional and unlawful Joint Congressional district plan and as well as the

Controlling Party's House and Senate plans into law.

V. The Congressional Map

A. The Metro Atlanta Congressional Plan (SB 2 EX/AP) (Allegations supporting constitutional and Section 2 of VRA claims)

142. The Controlling Party and their map drawers created a textbook example of how redistricting lines can be manipulated to dilute the voting strength of people of color by refusing to draw a majority-Black Congressional district and using gerrymandering of adjacent districts to maintain a White majority advantage in an area of Georgia in which the population of people of color has exploded since the 2010 Census.

143. The growth in the State's population of Black, Latinx and AAPI residents has in large part taken place in the Atlanta Metro area.

144. The percentage of total population that are people of color in the Atlanta metropolitan ("Atlanta Metro") area grew dramatically since the last Census, from 49.22% in 2010 to 56.29% in 2020, a net increase of just over 7 percentage points.

145. In the same period, the percentage of population that is White in the Atlanta Metro area decreased from 50.78% in 2010 to 43.71% in 2020, a net drop of just over 7 percentage points.

146. Similar changes are seen in the percentage of the voting age population in the Metro Atlanta with an approximately 7.4 percentage point increase in the

voting age population of voters of color from 2010 to 2020. The opposite was true for White voters, where the percentage of the White voting age population decreased by about 7.4 percentage points from 53.72% in 2010 and 46.34% in 2020.

147. And in this area of Georgia, voting is racially polarized, with Black voters cohesively for candidates of their choice, and the White majority generally voting as a bloc for different candidates so as to prevent the election of the candidates of choice of Black voters. Thus, unless Black voters comprise a majority of a district or close to it, the White majority votes as a bloc for its preferred candidates, usually preventing the election of Black preferred candidates.

148. Before the enactment of SB 2 EX/AP in 2021, the existing 2011 14-seat Congressional plan, had four (4) seats that were majority-Black by total population based upon the 2020 Census: CD-2, CD-4, CD-5, and CD-13. Three (3) of those seats were in the Metro Atlanta area: CD-4, CD-5 and CD-13. One (1) Metro Atlanta seat, CD-7, was a majority coalition district based upon the population of people of color collectively (61.95%) and voting age population (58.84%); but was not a majority coalition district by CVAP (45.13%) or registered voters (48.75%), but getting closer to a majority coalition district on those metrics as well.

149. Due to the population changes in this area of the State where racially polarized voting is present, the Controlling Party and its map drawers could have

and should have drawn at least one new compact majority-Black Congressional district in the western Atlanta Metro area to comply with the Section 2 Voting Rights Act. This would have increased the total number of majority-Black Congressional districts in the Metro Atlanta area from 3 to 4 and given Black voters and other voters of color an opportunity to elect candidates of their choice.

150. Instead, the Controlling Party and their map drawers intentionally chose to systematically racially gerrymander Atlanta Metro Congressional districts to avoid drawing the new majority-Black Congressional district and to dilute the voting strength of Black, Latinx and AAPI voters in this region. This not only violated Section 2 of the Voting Rights Act, but also violated the Fourteenth and Fifteenth Amendments to the U.S. Constitution.

151. Some of the most egregious instances of racial gerrymanders and minority vote dilution in the new Congressional plan (SB 2 EX/AP) are present in the Metro Atlanta area districts, particularly in Congressional Districts 3, 4, 6, 7, 9, 10, 11 13, and 14 where communities of color were cracked or packed to dilute their voting strength.

152. CD-6 in the new plan is a prime example where the Controlling Party and its map drawers manipulated the district lines to dilute the voting strength of people of color and where race predominated over traditional districting principles.

153. Until recently, CD-6 had elected candidates preferred by the White majority. However, in 2018, the growing Black population helped elect CD-6's first Black female Congresswoman, Lucy McBath, as their candidate of choice.

154. CD-6 was only 657 persons away from the ideal district size of 765,736 for equal apportionment based upon the 2020 Census. Nevertheless, the Controlling Party and its map drawers retained only 404,452 people from the prior plan or about 52.8% of the former plan's population in the new CD-6 plan.

155. This group is 61.5% White by population, 63.9% White by VAP and 61.7% White by voter registration. About 361,351 people, or approximately 47.2% of CD-6's population, was swapped out of the district by the Controlling Party's mappers.

156. Of that population—which was removed from Cobb, Fulton, and DeKalb County portions of the district—184,254 or 51% of the population were people of color. 134,972 of 279,240 or 49% of the removed population were people of color by VAP, and 82,606 of 222,271 or 37.2% were registered voters of color.

157. Of the added population—which was drawn from Forsyth, Dawson, Cherokee, Gwinnett, and Cobb Counties—121,810 of 360,684 or 33.8% of the population were people of color; 79,828 of 264,430 or 30% were people of color by VAP; and, 50,808 of 240,187 or 21.15% were registered voters of color.

158. The new CD-6 plan drastically changed the geography of the district as well as its demographics. The net result was that the new CD-6 plan had 62,482 fewer persons of color than under the previous plan and 61,670 more White persons.

159. The percentage of White registered voters in CD-6 under the new plan increased from 58.39% to 65.60%, while the percentage of registered voters who are people of color decreased from 32.19% to 25.38%, a loss of 6.81 percentage points. The White voting age population of the district also increased from 58.13% to 66.63%, while the voting age population of people of color decreased from 41.88% to 33.37%, a loss of 8.51 percentage points. The total White population of the district also increased – growing from 55.58% to 63.70%, while the total population of people of color decreased from 44.42% to 36.30%, under the new plan, a loss of 8.12 percentage points.

160. Under every metric, the changes made by the Controlling Party and its map drawers to CD-6 made it a safe district for White voters by diluting the voting strength of persons of color in order to prevent them and cross-over voters from having a meaningful opportunity to elect candidates of choice.

161. Because CD-6 was only 657 persons away from ideal population size for apportionment, there was no legitimate or compelling reason for the Controlling Party and its map drawers to surgically remove 62,482 people of color from CD-6

and replace them with 61,670 more White people except to dilute the voting strength of voters of color.

162. The Controlling Party and its map drawers sorted voters by race into and out of CD-6 to dilute the voting strength of voters of color and to deny voters of color an equal opportunity to participate in the political process in CD-6.

163. CD-13 is another example of the Controlling Party and their map drawers' choosing to increase the packing of people of color in CD-13 to dilute their voting strength and to deny them an equal opportunity to participate in the political process, despite the fact that CD-13 was an already packed district and population could have been shifted out of CD-13 to create the new majority-Black district in the Metro Atlanta area.

164. The total population of people of color in CD-13 in the new plan is a whopping 83.65%, with 64.26% of the packed district comprised of persons identifying as Black alone in the 2020 Census. This is an overall increase in the total population of people of color in the already overpacked CD-13 of 4.41 percentage points. The people of color VAP in the new CD-13 plan is 81.18%, an increase of 4.76 percentage points, and the Black VAP is 63.75%, an increase of 4.03 percentage points. The percentage of registered voters of color in the new CD-13 plan is 79.32%, an increase of 4.98 percentage points, and the Black registered voter percentage is

70.75%, an increase of 4.66 percentage points.

165. The Controlling Party and its map drawers offered no evidence during the hearings on the Congressional plan demonstrating that the packing of CD-13 to such an extraordinary degree was necessary to provide voters of color or Black voters an equal opportunity to elect candidates of their choice or was required to comply with Section 2, traditional districting principles or for any other legitimate reason.

166. Although the Controlling Party and its map drawers could have unpacked CD-13 to relieve the overpacking in order to facilitate the creation of the new majority-minority Congressional district in the Metro Atlanta area, they chose not to do so and, instead, created a Congressional plan which dilutes the voting strength of people of color and Black voters in CD-13 and denies voters of color and Black voters an equal opportunity to participate in the political process.

167. The new Congressional plan also continues to pack people of color in CD-4, which was already a majority-minority district in the previous Congressional plan.

168. In the new CD-4 plan, people of color comprise 74.18% of the total population in the new plan, with 52.19% of the population identifying Black alone in the 2020 Census. This represents a small reduction of the packing of this district,

but is still well above the percentage of population necessary for voters of color to have a meaningful opportunity to elect candidates of their choice. As a result, the new plan dilutes the voting strength of people of color in the Atlanta area by continuing to pack them into CD-4 without a legitimate or compelling reason.

169. Although the Controlling Party and its map drawers could have created another majority-minority Congressional district in the Metro Atlanta by unpacking CD-13 and CD-4 and by moving voters of color from other adjacent districts to give the growing population of people of color a meaningful opportunity to elect candidates of choice, they chose not to do so and did not provide any rationale for continuing to overpack CD-4 during the legislative hearings on the new Congressional plan.

170. Voters of color in Henry, Fayette, and Newton counties also remain cracked between the packed CD-13 and the majority-White CD-3 and CD-10, diluting their voting strength. The plan also cracks communities of color in Douglas County, which was not split in the 2011 plan. The new plan moves a total of 42,970 people into the majority-White CD-3. 19,532 or 45.5% of the persons moved into CD-3 are people of color.

171. Approximately 283,464 people, 85% of whom were in CD-7 in Gwinnett County in the prior plan, and approximately 54% of whom are people of

color, were moved to the majority-White CD-9. Had these voters of color been retained in CD-7, they could have been used to facilitate the drawing of the new fourth majority-Black Congressional district in the Metro Atlanta area, giving these voters of color a meaningful opportunity to elect candidates of choice.

172. The new Congressional plan also dilutes the voting strength of voters of color in Cobb County, including those residing in the majority-minority cities of Marietta, Smyrna, Powder Springs, Austell, and in areas adjacent to I-75.

173. The center of Cobb County and numerous cities along I-75 are paired with majority-White Cherokee, Bartow, and Pickens counties to make CD-11, a majority-White district, which preserves the cracking of growing communities of color in these areas in the previous map, diluting their voting strength.

174. In the southern part of Cobb County, voters of color continue to be packed into CD-13 at unnecessarily high levels—far above what is needed for them to have a meaningful opportunity to elect candidates of their choice.

175. In the new Congressional plan, the Controlling Party and its map drawers moved 77,813 people out of Cobb County to majority-White CD-14. This included persons residing in southwestern Cobb County in the majority-minority cities of Powder Springs and Austell - the majority of whom are people of color,

176. 60,003 or 77% of the persons moved into CD-14 were previously in

majority-Black CD-13, the rest were from majority-White CD-11. The majority of the persons moved into CD-14 from CD-13 and CD-11 were people of color.

177. 44,429 or 74% of the 60,003 people moved into CD-14 from CD-13 were people of color by total population; 70% of persons of voting age (VAP) who were moved were people of color; 63.6% of citizens of voting age (CVAP) who were moved were people of color, and 68.3% of registered voters who were moved were people of color. 31,611 or 52.7% of the persons from CD-13 who were moved into CD-14 are Black and 51% of those persons were of voting age.

178. 17,810 persons moved into majority-White CD-14 from majority-White CD-11 were 34% people of color by total population and 30.5% by voting age population.

179. Rather than diluting the voting strength of voters of color who were moved into CD-14 from packed majority-Black CD-13, the Controlling Party's lawmakers and map drawers should have drawn population from adjacent areas of CD-9 and/or additional population from CD-11 to equalize the population of CD-14 and used the over-packed population of CD-13 to create the new majority-Black Congressional seat in the western Atlanta Metro Area.

180. Instead, the Controlling Party's lawmakers ignored pleas from community members of color affected by these changes during legislative committee

hearings who expressed concerns the changes would dilute their voting strength and move them into a district with which they have little or no shared common interests.

181. There was no reason to draw the map in this way other than to dilute the voting strength of voters of color in one of the fastest growing regions for Black communities in the United States in violation of Section 2 of the Voting Rights Act and the U.S. Constitution without a compelling justification.

182. These changes are textbook examples of cracking and packing, and they were made with the objective to create a Congressional map that has at least one-less majority-Black Congressional district than should be present.

183. Accordingly, race predominated in the Controlling Party's decision not to create a new majority-Black Congressional district in the Metro Atlanta area and in cracking and packing the adjacent Metro Atlanta Congressional districts to dilute the voting strength of Black voters and other voters of color in order to avoid drawing the new majority-Black Congressional district. Traditional districting principles, including drawing compact districts, keeping communities of interest intact, and avoiding cross county splits were all subordinated to the predominance of racial considerations in the drawing of the 2021 Congressional plan.

VI. The State Senate Map

A. Central Georgia Senate Districts (Allegations supporting constitutional and Section 2 of VRA claims)

184. The Black population in Georgia has grown in the last decade, while the White population has fallen. These trends are across the State, including in central Georgia, where counties such as Newton, Rockdale, Henry, Spalding are located.

185. However, the Controlling Party and its map drawers drew Senate districts in central Georgia that have the effect of diluting the political power of Black Georgians in violation of Section 2 of the Voting Rights Act. The State Senate districts in central Georgia were also drawn with the intent to dilute the political power of Black Georgians and constitute racial gerrymanders.

186. Specifically, SD-10 and SD-43 were packed with Black voters. Both districts have a Black voting population that is greater than 60%. And this packing was accomplished by creating districts that do not comport with traditional districting principles, have irregular shapes, pull in Black populations from disparate communities without a compelling justification, and dilute the voting strength of Black voters.

187. In addition, SD-17 and SD-25 were drawn to crack populations of Black voters to dilute Black voting strength, with neither district having a Black

voting population over 33%. Due to racially polarized voting, Black voters are usually unable to elect candidates of choice in these cracked districts because the White majority tends to vote as a bloc to prevent Black voters from electing candidates of their choice.

188. Only Senate District 10 and SD-43 give voters of color a meaningful opportunity to elect a candidate of choice. Senate Districts 17 and 25 crack the population of people of color to prevent them from having a meaningful opportunity to elect candidates of choice.

189. In the new Senate plan, the Controlling Party and its map drawers reduced the voting age population of people of color in the new SD-17 plan from 50.93% to 40.58%, a 10.35% drop. This plan was drawn after Phyllis Hatcher, a Black Democrat, was in a competitive election against a White Republican candidate, Brian Strickland, and lost by a margin of approximately 5 percentage points in 2018. The Controlling Party's map drawers also reduced the population of registered voters of color in the new plan from 48.73% to 37.88%, a 10.86 percentage point drop. The Black voter registration population was also reduced from 42.23% to 31.84%, a drop of 10.39 percentage points in the new plan. Race

predominated over traditional districting principles in the drawing of SD-17 by the Controlling Party and its map drawers in the new Senate plan.

190. In SD-25, the percentage of the population of people of color was increased slightly from 37.24% in the old plan to 42.55% in the new plan, but the increase is not likely enough to give people of color a meaningful opportunity to elect candidates of their choice in the new SD-25 plan.

191. The Controlling Party and its map drawers could have alleviated the overpacking of SD-10 and the cracking of people of color in SD-17 and SD-25 by increasing the percentage of people of color in SD-17 and SD-25, but chose not to, diluting the voting strength of people of color in the new plan.

Without violating—and indeed, while better preserving—traditional redistricting principles, Black voters should be moved out of SD-10 and SD-43 and moved into SD-17 and SD-25 to provide the Black voters in central Georgia an opportunity to elect candidates of their choice.

B. Senate Districts in and around the Area of Clayton, Spalding & Fayette Counties (Allegations supporting constitutional and Section 2 of VRA claims)

192. Clayton, Spalding, and Fayette counties are part of the Atlanta Metro area and have seen material population growth since the 2010 Census. In all three counties as well—and also in surrounding counties—the population growth can be

attributed primarily to the increase in Black population whose voters vote cohesively.

193. Accordingly, this region of the State can support the drawing of at least three compact majority-Black State Senate districts where Black voters, who vote cohesively, have the opportunity to elect candidates of their choice.

194. However, the Controlling Party and its map drawers drew the lines in and around this region—specifically, the lines for SD-44, SD-34, SD-16, and SD-18, to ensure that this region would have only two districts where Black voters can elect candidates of their choice.

195. Specifically, SD-34 and SD-44 are substantially packed, with both having a Black voting population of over 65%. But the Controlling Party's map drawers drew SD-16 and SD-18 to severely crack populations of Black voters, with both districts containing a Black voter population of less than 30%.

196. These line drawing decisions were made intentionally and surgically to diminish Black voting strength. For example, SD-16 was drawn to intentionally not reach into Clayton County and SD-18 was drawn to reach far down into Crawford and Peach counties, so as to push SD-16 down and away from the highly dense Black populations in and around Clayton, Fayette, and Spalding counties and towards counties with higher populations of White residents where racially polarized voting

usually prevents Black voters who vote cohesively from being able to elect candidates of choice due to White bloc voting.

197. These choices have caused the Black voters to have one less district where they have an opportunity to elect candidates of their choice. And these decisions were made intentionally by the Controlling Party and its map drawers.

C. Senate Districts in the Area of Fulton & Douglas Counties (Allegations supporting Section 2 of VRA claims)

198. Senate District 35 is located solely in Fulton and Douglas counties. Dense Black communities are located in these counties. Approximately 90% of Atlanta sits in Fulton County, while Douglas County to the west has witnessed an almost 10% increase in its Black population since the 2010 Census.

199. Prior to the 2021 redistricting of Senate District 35, the district had a 68.3% Black voting age population.

200. Given this fact, it is no surprise that SD-35 is a majority-Black district with a Black voting age population of almost 70%.

201. However, this level of packing is not necessary for Black voters to elect candidates of their choice. In fact, if such packing did not take place, then at least one additional compact majority-Black senate district could be drawn in the area of Fulton and Douglas counties that provides Black voters in this region with an opportunity to elect candidates of their choice.

202. The drawing of another majority-Black senate district in this area is possible by reducing the packing of SD-35 and drawing in additional Black voting age population from Senate districts to the immediate west of SD-35, which include SD-30, SD-31, and SD-28.

203. None of these districts have even a 20% Black voter population, and each of these districts could reach further into Douglas and Fulton counties without violating traditional redistricting principles. In fact, the compositions of at least SD-28 and SD-30 would better protect traditional redistricting principles if these changes were made given that the map drawn by the Controlling Party and its mappers was not compact.

D. Senate Districts in Cobb County Area (Allegations supporting constitutional and Section 2 of VRA claims)

204. Cobb County is one of the largest counties in the Atlanta Metro area, with over 760,000 total residents after the most recent Census. The county is majority people of color. The largest city in Cobb County, Marietta, has a population of people of color that nearly reaches 60%. The Cobb County population of people of color is primarily comprised of large percentages of Black and Latinx residents.

205. Also, Cobb County is surrounded by other counties with large populations of people of color, such as Fulton and Douglas counties.

206. Both historically and in the most recent Georgia elections, the large and growing populations of Black and Latinx voters in Cobb County usually vote cohesively, individually and collectively as a group, voting for the same candidates. The White majority votes cohesively as a bloc for different candidates and, due to racially polarized voting, White bloc voting usually prevents voters of color from electing candidates of their choice.

207. In 2020, there were five districts with significant pieces of Cobb: SD-38, which is a majority-Black district split between Fulton and Cobb counties (61.31% BVAP); SD-33, is a majority-people of color coalition district (with a people of color VAP of 63.65%, CVAP 55.18% and registered voters 57.97%), which is nested within Cobb County; SD-6, which is a majority-White district (White VAP of 53.74%), which includes part of Fulton and Cobb counties; SD-32, a majority-White district (White VAP of 68.88%), which includes part of Cobb and Fulton counties; and SD-37, which is a majority-White district (62.54% White VAP), which is entirely in Cobb County. There was also one senate district, SD-14, which included a smaller portion of Cobb County.

208. The new senate map continues to cut Cobb County into six separate districts—SD-6, SD-32, SD-33, SD-37, SD-38, and SD-56—which results in the

packing of Black and Latinx voters into SD-33 and SD-38, but does not provide this coalition with another opportunity to elect candidates of their choice.

209. These six senate districts in the new plan cut Cobb County to a greater extent than the previous senate plan. Each district includes at least 89,000 Cobb County residents and is paired with adjacent parts of neighboring counties.

210. This was an intentional and deliberate choice on the part of the Controlling Party and its map drawers to dilute the voting strength of Black and Latinx voters by packing them into two senate districts instead of giving them more opportunities to elect candidates of choice in at least three additional compact, majority people of color districts.

211. By doing so, race predominated over traditional districting principles, including the Controlling Party's own redistricting guidelines which stated cross county cuts, like these in the Cobb County senate districts, should be avoided.

212. In making these changes, the Controlling Party and its mappers also intentionally increased the percentage in SD-6 of White VAP from 53.8% in the previous plan to 57.8% to prevent people of color from having a meaningful opportunity to elect candidates of their choice in this district.

213. Without violating traditional districting principles—and in fact, by drawing the districts to better preserve Cobb County and to better respect traditional

redistricting principles—a third majority persons of color senate district could be drawn in this region by shifting voters into SD-6 and primarily out of SD-38 and SD-33. This would reduce the number of senate districts that enter Cobb County to five instead of the six in the new plan.

214. Alternatively, a map could be drawn to reduce the number of senate districts with portions of Cobb County to four instead of five. 765,136 people are needed for four state senate districts based on statewide figures. Cobb County's total population is 766,149 people. This is only 1,013 people, or 0.13% greater than the total population required for four seats, well within the acceptable 5% population deviation for state senate districts. Four districts could be nested within Cobb County, better satisfying traditional districting principles. The voting strength of Black voters in SD-38 will continue to make this district perform as a majority Black district – even if it no longer included precincts from Cobb County.

215. Notably, the Controlling Party's legislative delegation passed a Cobb County Board of Commission map that includes only four single member districts and an at-large chair. That plan has two coalition districts and is entirely nested in Cobb County. There is no compelling or reason for six senate seats to enter Cobb County, except to dilute the voting strength of the burgeoning population of people of color in Cobb County and adjacent areas.

216. As a result, the six-senate district plan drawn by the Controlling Party and its map drawers violates Section 2 of the Voting Rights Act and also constitutes an unconstitutional racial gerrymander.

E. Senate Districts in and around Gwinnett, North Fulton & Forsyth Counties (Allegations supporting constitutional claims)

217. In 2020, Michelle Au was elected to the Georgia State Senate to represent SD-48. This was an historic election, as Senator Au is the first AAPI individual elected to the Georgia State Senate.

218. Her victory was due in part to the growing diversity of Gwinnett, Fulton, and a small portion of Forsyth counties, where there is not only a growth in the population of Black communities, but also of Latinx and AAPI communities as well.

219. In a clear effort to put a roadblock in the way of the increasingly diverse multi-racial and ethnic voting bloc in SD-48, the Controlling Party and its mappers intentionally manipulated the redistricting plan for SD-48 to dilute the voting strength of this coalition and to prevent the re-election of a candidate of their choice, such as Senate Au, in the future.

220. In the new plan, SD-48 was drawn as a majority-White district, with a Black and Latinx voting age population at less than 10% each, an AAPI voting age

population at less than 30% and a combined CVAP percentage of people of color of only about 32%.

221. The map drawers achieved this result by reaching out of the existing SD-48 lines into a region of Forsyth County that has a high density of White voters. These percentages virtually guarantee that the coalition of Black, Latinx and APPI voters will be unable to elect candidates of their choice in upcoming election cycles, despite the substantial surge of the population of people of color in this area.

222. Racial considerations predominated the Controlling Party's redistricting plan for SD-48. It would have been very easy for the Controlling Party and its map drawers to have maintained this performing coalition opportunity district as it was, but they chose not to do that and, instead, deliberately moved White population from Forsyth County into the district to purposely dilute the voting strength of Black, Latinx and AAPI voters in the district.

223. The Controlling Party and their mappers could have also unpacked SD-7, which has voting age population of people of color that is over 73%, and SD-5, which has a voting age population of people of color of 84.31% and a registered voting population and CVAP of people of color that is over 70%, to increase the voting strength of the burgeoning population of voters of color in this area but chose

not to that either. In short, this was a racial gerrymander of a performing coalition opportunity district.

224. The mappers could have a drawn a reasonably compact district with a combined majority of Black, Latinx, and Asian voters. Moreover. the Black, Latinx, and Asian voters in this region vote cohesively and usually as a bloc for the same political candidates. The White majority votes cohesively as a bloc for different candidates of choice and, due to racially polarized voting, the White majority bloc prevents candidates from being elected in the current SD-48.

F. Senate Districts in the East Black Belt (Allegations supporting Section 2 of VRA claims)

225. The East Black Belt has a large Black population with historical ties to the region. The Black voters in this region vote cohesively and usually as a bloc for the same political candidates. The White majority votes cohesively as a bloc for different candidates of choice and, due to racially polarized voting, the White majority bloc prevents Black candidates from being elected.

226. Given the demographics of this region, at least one additional compact majority-Black senate district could be drawn which provides the Black community with an opportunity to elect candidates of their choice.

227. But this did not occur. Instead, the Controlling Party and its map drawers drew SD-23 to crack the Black voter population, by drawing the lines for

SD-23 south all the way down to the bottom of majority-White Emanuel County, where the Black voter population is not even 34%.

228. In contrast, SD-26 was packed with a Black voting age population that is over 55%. The district achieves this result by having tendrils that reach into the center of Bibb County, while also climbing up into Hancock County to include Black voting age population to aid in the packing of this district.

Another compact majority-Black district could be drawn by moving some of the Black voting age population from packed SD-26 into the cracked SD-23 and out of the adjacent SD-22 in Richmond County into SD-23 to give Black voters an opportunity to elect candidates of their choice. Moreover, these changes would ensure that the State Senate map better preserves and respects traditional redistricting principles, including compactness, than the map that the Controlling Party and its map drawers created.

G. State Senate Districts in Chatham County area (Allegations supporting constitutional claims)

229. In yet another departure from its redistricting guidelines which advised that the Controlling Party and its mappers should avoid splitting counties, the Controlling Party and its map drawers also split Chatham County among three Senate districts (Districts 01, 02, and 04), a significant change from its two-way split in the previous Senate plan.

230. SD-02 is a packed majority people of color district in and around the City of Savannah. It is majority people of color by total population (63.60%), by people of color VAP (59.79%), and by people of color voter registration (61.11%). The total population of people of color in SD-02 is almost unchanged from the prior Senate plan and there was no apparent attempt by the Controlling Party and its map drawers to unpack this district in the new plan.

231. SD-01 and SD-04, on the other hand, were drawn as majority-White districts. SD-01 includes coastal areas south of Savannah and adjacent interior areas to the west. SD-04 includes areas to the north and west of Savannah.

232. The new three-way split of the Senate plan in this region is made more egregious because of the pairing of the population of people of color in Liberty County with the heavily White populated areas in Chatham and Bryan Counties in SD-01 in order to dilute their voting strength.

233. By adding SD-04 into the cracking of Chatham County, the Controlling Party and its map drawers sought to prevent the district from becoming more diverse and competitive for voters of color, thereby predominating racial considerations in

the drawing of these districts without a compelling justification, such as compliance with the Voting Rights Act or traditional districting principles.

234. In fact, SD-1, SD-2, and SD-4 the Controlling Party and its map drawers did not comply with traditional redistricting principles. They include jagged and uneven lines and the districting plan rips apart communities of interest.

235. All three districts enter into Chatham County. And the diverse city of Pooler in Chatham County is brought into SD-4, which includes all of Bulloch and Candler counties, but is ripped away from other Chatham County cities that have been placed instead in SD-2.

236. The Controlling Party's predominant purpose was to make these line-drawing decisions to preserve the White majority in SD-1. If traditional redistricting principles were followed, then the lines would not be drawn this way.

237. For aforementioned reasons, SD-1, SD-2, and SD-4 are unconstitutional racial gerrymanders.

VII. The State House Map

A. House Districts in Douglas and Fulton Counties (Allegations supporting constitutional and Section 2 of VRA claims)

238. Douglas County is majority-people of color, with a White population that is less than 35% of the total. This is a dramatic change from the 2010 Census, when Douglas County was majority-White. Much of the demographic change can

be attributed to an almost 10 percentage point increase in the Douglas County Black population.

239. Fulton County is also majority-people of color, with a White population that is less than 40% and a Black population that is over 40% of the total. Also, 90% of Atlanta, which has a large Black population, is located in Fulton County.

240. Historically and also in recent elections, the Black population in and around Douglas and Fulton Counties has usually voted cohesively for the same candidates and White voters have usually voted as a bloc to prevent the election of candidates preferred by Black voters.

241. At least one more reasonably compact House District can be drawn in and around Douglas and Fulton counties that provides the Black voters in this region an opportunity to elect the candidates of their choice.

242. Instead, the Controlling Party and its map drawers drew the House Districts in this area of the State with the intent and effect of diluting the political power of Black voters. HD-61 is packed with over 70% Black voters by starting in Douglas and slithering down into Fulton County. HD-65, with a Black voting age population that reaches almost 60%, is packed by starting in Douglas County and reaching down into Fulton and Coweta counties.

243. The packing of Black voters in HD-61 and HD-64 results in the dilution of the Black vote in HD-64. HD-64 has a Black voting population of less than 30%, and while it is located primarily in Douglas County, it reaches north into Paulding County and does not enter into Fulton County.

244. The districts in this region could have instead been drawn to pull Black voters out of HD-61 and HD-65 and place them into HD-64. Doing this could allow the House Districts in this region to cut across fewer counties and be drawn with greater contiguity—better preserving traditional redistricting principles than the existing House map.

B. House Districts in South Atlanta Exurbs (Allegations supporting constitutional and Section 2 of VRA claims)

245. House District 74, located in Clayton County, which is part of the South Atlanta Exurbs, has a Black voting age population that is under 25%. House Districts 75-79, also located in and around Clayton County, each have a Black voter population that is greater than 64%. HD-69 in the same region of the State also has a Black voter population that is over 60%.

246. Black voters in and around Clayton County consistently vote cohesively for candidates of their choice and White voters usually vote as a bloc to prevent Black voters from electing candidates of their choice.

247. HD-74 (previously HD-73) had been reliable seat for candidates preferred by the White majority. , with the White-preferred candidate winning election unanimously in 2018. But the district became more competitive in 2020, when the White-preferred candidate won reelection over a candidate preferred by voters of color by 54.12% to 44.03%.

248. A reasonably compact district of majority Black voters could have been created in Clayton County, in the area around HD-74, by unpacking the Black voters concentrated in the surrounding areas. Instead of creating this Black majority district in the South Atlanta Exurbs, the Controlling Party intentionally created the surrounding packed districts, thereby diluting the voting power of Black voters in HD-74.

249. Race was the predominant motive behind the drawing of these districts. The drawing of the districts in the South Atlanta Exurbs violated traditional districting principles, in particular by drawing HD-78 as a long and skinny district that reaches at its bottom to HD-74 and at its top to HD-76, and by drawing HD-74 to avoid Black voter population from Clayton County by hooking around to include portions of less diverse areas of Spalding, Henry, and Fayette.

250. None of the decisions by the Controlling Party and its map drawers to allow race to predominate the redistricting plans in these districts were justified by

compelling reasons, such as compliance with the Voting Rights Act. This was an unconstitutional racial gerrymander.

C. House Districts in Henry County (Allegations supporting constitutional and Section 2 of VRA claims)

251. Henry County, also in the Atlanta Metro area, is a majority-minority county that has a White population at around 35% and a near-majority Black population. This is a stark change from the 2010 Census, when Henry County contained a White majority. Black voters in Henry County consistently vote cohesively for candidates of their choice and White voters usually vote as a bloc so as to prevent Black voters from electing candidates of their choice.

252. Because of the growth of the Black population, at least one additional reasonably compact majority-Black House district could be drawn in Henry County.

253. Instead, the Controlling Party and its map drawers cut into Henry County with seven different House districts—HD-74, HD-78, HD-91, HD-115, HD-116, HD-117, and HD-118, cracking and packing populations of Black voters with the intent and effect of diluting the voting power of Black voters in Henry County.

254. Specifically, HD-78 and HD-91 are packed with Black Georgians, and HD-117 is cracked of Black voters, with a Black voter population at less than 35%.

255. Race was the predominant motive behind the drawing of these districts. HD-117 (previously HD-110) had been a reliable seat for the election of White-

preferred candidates, with one such candidate winning election with 100% of the vote in 2018. Another such candidate won election in 2020 with only 55.80% of the vote in 2020 to a candidate preferred by Black voters, and who is himself Black and who garnered 44.20% of the vote.

256. The existing map in this region, which cuts Henry County into seven separate House Districts, does not respect traditional redistricting principles. For example, HD-117, has the appearance of two orbs that sit on top of one another, connected by a thin line in the middle.

257. None of the decisions by the Controlling Party and its map drawers to allow race to predominate the redistricting plans in these districts were justified by compelling reasons, such as compliance with the Voting Rights Act. This was an unconstitutional racial gerrymander.

D. House Districts in Newton and Rockdale Counties (Allegations supporting Section 2 of VRA claims)

258. House Districts 91, 92, 93, and 95 cover all of Rockdale County. Each is packed with at least a Black voting population of at least 62%. HD- 113 covers a large portion of Newton County. It has a Black voting age population of over 56%.

259. The only remaining district to touch Newton County (in addition to HD-113 and HD-93) is HD-114. HD-114 dilutes the Black vote. It has a Black voter population of less than 24%, which is achieved by drawing the district to run far east

and cover all of majority-White Morgan County. The packing and cracking of the Black voting population in these districts were done by the Controlling Party with the intent and have the effect of diluting the voting power of Black voters.

260. While Black voters in this region usually vote cohesively for the same candidates of choice, due to racially polarized voting, the White majority usually votes cohesively as a bloc to prevent Black voters from electing candidates of their choice.

261. By moving voters out of the packed districts that encompass Rockdale County, the map could be redrawn to permit the Black community in this region to elect candidates of their choice in a new HD-114. And doing so could ensure that the new districts do not break apart communities of interest in and around Rockdale, Newton and Henry counties.

E. House Districts in Houston, Peach, and Bibb Counties (Allegations supporting constitutional and Section 2 of VRA claims)

262. Black voters in the Houston, Peach, and Bibb counties region vote cohesively for candidates of their choice and the White majority in this area usually votes for different candidates as a bloc, preventing Black voters from electing candidates of their choice.

263. Bibb County sits directly north of both Peach and Houston counties. Under the map drawn by the Controlling Party and its map drawers, Bibb is divided between four separate districts, HD-142, HD-143, HD-144, and HD-145. Both HD-142 and HD-143 have packed Black voting populations. House District 145, however, has a Black voting population of only 34%.

264. The Controlling Party and its map drawers could have created another reasonably compact majority Black district in and around Houston, Peach, and Bibb Instead, by packing HD-142 and HD-143, and cracking the Black voting population in HD-145, the Controlling Party and its map drawers drew districts in this area so as to dilute the voting power of Black voters.

265. The packing and cracking of the Black voting population in these districts were done by the Controlling Party with the intent and have the effect of diluting the voting power of Black voters.

266. Election contests in the area have become increasingly competitive. For example, in HD-147, the margin of victory for the White-preferred candidate over the candidate preferred by Black voters narrowed from about 8 percentage points in 2018 to about 5 percentage points in 2020.

267. Race was the predominant motive behind the drawing of these districts. The Controlling Party and its map drawers achieved this result by ignoring

traditional districting principles, drawing HD-145 to cross five county lines. It starts at the southern end of Monroe County, covers all of Crawford and a small portion of Bibb, and includes the northern-half of Peach County and a small sliver of population at the north of Houston County.

268. The highly irregular shape of HD-145 has also allowed the Controlling Party to crack HD-147. This district looks like a cul de sac with HD-145 surrounding it on three sides. And while it is surrounded by Black populations in this region of Georgia, it has under the existing map a Black voting population at less than 30%.

269. None of the decisions by the Controlling Party and its map drawers to allow race to predominate the redistricting plans in these districts were justified by compelling reasons, such as compliance with the Voting Rights Act. This was an unconstitutional racial gerrymander.

F. House Districts in Baldwin County (Allegations supporting constitutional and Section 2 of VRA claims)

270. Baldwin County shares historical and demographic ties with the East Black Belt region of Georgia. The East Black Belt has a large Black community which has consistently voted as a cohesive bloc for candidates of their choice.

271. To the immediate west of Baldwin County, however, there are counties in Georgia that do not share the historical and geographic ties to the East Black Belt. These counties have large White majority populations which usually vote cohesively

as a bloc for different preferred candidates than Black voters do and, as a result, White majority racial bloc voting usually prevents Black voters from electing candidates of their choice.

272. The Controlling Party and its map drawers divided Baldwin County between HD-133 in the west and HD-128 in the east. HD-128 is a highly competitive district for the Black community, but HD-133 provides the Black community with no opportunity to elect candidates of their choice. The Black voting population in HD-133 is less than 36% of the total. The drawing of these districts was done by the Controlling Party with the intent and has the effect of diluting the voting power of Black voters.

273. An additional majority-Black district could be drawn where HD-133 is presently located. The new district could take voters from HD-128 in Baldwin County, from portions of Hancock and Washington counties or from packed districts to the east in Augusta-Richmond County which would not weaken Black voting strength there, as HD-128 could be extended further eastward.

G. House Districts in Dougherty County (Allegations supporting constitutional and Section 2 of VRA claims)

274. In southwest Georgia, Dougherty County is divided between four separate districts—HD-151, HD-152, HD-153, and HD-154. The largest city in

Dougherty county is Albany, which has a Black population that makes up nearly 75% of all residents. All four of the districts in Dougherty County enter Albany.

275. Black voters in this region cohesively for the same candidates. Due to racially polarized voting, the White majority usually votes as a bloc to prevent Black voters from electing candidates of choice.

276. At least one additional majority-Black house district in Dougherty County could be drawn to provide the Black voters with an opportunity to elect candidates of their choice. Under the existing map, HD-153 is packed with over 66% Black voters. And while HD-151 has a competitive Black voting population, the percentages of Black voters are diluted because the map has this district reach up all the way into less diverse areas of Chattahoochee and Marion counties. These districts were drawn by the Controlling Party with the intent and have the effect of diluting the voting power of Black voters.

277. By moving Black voters out of HD-153 and redistributing the voters in HD-151 and the remaining Dougherty County districts, at least one additional majority-Black district could be drawn in this region of the State.

278. Race was the predominant motive behind the drawing of these districts. The map drawers violated traditional redistricting principles by dividing a single city into four separate House Districts. None of the decisions by the Controlling Party

and its map drawers to allow race to predominate the redistricting plans for the Dougherty County districts were justified by compelling reasons, such as compliance with the Voting Rights Act. This was an unconstitutional racial gerrymander.

H. House Districts in Hall County (Allegations supporting constitutional and Section 2 of VRA claims)

279. Hall County has gained approximately 24,000 residents since the 2010 Census, and Gainesville within Hall County has gained approximately 8,000 residents. A significant portion of the county and city's new residents are Latinx.

280. Black and Latinx voter populations in Hall County and in Gainesville individually and collectively, usually vote cohesively for the same preferred candidates, while the White majority usually votes as a bloc for different candidates. Due to racially polarized voting, White majority bloc voting usually prevents Black and Latinx voters in this region from electing candidates of their choice.

281. Hall County forms a major part of three State House Districts, one of which has to be anchored by Gainesville and its concentrated community of people of color. The previous State House District 29 just barely became majority non-White by VAP after the 2020 Census, but it was 62.8% White by CVAP and 57.6% White by registered voters.

282. Changes were made by the Controlling Party's mappers to House District 29 to make it appear more diverse at first glance by general population and voting age population, but it maintains a 58.5% White CVAP percentage and 51.5% White registered voter (RV) advantage.

283. The Controlling Party and its map drawers also intentionally cracked the Latinx and Black population in HD-30 and HD-31. The CVAP and registered voter metrics for people of color in HD-30 are 19.91% and 23.02%, respectively; and the CVAP and registered voter metrics for HD-31 are 22.29% and 22.7%, respectively.

284. The result is that every House District in this area is majority-White by CVAP and registered voters, despite the fact the Controlling Party's map drawers could have drawn a district in this region that is a compact majority-coalition district comprised of Latinx and Black voters by registered voters or CVAP to give Latinx and Black voters a meaningful opportunity to elect candidates of their choice.

285. While preserving traditional redistricting principles, areas with concentrations of Latinx and Black voters in HD 30 or 31 could be moved into HD-29 to draw a compact majority-Latinx and Black coalition district to give Latinx and Black voters a meaningful opportunity to elect candidates of their choice.

I. House Districts in Gwinnett County (Allegations supporting constitutional claims)

286. Based on the 2020 Census, Gwinnett County is one of the most diverse counties in Georgia. It has a White population around 30%, Black and Latinx populations around 25%, and an AAPI population that is steadily growing and already at around 15%. Even in the most distant parts of Gwinnett County, the electorate is diverse

287. To combat the emerging diversity in the Gwinnett County House Districts and to prevent people of color from gaining voting strength that would empower them to elect candidates of their choice, the Controlling Party and its map drawers intentionally cracked the populations of people of color in northern Gwinnett County House Districts.

288. In fact, every northern Gwinnett House District – 100, 103, 104, as well as the neighboring House Districts 111 and 30 (which grabs a single precinct) – crosses the county line in violation of the districting principles adopted by the Controlling Party, and go into the much less diverse and majority-White neighboring areas to dilute the voting strength of voters of color.

289. The changes made by the Controlling Party and its mappers were intended to limit the emerging voting strength in Gwinnett County's communities of people of color. For example, former Gwinnett-only House District 98 was 52.5%

White by VAP and 53% White by registered voters (RV) in the prior plan. Its successor, District 100 in the 2020 House plan, which includes less diverse Hall and Forsyth County precincts, increased by almost six and one half (6.5) percentage points to 59.1% White by VAP.

290. These demographic changes have led to increasingly competitive elections in the area. For example, in HD-104, the margin of victory of the White-preferred candidate over the candidate preferred by voters of color narrowed from over 6 percentage points in 2018 to a little over 2 percentage points in 2020. Additionally, the more competitive losing candidate in 2020 was a Black woman.

291. HD-104, which was 46.6% White by VAP, is now 63% White by VAP in the new plan due largely by the decision of the Controlling Party and its mappers to add less diverse Barrow County precincts in the HD-104 redistricting plan to prevent voters of color from having an opportunity to elect candidates of their choice.

292. HD-111 is mainly a majority-White Walton County District but its arm into Gwinnett reduces and pulls out diverse precincts. The old HD-114 plan had some areas of Rockdale County that were dropped in favor of the Gwinnett County cracking of populations of voters of color.

293. The Controlling Party and its map drawers used race as the predominate consideration without a compelling justification in cracking communities of voters of color in the new plan for HD-103, which retreats somewhat into Gwinnett County but still crosses the Hall County border.

294. None of the decisions by the Controlling Party and its map drawers to allow race to predominate the redistricting plans for in the cracking and packing of Gwinnett County House districts were justified by compelling reasons, such as compliance with the Voting Rights Act. Instead, race predominated in the decisions to intentionally limit the voting strength of voters in these districts and to prevent the drawing of additional compact majority-coalition districts. This was an unconstitutional racial gerrymander.

J. House Districts in North Fulton County (Allegations supporting constitutional claims)

295. The northern portion of Fulton County, outside of the Atlanta municipal lines, is represented by nine districts, HD-25 and HD-47 through HD-54. Even though this region does not include the diverse city of Atlanta, it is still a highly diverse area of Georgia. There is a large AAPI population in the eastern portion near Forsyth County. And the remainder of North Fulton has large Latinx and Black populations.

296. Given this demographic makeup, the Controlling Party and its map

drawers could have complied with traditional redistricting principles and created several districts that provide either the Black population with an opportunity to elect candidates of their choice, or coalitions of Black/Latinx and Black/Latinx/AAPI populations the opportunities to elect the candidates of their choices.

297. But the nine districts that split apart north Fulton County do not create a single majority-Black district, and only HD-50 provides a coalition of minority voters the opportunity to elect candidates of their choice.

298. This dilution of minority political power was accomplished by the intentional and surgical splitting of minority populations in this region of the State. The choice to split apart racial minorities in north Fulton County predominated the line-drawing choices and were specifically emphasized over compliance with traditional redistricting principles such as contiguity and preserving communities of interest.

299. For example, HD-48 and HD-49 have jagged edges and tentacles that stretch away from the body of each district. And HD-53 has a long and thin line that squiggles along the border of Cobb County, and which has the result of diluting the minority vote in Sandy Springs.

300. These lines fail to comply with traditional redistricting principles, and the State lacked a compelling justification, such as compliance with the Voting

Rights Act, to draw the House map in north Fulton County in this matter. This was an unconstitutional racial gerrymander.

K. House Districts in Savannah (Allegations supporting constitutional claims)

301. The House Districts in Savannah and its suburbs run from HD-161 through HD-166. Savannah's population increased by approximately 10% since the 2010 Census, and it is now a clear majority-people of color city. The White population is around 36%, the Black population is around 40%, and the Latinx population is around 6%. The suburbs of Savannah have a similar demographic distribution.

302. However, the Controlling Party and its map drawers drew lines in this region to specifically protect the White voting population's political power in HD-164. This district has a White voting population that is greater than 60% because it stretches west from the Savannah suburbs out onto the far edge of Bryan County and to the border of Evans County.

303. House District 164 also has a large hole at its eastern end where HD-162 is located. While HD-162 is heavily concentrated and has a minority population at around 60%, HD-164 is not nearly as densely populated and, as stated above, has a White voting population at nearly 60%.

304. The districts in Savannah and its suburbs, and also in the surrounding

region of Southeast Georgia, were drawn with the predominant purpose of protecting the White majority's power in HD-164. Elections in this area have become highly competitive. As recently as 2016, the White-preferred candidate ran unopposed, but in the last two elections a mere 5 percentage point has separated him from the losing candidates, in each case a Black candidate.

305. This district does not comply with traditional redistricting principles because it crosses county lines in violation of the Controlling Party's redistricting principles in order to maintain it as a majority-White district by including less diverse parts of Chatham County, majority-White areas of suburban Bryan County and portions of the largely non-voting military base areas of Liberty County. There was no compelling justification to draw the district as majority-White, such as compliance with the Voting Rights Act. The other districts in this area were drawn in order to facilitate this result.

306. As a result, the districts in Savannah and its suburbs and in the wider Southeast region of Georgia are unconstitutional racial gerrymanders. In particular, HD-164 was drawn for the predominant purpose of protecting the White majority's political power. This was an unconstitutional racial gerrymander.

L. House Districts in LaGrange (Allegations supporting constitutional claims)

307. LaGrange, which sits in Troup County and is near the western border

of Georgia, has a majority-Black population, and has a White population that is around only 35%.

308. HD-136 (previously HD-132) had traditionally been a competitive district. The last two elections were decided by three to four percentage points.

309. The new maps cut-up the city across four House Districts, HD-72, HD-136, HD-137, and HD-138. Prior to the new maps, HD-136 (then HD-132) was 48.79% WVAP. The new maps increased it to 63.9% WVAP. Prior to the new maps, HD-136 was 40.89% BVAP. The new maps decreased it to 27.8% BVAP.

310. Breaking apart the seat of Troup County into four districts violates traditional redistricting principles. And the composition of these districts is also highly irregular: HD-137 appears like a waxing crescent moon, with its northern and southern edges stretch far to the west away from its heart in Talbot County; HD-136 has a protrusion into Troup County and otherwise covers most of Meriwether County; and both HD-72 and HD-138 have protrusions that lack contiguity with the remainder of the districts as well.

311. The result of these line-drawing decisions was to create only one majority-Black district in the LaGrange area, HD-137, while the remainder of the districts are not majority-Black and do not provide the Black community in LaGrange with a reasonable opportunity to elect candidates of their choice.

312. The predominant purpose for drawing the lines that intersect LaGrange in this manner was to ensure that Black voters would have a reasonable opportunity to elect candidates of their choice in only HD-137, and not in the other House Districts in LaGrange, including HD-136. The Controlling Party and its map drawers were not required to make these map drawing decisions in order to comply with the Voting Rights Act, and there is no other compelling justification for breaking apart the LaGrange Black voting community. This was an unconstitutional racial gerrymander.

COUNT I

42 U.S.C. § 1983
Racial gerrymandering in violation of the Fourteenth and Fifteenth Amendments to the United States Constitution

(Alleged Against Defendants Governor Kemp and Secretary Raffensperger)

313. Plaintiffs repeat and re-allege each and every allegation contained in the paragraphs above, as if fully set forth here.

314. As detailed above in this Amended Complaint, race predominated over traditional redistricting principles and other lawful considerations with respect to the drawing of specific districts in the new Georgia House, Senate, and Congressional plans (SB 2EX/AP, SB 1EX/AP, and HB 1EX LC 47 1163S/AP) without a compelling state interest.

315. As such, the new Georgia House, Senate and Congressional plans are racial gerrymanders because of the drawing of the districts described heretofore. In each of these plans, the Controlling Party and its map drawers made the conscious choice of manipulating and sorting populations by race in the districts described heretofore.

316. Racial considerations predominated and traditional redistricting principles were subordinated as to the drawing of the districts described heretofore.

317. Because racial considerations predominated the map drawing of these districts, Defendants' justifications for the maps are subject to strict scrutiny.

318. The redistricting plans challenged in this Complaint cannot survive strict scrutiny.

319. By engaging in the acts and omissions alleged herein, Defendants acted and continue to act under color of law to deny the Plaintiffs rights guaranteed to them by the Fourteenth and Fifteenth Amendments to the U.S. Constitution, and will continue to violate those rights absent relief granted by this Court.

WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

COUNT II

52 U.S.C. § 10301

Vote dilution in violation of Section 2 of the Voting Rights Act

(Alleged Against All Defendants)

320. Plaintiffs repeat and re-allege each and every allegation contained in the paragraphs above, as if fully set forth herein.

321. Section 2 of the Voting Rights Act, 52 U.S.C. § 10301(a), prohibits any "standard, practice, or procedure" that "results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color[.]" A violation of Section 2 is established if it is shown that "the political processes leading to nomination or election" in the jurisdiction "are not equally open to participation by [minority voters] in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice." 52 U.S.C. § 10301(b).

322. Section 2 of the Voting Rights Act prohibits the dilution of minority voting strength. The dilution of minority voting strength may be caused by, among other things, the dispersal of the minority population into districts where they constitute an ineffective minority—known as "cracking"—and the concentration of minority voters into districts where they constitute an excessive majority—known as "packing." *Thornburg v. Gingles*, 478 U.S. 30, 46 n.11 (1986).

323. The Controlling Party's lawmakers and their map drawers diluted the voting strength of Black, Latinx, and AAPI voters in specific regions described above in this Amended Complaint, particularly in areas that witnessed significant

growth of communities of color in the past decade, by the packing or cracking of communities of color in the districts described heretofore.

324. The districts where reasonably compact majority-minority districts, either by one race/ethnicity or a combination of racial/ethnic groups of color, could have been drawn, including, but not limited to the unpacking of districts with unnecessary large populations of people of color or by correcting the cracking of communities of color which prevent them from having an equal opportunity to elect candidates of choice as alleged heretofore in this Amended Complaint.

325. In the districts alleged heretofore in this Amended Complaint, voters of color are politically cohesive, the White majority usually vote as a bloc to defeat the preferred candidates of voters of color. In short, voting is racially polarized in these districts.

326. The totality of the circumstances, including the retrogressive effect of the plans, interact with historical and socio-economic factors to deny voters of color, including Black, Latinx and AAPI voters, the opportunity to elect preferred candidates of choice in Georgia as a whole and in these districts.

327. Georgia has a long history of official voting-related discrimination conducted by the White majority political party in power (previously Democrats, now Republicans). Georgia's long history of official voting-related discrimination

continues to impact the Congressional, State Senate and State House districts which the Controlling Party and its map drawers drew to dilute the voting strength of voters of color in order to prevent voters of color from electing candidates of their choice and to have a meaningful ability to participate in the state's elections.

328. Even today, official voting-related discrimination continues, including in the districts alleged in this Amended Complaint which violate Section 2 of the Voting Rights Act. Elections are racially polarized in Georgia; the State has used voting practices and procedures, even as recently as 2021, that tend to enhance the opportunity for discrimination against voters of color and the Controlling Party is continuing to advance bills during the 2022 legislative session which may inhibit or prevent people of color from being able to cast ballots that will count as votes if they are enacted.

329. Additionally, people of color in Georgia generally, and specifically in the districts alleged heretofore in this Amended Complaint, bear the effects of discrimination in areas such as education, employment, and health and people of color participate at lower rates than White people in elections.

330. Numerous candidates who have run for political campaigns in Georgia have used and continue to use overt and subtle racial appeals in political campaigns; and every decade, including this one, Georgia has drawn maps that have an overall

retrogressive effect in that they decrease the number of majority-minority and minority opportunity districts in the State.

331. Candidates of color rarely win elections in Georgia, and in the particular districts at issue in this case unless they constitute a majority or near majority of the voting age population.

332. The policies underlying the diluting and minimizing the voting rights of voters of color as described in this complaint are tenuous.

333. The totality of the circumstances establishes that the manner in which said districts were drawn and passed has the effect of denying voters of color an equal opportunity to participate in the political process and to elect candidates of their choice, in violation of Section 2 of the Voting Rights Act, 52 U.S.C. § 10301.

334. By engaging in the acts and omissions as alleged in this Amended Complaint, Defendants acted and continue to act under color of law to deny Plaintiffs the rights guaranteed to them by Section 2 of the Voting Rights Act, and will continue to violate those rights absent relief granted by this Court.

WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

COUNT III

52 U.S.C. § 10301 and 42 U.S.C. § 1983

Discriminatory purpose in violation of the Fourteenth Amendment to the United States Constitution and Section 2 of the Voting Rights Act

(Alleged Against All Defendants on the Section 2 Claim; Alleged Against Defendants Governor Kemp and Secretary Raffensperger on the Fourteenth Amendment Claim)

335. Plaintiffs repeat and re-allege each and every allegation contained in the paragraphs above, as if fully set forth here.

336. 42 U.S.C. § 1983 authorizes suits for the deprivation of a right secured by the Constitution or the laws of the United States caused by a person acting under the color of state law.

337. Article 1 of the Fourteenth Amendment to the United States Constitution provides:

> No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

338. Section 2 of the Voting Rights Act of 1965 prohibits the imposition of any voting standard, practice, or procedure enacted with a discriminatory purpose. 52 U.S.C. § 10301(a).

339. The new Congressional, State House and State Senate plans (SB 2EX/AP, SB 1EX/AP, and HB 1EX LC 47 1163S/AP, respectively) were adopted, at least in part, for the purpose of disadvantaging voters of color, and in particular, Black, Latinx, and AAPI voters relative to White voters across the State.

340. From the outset, the map drawers intended to reduce or limit the number

of State House, Senate, and Congressional districts in which voters of color could elect candidates of choice, thereby weakening the voting strength of voters of color over the next decade.

341. Several of the indicia of discriminatory purpose are present in this case. There is evidence of substantial disparate impact, a history of discriminatory official actions, procedural and substantive departures from the norms generally followed by the decision-maker, and the legislative and administrative history of the decision, including contemporaneous statements by decision makers.

342. The Controlling Party's legislators provided virtually no notice of the proposed changes, sought to minimize or eliminate public comment, and expedited the legislative process in ways intended to reduce input from anyone other than its main proponents. From last-minute announcements of public hearings to the complicated procedural rules that made it more difficult for members of the public to submit alternative maps or documents to legislators, to amendments introduced and adopted without any or little public notice, to the failure of legislators to even consider plans submitted by groups representing the interests of voters of color, to legislators' awareness, based on testimony from numerous civil rights groups, including Plaintiffs' organization, about the dilutive effect of these Plans —the Controlling Party's legislators moved the goal posts to make certain districts in all

three plans noncompetitive.

343. Defendants will be unable to prove that the maps would have been enacted without the discriminatory intent described above.

344. By engaging in the acts and omissions alleged herein, Defendants acted and continue to act under color of law to deny the Plaintiff the rights guaranteed to them by the Fourteenth Amendment to the U.S. Constitution and Section 2 of the Voting Rights Act, and will continue to violate those rights absent relief granted by this Court.

WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court:

1) Convene a court of three judges pursuant to 28 U.S.C. § 2284(a);

2) Declare that the drawing of specific districts in Congressional, State Senate and State House redistricting plans (SB 2EX/AP, SB 1EX/AP, and HB 1EX LC 47 1163S/AP, respectively) as alleged heretofore in this Amended Complaint constitute racial gerrymanders in violation of the Fourteenth and Fifteenth Amendments to the United States Constitution;

3) Declare that the voting strength of voters of color was diluted with respect to specific districts drawn in the new Congressional, State Senate and State

House redistricting plans (SB 2EX/AP, SB 1EX/AP, and HB 1EX LC 47 1163S/AP, respectively) as alleged heretofore in this Amended Complaint, resulting in a denial or abridgement of the rights of Black, Latinx, and AAPI voters to vote on account of their race or color in violation of Section 2's effects test of the Voting Rights Act;

4) Declare that the Congressional, State House, and State Senate plans, in their entirety (SB 2EX/AP, SB 1EX/AP, and HB 1EX LC 47 1163S/AP, respectively) as alleged heretofore in this Amended Complaint, were enacted with an impermissible discriminatory purpose on the basis of race in violation of Article I of the Fourteenth Amendment to the United States Constitution and the intent prong of Section 2 of the Voting Rights Act;

5) Issue a permanent injunction enjoining Defendants from enforcing or giving effect to the boundaries of the violative districts, including an injunction barring Defendants from conducting any elections in the violative districts;

6) Hold hearings, consider briefing and evidence, and otherwise take actions necessary to determine and order valid plans for the Georgia House, Senate, and U.S. Congress, which include majority-minority coalition districts and minority opportunity districts, that give voters of color the ability to elect candidates of choice;

7) Make an order requiring Georgia to preclear voting changes during the

following ten-year period pursuant to 52 U.S.C. § 10302.

8) Make all further orders as are just, necessary, and proper to ensure complete relief consistent with this Court's orders; and

9) Grant such other or further relief as the Court deems to be appropriate, including but not limited to an award of Plaintiff's attorneys' fees, expenses, and reasonable costs, as authorized by 42 U.S.C. § 1988 and 52 U.S.C. § 10310(e).

Dated: March 30, 2022

Respectfully submitted,

By: */s/ Kurt Kastorf*

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

GEORGIA STATE CONFERENCE OF THE NAACP, et al. *Plaintiffs*, v. STATE OF GEORGIA, et al. *Defendants.*	Case No. 1:21-CV-5338-ELB-SCJ-SDG
COMMON CAUSE, et al., *Plaintiffs*, v. BRAD RAFFENSPERGER *Defendant*.	Case No. 1:22-CV-00090-ELB-SCJ-SDG

GEORGIA COALITION FOR THE PEOPLE'S AGENDA, INC.'S FIRST SUPPLEMENTAL OBJECTIONS AND RESPONSES TO DEFENDANTS' FIRST SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION OF DOCUMENTS, AND REQUESTS FOR ADMISSION

Pursuant to Rules 33, 34, and 36 of the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Northern District of Georgia, Plaintiff, Georgia Coalition for the People's Agenda, Inc ("GCPA") as an organization ("Plaintiff") responds and objects to the First Sets of Interrogatories, Requests for Production of Documents, and Requests for Admission dated August

Exhibit 0005

5, 2022 ("Requests"), propounded by the State of Georgia; Brian Kemp, in his official capacity as the Governor of the State of Georgia; and Brad Raffensperger, in his official capacity as Georgia Secretary of State ("Defendants").

PRELIMINARY STATEMENT

1. Discovery is ongoing, and Plaintiff has not completed its investigation. These responses are based on the information and documents currently available to Plaintiff, and Plaintiff reserves the right to alter, supplement, amend, or otherwise modify these responses in light of additional facts revealed through subsequent inquiry and as appropriate under the rules. Plaintiff reserves the right to continue any investigation and discovery of the facts, and to rely at trial or in other proceedings on documents and information in addition to the information provided herein, regardless of whether such information is newly discovered or newly in existence.

2. These responses and objections are based on Plaintiff's understanding of each individual Request and not an admission or agreement with the Defendants' use or interpretation of terms. To the extent Defendants assert an interpretation of any Request that is inconsistent with Plaintiff's understanding, Plaintiff reserves the right to supplement its responses and objections.

3. In responding to the Requests, whenever Plaintiff agrees to produce documents, such agreement does not constitute a representation or concession that such documents exist or are relevant or admissible as evidence. Further, Plaintiff's

responses to the Requests shall not be construed in any way as an admission that any definition provided by Defendants is either factually correct or legally binding.

4. Plaintiff expressly reserves and does not waive any objections as to the admissibility of any document, including but not limited to privilege, immunity, relevance, authenticity or admissibility of any information or document referenced herein. Likewise, all objections related to the relevance, authenticity, or admissibility of any document provided in any production related to these Responses are expressly reserved.

5. The Requests propounded by State Defendants are phrased in a way to suggest that Plaintiff GCPA is required to respond not only on its own behalf to the Requests, but on behalf of other Plaintiffs in this action, which is not required under the Federal Rules of Civil Procedure or Local Rules. Thus, Plaintiff GCPA responds and objects to these Requests on its own behalf and not on behalf of any other party, person, or entity.

OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS

Plaintiff objects to the general date range covered by the Requests of January 1, 2020 through the present, and in some instances from 2001 to the present, to the extent that such Requests seek information not relevant to any party's claims or defenses in this action, are unduly burdensome, and are disproportionate to the needs of this case.

Plaintiff objects to Instruction No. 2 as overbroad, unduly burdensome, and not proportional to the needs of this action. Plaintiff further objects to the extent that it attempts to restrict the manner in which Plaintiff may produce documents, data or information and to the extent it seeks to impose obligations on Plaintiff beyond those authorized under the Federal Rules of Civil Procedure, the Local Rules, or orders of the Court, including the implied obligation to search and produce material not within Plaintiff's possession, custody, or control.

Plaintiff objects to Instruction Nos. 4-7 to the extent the instructions seek or require Plaintiff to produce a privilege log for documents falling within the attorney-client privilege or attorney work-product doctrine because doing so will impose undue burden. Plaintiff further objects to this to the extent that they attempt to restrict the manner in which Plaintiff may produce documents, data or information and to the extent it seeks to impose obligations on Plaintiff beyond those authorized under the Federal Rules of Civil Procedure, the Local Rules, or orders of the Court, including the implied obligation to search and produce material not within Plaintiff's possession, custody, or control.

Plaintiff objects to Instruction Nos. 8-10 as overbroad, unduly burdensome, and not proportional to the needs of this action. Plaintiff further objects to the extent that it attempts to restrict the manner in which Plaintiff may produce documents, data or information and to the extent it seeks to impose obligations on Plaintiff

beyond those authorized under the Federal Rules of Civil Procedure, the Local Rules, or orders of the Court, including the implied obligation to search and produce material not within Plaintiff's possession, custody, or control.

Plaintiff objects to the definition of "Communications" as used in these Requests to the extent it seeks emails, electronic communications such as text messages, and private social media postings from individuals as unduly burdensome, wherein the burden of such collection would greatly outweigh any potential evidentiary value. Plaintiff further objects to the definition to the extent that it imposes obligations that exceed those imposed by the Federal Rules of Civil Procedure and Local Rules in that the definition includes phrases such as "electronic utterance" and "statement of any nature whatsoever" which are not part of the definition of "document" pursuant to Fed. R. Civ. Pro. 34(a)(1)(A).

Plaintiff objects to the definition of "Congressional Plan" as used in these Requests as vague, ambiguous, and overbroad.

Plaintiff objects to the definition of "Redistricting Plans" as used in these Requests as vague, ambiguous, and overbroad.

Plaintiff objects to the definition of "Senate Plan" as used in these Requests as vague, ambiguous, and overbroad.

Plaintiff objects to the definition of "Solicitation" as used in these Requests as vague, ambiguous, and overbroad.

Plaintiff objects to the definition of "Person" as used in these Requests as overbroad, vague, compound, and unduly burdensome. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Plaintiff objects to the definition of "Document" as used in these Requests as overbroad, vague, compound, and unduly burdensome. Plaintiff further objects to the definition to the extent that it imposes obligations that exceed those imposed by the Federal Rules of Civil Procedure and Local Rules in that the definition includes phrases such as "electronic utterance" and "statement of any nature whatsoever" which are not part of the definition of "document" pursuant to Fed. R. Civ. Pro. 34(a)(1)(A).

Plaintiff objects to the definition of "Relating to" or "related to" as used in these Requests as overbroad, vague, compound, and unduly burdensome. Plaintiff further objects to the definition to the extent that it imposes obligations that exceed those

imposed by the Federal Rules of Civil Procedure and Local Rules in that the definition includes phrases such as "electronic utterance" and "statement of any nature whatsoever" which are not part of the definition of "document" pursuant to Fed. R. Civ. Pro. 34(a)(1)(A).

Plaintiff objects to the definitions of "Identify," or "Identity" as used in these Requests as overbroad, vague, compound, and unduly burdensome. Plaintiff further objects to the definition to the extent that it imposes obligations that exceed those imposed by the Federal Rules of Civil Procedure and Local Rules in that the definition includes phrases such as "electronic utterance" and "statement of any nature whatsoever" which are not part of the definition of "document" pursuant to Fed. R. Civ. Pro. 34(a)(1)(A).

RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 1:

Identify the nature of each Organizational Plaintiff's election-related organizational resources, efforts, outreach, and activities implemented *prior to* the adoption of the Redistricting Plans. The response to this Interrogatory should explain how those resources, efforts, outreach, and activities compare as a percentage of each Organizational Plaintiff's overall resources, efforts, outreach, and other activities.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 1:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff objects to this Request on the grounds that the terms "nature," "election-related organizational resources," "efforts," "outreach," and "activities" are vague and ambiguous as used in the Interrogatory. Plaintiff further objects to this Interrogatory on the grounds that it asks Plaintiff to calculate a "percentage of each Organizational Plaintiff's overall resources, efforts, outreach, and other activities," for its "election-related organizational resources, efforts, outreach, and activities," when Plaintiff has not made such a calculation heretofore and does not specifically track or categorize its resources, activities, and efforts in a manner that would permit Plaintiff to accurately calculate such a percentage and make the comparison requested in this Interrogatory. Plaintiff also objects to this Interrogatory on the grounds that the Plaintiff is not seeking monetary relief and, as a result, such a calculation is not relevant to any party's claim or defense. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privileges. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68

(1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C .Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Plaintiff further objects that this Interrogatory is overbroad, unduly burdensome, and not proportionate to the needs of the case. Plaintiff further objects that this Interrogatory is improperly compound.

Subject to the Objections to Instructions and Definitions and the specific objections to this Interrogatory set forth above, Plaintiff responds as follows:

Prior to the adoption of Redistricting Plans, the GCPA's support of voting rights was central to its mission. The GCPA committed resources to protecting voting rights through legislative advocacy, communication, and outreach, including work to promote voter registration, voter education, GOTV efforts, election protection, census participation, fair redistricting maps, and impact litigation involving voting rights issues. Some of the examples of the work of GCPA prior to the adoption of the subject Redistricting Plans included without limitation:

- Voter outreach efforts in the greater Metro Atlanta region as well as throughout other areas of Georgia from the aforementioned field offices and covered approximately 88 counties in the state;

- Encouraging voter registration and participation, particularly among Black and AAPI Georgians and other underrepresented communities of color in Georgia;

- Voter registration drives, voter ID assistance, "Souls to the Polls" GOTV events during Sunday early voting and other GOTV efforts in Georgia that sought to encourage voter participation among Black, AAPI and Brown voters and voters in historically underserved communities of color.

- The GCPA also participated in voter education and voter empowerment programs, which included but were not limited to, educating prospective voters about how to register to vote and to confirm their registration status; educating voters about the options to vote in-person during Advance voting, in-person on election day and by mail via absentee ballot; providing information to voters about accessing absentee ballot drop boxes to cast their absentee ballots safely and securely, and helping voters to understand the new voting system implemented for the first-time during the 2020 election cycle statewide.

- The GCPA has also distributed civic education materials to voters and prospective voters; arranged for rides to the polls for voters; and supported the Georgia Election Protection field program in order to assist voters on the ground near polling sites.

- GCPA also participated in media interviews, sponsored Public Service Announcements (PSAs), placed billboard ads, conducted phone banking, and engaged in text message campaigns to educate voters and to encourage participation.
- GCPA also supported voting by providing food and/or drinks to voters and other individuals in the vicinity of polling sites who requested such. This sustenance was provided without regard to political affiliation and without engaging in any speech or conduct which supported a particular candidate.
- Advocacy directed at combatting the closure and consolidation of polling locations in communities of color because such closures often lead to long lines and delays at the consolidated polls and negatively impact voter turnout.
- Participating in public education, advocacy regarding redistricting; and
- And other work in support of the GCPA's mission.• Plaintiff also participated in a website, Georgia Unity Maps, to promote fair redistricting maps http://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia-Congress-Statewide.pdf.
- Plaintiff also participated in Town Halls conducted by the Joint House and Senate Redistricting Committees during the summer of 2021 urging the adoption of fair redistricting maps and also presented testimony during the

2021 special legislative session prior to the adoption of the subject Redistricting Plans.

- Plaintiff held five events focusing on Black men and children and Census participation, including an event with Killer Mike at his barbershops. Killer Mike also did a PSA for the Plaintiff that was played on radio in its operating areas.

- Plaintiff distributed census and redistricting information at voter registration activities and also participated in a week of virtual Census activities focusing on women and children with a theme of "Do 2 in 2020 - Vote & Be Counted."

- Helen Butler, Plaintiff's Executive Director, also participated in virtual census and redistricting events as a presenter, including at HBCU campuses; for the Gwinnett Alumnae Chapter of Delta Sigma Theta Sorority, Inc.; with the Neighborhood Planning Unit and the National Coalition of 100 Black Women.

- In 2021, Plaintiff sent more 20,000 text messages to Georgians about redistricting and in 2020 made over 24,000 calls; had about 936 conversations; and sent more than 93,000 text messages to Georgians about the Census and/or redistricting.

INTERROGATORY NO. 2:

Identify the nature of each Organizational Plaintiff's election-related organizational resources, efforts, outreach, and activities implemented *after* the adoption of the Redistricting Plans. The response to this Interrogatory should explain how those resources, efforts, outreach, and activities compare as a percentage of each Organizational Plaintiff's overall resources, efforts, outreach, and other activities.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 2:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff objects to this Interrogatory on the grounds that the terms "nature," "election-related organizational resources," "efforts," "outreach," and "activities" are vague and ambiguous as used in the Interrogatory. Plaintiff further objects to this Interrogatory on the grounds that it asks Plaintiff to calculate a "percentage of each Organizational Plaintiff's overall resources, efforts, outreach, and other activities," for its "election-related organizational resources, efforts, outreach, and activities," when Plaintiff has not made such a calculation heretofore and does specifically track its resources, activities, and efforts in a manner that would permit. Plaintiff to accurately calculate such a percentage and make the comparison requested in this Interrogatory. Plaintiff also objects to this Interrogatory on the grounds that the Plaintiff is not seeking

monetary relief and, as a result, such a calculation is not relevant to any party's claim or defense. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff further objects that this interrogatory is overbroad, unduly burdensome, and not proportionate to the needs of the case. Plaintiff further objects that this Interrogatory is improperly compound.

Subject to the Objections to Instructions and Definitions and the specific objections to this Interrogatory set forth above, Plaintiff responds as follows:

Following the adoption of the Redistricting Plans, the GCPA's support of voting rights continues to be central to its mission and the GCPA continues to commit resources to protecting voting rights through legislative advocacy, communication, and outreach, including work to promote voter registration, voter

education, GOTV efforts, election protection, fair redistricting maps and impact litigation involving voting rights issues.

However, the adoption of the Redistricting Plans has made it more difficult for the GCPA to carry out its mission to promote and protect voting rights because the Redistricting Plans were designed to dilute the voting strength of Black and AAPI voters and other voters of color in order to undermine their ability to elect candidates of their choice. As a result, Plaintiff has been forced, and will continue to be forced, to divert resources to educate Black and AAPI voters and other voters of color about the impact of the Redistricting Plans and encourage them to participate in elections despite the significant uphill battle they face in electing candidates of their choice. The dilution of the voting strength of Black and AAPI voters and other voters of color to elect candidates of their choice requires Plaintiff to expend more resources on public information about the unfair maps, strategies to encourage civic participation in the face of the unfair maps, and on GOTV efforts that would need to be expended under redistricting maps that are consistent with the law. This has required, and will likely continue to require, Plaintiff to make significant changes to its civic engagement and voter education programs, including creating voter education materials; grassroots mobilization efforts; volunteer recruitment, training, and assignments; and its GOTV and advocacy efforts, to combat the confusion and chaos the Redistricting Plans have caused in challenged districts where Black and

AAPI voters, other voters of color and voters in underserved communities reside.

Since the negative impacts and consequences of the adoption of the Redistricting Plans are continuing to emerge with each election cycle, Plaintiff reserves the right to supplement this response as these impacts become known or as circumstances continue to change.

INTERROGATORY NO. 3:

Identify each vendor with whom each Organizational Plaintiff has contracted since January 1, 2019, for advertisements, Solicitations, electronic communications, or physical mailings related to redistricting or the Redistricting Plans.

OBJECTIONS TO INTERROGATORY NO. 3:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff objects to this Interrogatory on the grounds that the terms "advertisements," "Solicitations," "electronic communications," and "related to" are vague and ambiguous as used in the Interrogatory. Plaintiff further objects to this Interrogatory on the grounds that it seeks to compel the disclosure of information that would unduly burden Plaintiff's associational rights protected by the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*,

333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Plaintiff further objects to this Interrogatory on the grounds that seeks information about any "vendor" with whom Plaintiff has contracted with since January 1, 2019 which is not relevant to any party's claim or defense nor is it proportionate to the needs of this case. Plaintiff also objects to this Interrogatory on the grounds that the Interrogatory is overbroad and unduly burdensome.

FIRST SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 3 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Pursuant to meet and confer communications, the State has withdrawn this request.

INTERROGATORY NO. 4:

Explain in detail the basis for the claim that each Organizational Plaintiff has been and will be required to divert resources because of the Redistricting Plans. *See, e.g.*, Common Cause Complaint, ¶¶ 16, 21; Ga. NAACP Complaint, ¶¶ 41, 51, 58 .

In responding to this Interrogatory, please include a list of each activity from which each Organizational Plaintiff has diverted resources or will divert resources from because of the Redistricting Plans and how its organizational mission will be frustrated by the Redistricting Plans. *See, e.g.*, Common Cause Complaint, ¶¶ 14, 18; Ga. NAACP Complaint, ¶¶ 33, 45, 52.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 4:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff further objects to this Interrogatory on the grounds that it is overbroad and unduly burdensome. Plaintiff further objects to this Interrogatory on the grounds that the terms "in detail," "divert(ed)," "resources," "required," and "each activity or effort" are vague and ambiguous. Plaintiff also objects to this Interrogatory because it is compound, contains multiple subparts, and purports to impose an obligation on the Plaintiff to prepare a "list" which does not already exist and which is greater or more burdensome than the requirements of the Federal Rules of Civil Procedure and the Local Rules. Plaintiff also objects to this Interrogatory as duplicative of the information sought by propounding party in Interrogatories Numbers 1 and. 2, above. As such, Plaintiff incorporates by reference its response to Interrogatories Numbers 1 and 2 above, as though fully set forth herein. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney

work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Plaintiff objects to this Interrogatory as premature as discovery is ongoing and the negative consequences and impacts from the Redistricting Plans are continuing to emerge. As such, Plaintiff reserves the right to supplement this response.

Subject to the Objections to Instructions and Definitions and the specific objections to this Interrogatory set forth above, Plaintiff responds as follows: Please see the allegations of the GA NAACP Complaint referred to in Interrogatory No. 4 and Plaintiff's response to Interrogatory No. 2, above, which are incorporated herein by reference as though fully set forth herein. Additionally, Plaintiff has been forced to divert resources to work undertaken in response to the Redistricting Plans. Plaintiff has also diverted resources to updating and creating voter education materials to educate voters on the impact of redistricting to the Black and AAPI

voters, other voters of color and voters in underserved communities reside and to increase its GOTV efforts. Since the negative impacts from the Redistricting Plans are ongoing, Plaintiff anticipates that it will continue to be forced to divert resources in response to the Redistricting Plans in the future.

INTERROGATORY NO. 5:

Identify each and every election-related activity that each Organizational Plaintiff has discontinued since the adoption of the Redistricting Plans, including an explanation of why the Organizational Plaintiff can no longer continue that activity, the costs associated with continuing that activity, and all alternatives that each Organizational Plaintiff considered in order to continue that election-related activity.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 5:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff objects to this Interrogatory on the grounds that it is compound and overbroad, consists of multiple subparts and as calling for speculation as to future events that have not yet occurred. Plaintiff objects to this Request on the grounds that this request is vague and ambiguous, including with respect to the meaning of the terms "election-related activity," "continu(e)(ing)" "costs associated," "alternatives," and "discontinued." Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects

to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Subject to the Objections to Instructions and Definitions and the specific objections to this Interrogatory set forth above, Plaintiff responds as follows: As of the date of this response, Plaintiff has altered its "election-related" activities due to the adoption of the Redistricting Plans, but the vagueness and ambiguity of "discontinued" and "election-related" activities prevent Plaintiff from providing an affirmative or negative response. Because the negative impacts and consequences of the Redistricting Plans are ongoing, Plaintiff reserves the right to supplement this response.

INTERROGATORY NO. 6:

Identify all "members" of the Organizational Plaintiffs that Organizational Plaintiffs plan to rely on for purposes of establishing associational standing.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 6:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff further objects to this Interrogatory on the grounds that it is overbroad and unduly burdensome. Plaintiff objects to this Request on the grounds that this request is vague and ambiguous, including with respect to the meaning of the terms "Identify," and "establishing." Plaintiff further objects to this Request because it is premature and discovery is ongoing. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Without waiving any of these objections, Plaintiff expects to offer evidence that it has members residing in certain of the challenged districts at issue in this

litigation.

***BEGIN HIGHLY CONFIDENTIAL — ATTORNEYS' EYES ONLY DESIGNATION ***

[redacted]

***END HIGHLY CONFIDENTIAL — ATTORNEYS' EYES ONLY DESIGNATION ***

INTERROGATORY NO. 7:

Explain how individuals or organizations, if any, become members of the Organizational Plaintiffs and list all requirements of membership for each.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 7:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff further objects to this Interrogatory on the grounds that it is overbroad and unduly burdensome. Plaintiff

further objects to this Interrogatory on the grounds that the term "requirements" is vague and ambiguous. Plaintiff also objects to this Interrogatory because it purports to impose an obligation on the Plaintiff to prepare a "list" which does not already exist and which is greater or more burdensome than the requirements of the Federal Rules of Civil Procedure and the Local Rules. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Subject to the Objections to Instructions and Definitions and the specific objections to this Interrogatory set forth above, Plaintiff responds as follows: An individual who supports Plaintiff's mission may sign up to become a member. Plaintiff's members may choose to make financial or make other contributions of their time and talents in support of Plaintiff's mission.

INTERROGATORY NO. 8:

Identify the responsibilities or obligations entailed in being a"member" of the Organizational Plaintiffs and any benefits conferred by such membership.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 8:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff further objects to this Interrogatory on the grounds that it is overbroad and unduly burdensome. Plaintiff further objects to this Interrogatory on the grounds that the terms "identify," "responsibilities," "obligations," and "benefits" are vague and ambiguous. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Subject to the Objections to Instructions and Definitions and the specific objections to this Interrogatory set forth above, Plaintiff responds as follows: Members are eligible to participate in GCPA's community activities, vote for GCPA's leadership, and attend events at reduced rates.

INTERROGATORY NO. 9:

Explain in detail the legislative process that Plaintiffs contend should have governed the consideration and passage of the Redistricting Plans and all evidence supporting each Plaintiff's contention that such legislative process is more typical than the legislative process that applied to the Redistricting Plans. *See* Common Cause Complaint, ¶¶ 52–53, 56–79; Ga. NAACP Complaint, ¶¶ 24, 84–91, 103–129.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 9:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff further objects to this Interrogatory on the grounds that it is overbroad and unduly burdensome. Plaintiff objects to this Request on the grounds that this request is vague and ambiguous, including with respect to the meaning of the terms "legislative process," "detail" "explain," "governed," "consideration," "passage" and "all evidence." Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff objects

to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects to this Interrogatory on the grounds that it is a premature contention interrogatory which seeks a comprehensive statement of facts before the close of discovery and when discovery is ongoing. *See*, Fed. R. Civ. P. 33(a)(2); *see also In re Domestic Air Transp. Antitrust Litig.*, MASTER FILE No. 1:90-CV-2485-MHS & MDL No. 861, 1992 U.S. Dist. LEXIS 14557, at *4 (N.D. Ga. Apr. 8, 1992)

INTERROGATORY NO. 10:

Explain all instances of requests from Democratic and minority legislators being ignored by the Republican-controlled General Assembly.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 10:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff further objects to this Interrogatory on the grounds that it is overbroad and unduly burdensome. Plaintiff further objects to this Interrogatory on the grounds that the term “ignored” is vague and ambiguous. Plaintiff further objects to this Interrogatory on the grounds that the term “minority” is vague and ambiguous. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Interrogatory

because it is unintelligible. Plaintiff also objects to this Request because it is outside the scope of Plaintiff's knowledge. Interrogatory seeks information within the control of Defendants, third parties and/or is public record.

INTERROGATORY NO. 11:

Identify all instances of racial discrimination in election practices that you contend occurred between 2002 and 2022.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 11:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff further objects to this Interrogatory on the grounds that it is overbroad and unduly burdensome, including with respect to the 20-year time period and the lack of geographic constraints. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects to this Interrogatory on the grounds that it is a premature contention interrogatory which seeks a comprehensive statement of facts before the close of discovery and when discovery is ongoing. *See*, Fed. R. Civ. P. 33(a)(2).

Subject to the Objections to Instructions and Definitions and the specific

objections to this Interrogatory set forth above, Plaintiff responds as follows: Georgia has a long and well-documented history of voting discrimination against voters of color. *See Fair Fight Action, Inc. v. Brad Raffensperger*, Order, 1:18-cv-05391-SCJ, Document 636 at 41 (11/15/21) (taking judicial notice of Georgia's "long sad history of racist policies in a number of areas including voting"); *Wright v. Sumter Cnty. Bd. of Elections & Registration*, 301 F. Supp. 3d 1297, 1310 (M.D. Ga. 2018), *aff'd*, 979 F.3d 1282 (11th Cir. 2020) ("Georgia has a history chocked full of racial discrimination at all levels. This discrimination was ratified into state constitutions, enacted into state statutes, and promulgated in state policy."); *Georgia State Conference of the NAACP v. Fayette County Bd. of Comm'rs*, 950 F. Supp. 2d 1294, 1314-16 (N.D. Ga. 2013) (citing *Brooks v. State Bd. of Elections*, 848 F. Supp. 1548, 1560–61, 1571 (S.D. Ga. 1994) (Georgia's "segregation practice and laws at all levels has been rehashed so many times that the Court can all but take judicial notice thereof"), *vacated and remanded on other grounds*, 775 F.3d 1336 (11th Cir. 2015); and *Johnson v. Miller*, 864 F. Supp. 1354, 1379-80 (S.D. Ga. 1994), *aff'd and remanded*, 515 U.S. 900 (1995) ("we have given formal judicial notice of the State's past discrimination in voting, and have acknowledged it in the recent cases").

INTERROGATORY NO. 12:

Identify all racial appeals in congressional, state Senate, and state House races that you contend occurred from 2011 to the present.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 12:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff further objects to this Interrogatory on the grounds that it is overbroad and unduly burdensome, including with respect to the more than 10-year time period and the lack of geographic constraints. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff objects to this Interrogatory because it seeks information that is within State Defendants' possession and is equally (if not more) accessible to State Defendants. Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff further objects to this Interrogatory on the grounds that the term "racial appeals" is vague and ambiguous. Plaintiff also objects to this Interrogatory on the grounds that it is a premature contention interrogatory which seeks a comprehensive statement of facts before the close of discovery and when discovery is ongoing. *See*, Fed. R. Civ. P. 33(a)(2).

RESPONSES AND OBJECTIONS TO REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

All documents referenced in the responses to the foregoing interrogatories.

OBJECTIONS AND RESPONSE TO RFP NO. 1

Plaintiff objects to this Request on the grounds that the term "referenced" is vague, ambiguous, and potentially overbroad. Plaintiff also incorporates its objections to the Interrogatories. Plaintiff will construe the request to seek those documents specifically identified in Plaintiff's responses to the foregoing interrogatories to the extent that they are in the possession, custody, or control of Plaintiff, with the exception of documents which are hyperlinked in the Responses and therefore available to the propounding party, and Plaintiff will produce such documents to the extent they exist within Plaintiff's control after a reasonable search.

REQUEST FOR PRODUCTION NO. 2:

All documents reflecting each Organizational Plaintiff's corporate by-laws.

OBJECTIONS AND RESPONSE TO RFP NO. 2:

Plaintiff objects to this Request on the grounds that the time frame for the request, which precedes the events leading to and following the Redistricting Plans, seeks documents which are not relevant to any of the claims or defenses of the parties in this action. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents

reflecting" Plaintiff's corporate by-laws. Plaintiff also objects to this Request on the grounds that the phrase, "reflecting Plaintiffs' corporate by-laws" is vague and ambiguous. Plaintiff will interpret the request to seek only documents about its own corporate by-laws and not the corporate by-laws of other Plaintiffs.

Plaintiff will produce its corporate by-laws in effect as of the date of these responses. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections.

REQUEST FOR PRODUCTION NO. 3:

All documents reflecting each Organizational Plaintiff's articles of incorporation.

OBJECTIONS AND RESPONSE TO RFP NO. 3:

Plaintiff objects to this Request on the grounds that the phrase, "reflecting each Organizational Plaintiff's articles of incorporation," is vague and ambiguous. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents reflecting" Plaintiff's articles of incorporation. Plaintiff also objects to this Request on the grounds that the time frame for the request, which precedes the events leading to and following the Redistricting Plans, seeks documents which are not relevant to any of the claims or defenses of the parties in this action.

Plaintiff will produce a copy of its articles of incorporation in effect as of the date of these responses. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections.

REQUEST FOR PRODUCTION NO. 4:

All documents that reflect corporate resolutions approved by each Organizational Plaintiff's board of directors or similar authorizing entity, that relate in any way to this litigation or to determining how each Organizational Plaintiff will allocate its resources for activities related to the Redistricting Plans.

OBJECTIONS AND RESPONSE TO RFP NO. 4:

Plaintiff objects to the terms "relate in any way to this litigation," "allocate," "resources," and "activities related to the Redistricting Plans" because they are vague and ambiguous. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents . . . that relate in any way." Plaintiff also objects to this Request on the ground that by seeking documents that "relate in any way to . . . this litigation" the Request seeks documents not relevant to any party' s claim or defense. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its

associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought.

Plaintiff will produce final corporate resolutions that show any diversion of resources as a result of the Redistricting Plan, if any exist. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections, to the extent any such documents exist within Plaintiff's control after a reasonable search.

REQUEST FOR PRODUCTION NO. 5:

All documents that reflect minutes of each Organizational Plaintiff's corporate meetings and meetings of each Organizational Plaintiff's board of directors or similar authorizing entity that relate in any way to this litigation or to determining how each Organizational Plaintiff will allocate its resources for

activities related to the Redistricting Plans.

OBJECTIONS AND RESPONSE TO RFP NO. 5:

Plaintiff objects to the terms "relate in any way to this litigation," "minutes," "authorizing entity" " "relate in any way to this litigation," "allocate," "resources," and "activities related to the Redistricting Plans" because they are vague and ambiguous. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents . . . that reflect." Plaintiff also objects to this Request on the ground that by seeking documents that "relate in any way to . . . this litigation" the Request seeks documents not relevant to any party's claim or defense. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent any such documents exist within Plaintiff's control after a reasonable search.

REQUEST FOR PRODUCTION NO. 6:

All documents that describe the roles of each corporate officer position of each Organizational Plaintiff (e.g., chairman, president).

OBJECTIONS AND RESPONSE TO RFP NO. 6:

Plaintiff objects to this Request on the grounds that the phrase "all documents that describe the roles" is vague and ambiguous. Plaintiff also objects to this Request on the grounds that the time frame for the request, which precedes the events leading to and following the Redistricting Plans, seeks documents which are not relevant to any of the claims or defenses of the parties in this action. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents." Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*,

458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Plaintiff will produce its corporate by-laws in effect as of the date of these responses. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections, to the extent any such documents exist within Plaintiff's control after a reasonable search.

REQUEST FOR PRODUCTION NO. 7:

All documents that reflect each Organizational Plaintiff's Form 990 tax returns for every year from 2018 to the present.

OBJECTIONS AND RESPONSE TO RFP NO. 7:

Plaintiff objects to this Request on the grounds that the time frame for the Request (from 2018 to the present), precedes the events leading to and following the Redistricting Plans and seeks documents which are not relevant to any of the claims or defenses of the parties in this action. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents that reflect Plaintiff's Form 990 tax returns."

Plaintiff will produce publicly available IRS Form 990's for the tax years of 2018 through 2021 to the extent that they have been filed by responding party and are not subject to a filing extension. Pursuant to Federal Rule of Civil Procedure

34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections, to the extent any such documents exist within Plaintiff's control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 7 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Pursuant to meet and confer communications, the State has withdrawn this request.

REQUEST FOR PRODUCTION NO. 8:

All documents reflecting the amount of each Organizational Plaintiff's annual budget or expenditures that supports each Organizational Plaintiff's election-related initiatives in Georgia for every year from 2018 to the present.

OBJECTIONS AND RESPONSE TO RFP NO. 8:

Plaintiff objects to this Request because the terms "all documents reflecting the amount," and "annual budget and expenditures that supports each Organizational Plaintiff's election-related initiatives" are vague and ambiguous. Plaintiff also objects to this Request on the grounds that the timeframe for the Request (2018 to the present) is overbroad, unduly burdensome and seeks documents not relevant to

the claims or defenses of the parties in this action. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents." Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent any such documents exist within Plaintiff's control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 8 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as

follows:

Pursuant to meet and confer communications, the State has withdrawn this request.

REQUEST FOR PRODUCTION NO. 9:

All documents that demonstrate the amount and types of resources each Organizational Plaintiff has been diverting or will be required to divert because of the enactment of the Redistricting Plans.

OBJECTIONS AND RESPONSE TO RFP NO. 9:

Plaintiff objects to the terms "demonstrate the amount and types of resources" and "divert(ing)" because they are vague and ambiguous. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents." Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and*

vacated as moot, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Plaintiff will produce documents that show how the Redistricting Plans have burdened and will continue to burden Plaintiff's work, initiatives, and programs identified after a reasonable search and inquiry, to the extent any such documents exist within Plaintiff's control. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 9 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Pursuant to meet and confer communications, the State has withdrawn this request.

REQUEST FOR PRODUCTION NO. 10:

All documents that reflect the amount of money each Organizational Plaintiff raised for each of the three years before December 30, 2021.

OBJECTIONS AND RESPONSE TO RFP NO. 10:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff objects to the terms "money" and "raised" because they are vague and ambiguous. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C .Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought.

Plaintiff will produce publicly available IRS Form 990's for the tax years of 2018 through 2021 to the extent that they have been filed by responding party and are not subject to a filing extension. Pursuant to Federal Rule of Civil Procedure

34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections, to the extent any such documents exist within Plaintiff's control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 10 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Pursuant to meet and confer communications, the State has withdrawn this request.

REQUEST FOR PRODUCTION NO. 11:

All documents that reflect the amount of money each Organizational Plaintiff raised since December 30, 2021.

OBJECTIONS AND RESPONSE TO RFP NO. 11:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff objects to the terms "money" "since" and "raised" because they are vague and ambiguous. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its

associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent any such documents exist within Plaintiff's control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 11 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Pursuant to meet and confer communications, the State has withdrawn this request.

REQUEST FOR PRODUCTION NO. 12:

All documents that reflect fundraising Solicitations that Organizational Plaintiffs have sent, which mention or refer to this litigation and or the Redistricting Plans.

OBJECTIONS AND RESPONSE TO RFP NO. 12:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff objects to the terms "fundraising Solicitations," "mention," and "refer" because they are vague and ambiguous. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Based upon the foregoing objections, Plaintiff will not be producing any

documents responsive to this Request, to the extent any such documents exist within Plaintiff's control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 12 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Pursuant to meet and confer communications, the State has withdrawn this request.

REQUEST FOR PRODUCTION NO. 13:

All documents that reflect each Organizational Plaintiff's expenditures made on Solicitations for the two years prior to December 30, 2021.

OBJECTIONS AND RESPONSE TO RFP NO. 13:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff objects to the terms "expenditures" and "Solicitations" because they are vague and ambiguous. Plaintiff also objects to this Request on the ground that it unduly burdens its

associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C.Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C.Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents exist within Plaintiff's control after a reasonable search.

REQUEST FOR PRODUCTION NO. 14:

All documents that reflect each Organizational Plaintiff's expenditures made on Solicitations from December 30, 2021, through the present.

OBJECTIONS AND RESPONSE TO RFP NO. 14:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff objects to the terms "expenditures" and "Solicitations" because they are vague and ambiguous. Plaintiff

also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent any such documents exist within Plaintiff's control after a reasonable search.

REQUEST FOR PRODUCTION NO. 15:

All documents that reflect each Organizational Plaintiff's income derived from selling or renting a contact list, whether that list included e-mail addresses, phone numbers, addresses, or any other methods of contacting individuals.

OBJECTIONS AND RESPONSE TO RFP NO. 15:

Plaintiff objects to this Request on the grounds that the terms "selling," "renting," and contact list" are vague and ambiguous. Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent any such documents exist within Plaintiff's control after a reasonable search.

REQUEST FOR PRODUCTION NO. 16:

For any Solicitation that referred to the Redistricting Plans in anyway, all documents that reflect the amount of money each Organizational Plaintiff received through such Solicitations.

OBJECTIONS AND RESPONSE TO RFP NO. 16:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff objects to the terms "anyway" and "Solicitation" because they are vague and ambiguous. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C.Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C.Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all

documents that reflect" the amount of money.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent any such documents exist within Plaintiff's control after a reasonable search.

REQUEST FOR PRODUCTION NO. 17:

All documents supporting the statement in Paragraph 2 of the Common Cause Complaint that "the goal and effect of these unlawful tactics isto maintain the voting power of white voters" and Paragraph 17 of the Ga. NAACP Complaint that "the legislature and map drawers' actions were intentional."

OBJECTIONS AND RESPONSE TO RFP NO. 17:

Plaintiff objects to this Request to the extent the Request seeks documents based on allegations in the Common Cause Complaint because it is outside the scope of Plaintiff's knowledge. Plaintiff also objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and

ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 17 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 17 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 18:

All documents supporting the statement in Paragraph 83 of the Common Cause Complaint that "Race was the predominant factor in drawingCongressional District 6" and in Paragraph 152 of the Ga. NAACP Complaint that "race predominated over traditional districting principles" regarding CD-6.

OBJECTIONS AND RESPONSE TO RFP NO. 18:

Plaintiff objects to this Request to the extent the Request seeks documents based on allegations in the Common Cause Complaint because it is outside the scope of Plaintiff's knowledge. Plaintiff also objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 18 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 152 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 19:

All documents supporting the statement in Paragraph 98 of the Common Cause Complaint that "Race was the predominant factor in drawingCongressional District 13."

OBJECTIONS AND RESPONSE TO RFP NO. 19:

Plaintiff objects to this Request because it is outside the scope of Plaintiff's knowledge as it relates to the Common Cause Complaint. Therefore, Plaintiff will not be producing any documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 20:

All documents supporting the statement in Paragraph 109 of the Common Cause Complaint that "Race was the predominant factor in drawing Congressional District 14."

OBJECTIONS AND RESPONSE TO RFP NO. 20:

Plaintiff objects to this Request because it is outside the scope of Plaintiff's knowledge as it relates to the Common Cause Complaint. Therefore, Plaintiff will not be producing any documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 21:

All documents supporting the statement in Paragraph 26 of the Ga. NAACP Complaint that legislators in the majority had "only one motive" that was "the desire to limit the voting strength of voters of color statewide."

OBJECTIONS AND RESPONSE TO RFP NO. 21:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 21 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as

follows:

Documents supporting the statement in Paragraph 26 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 22:

All documents supporting the statement in Paragraph 150 of the Ga. NAACP Complaint that individuals "intentionally chose to systematically racially gerrymander Atlanta Metro Congressional districts to avoid drawing the new majority-Black Congressional district and to dilute the voting strength of Black, Latinx and AAPI voters in this region."

OBJECTIONS AND RESPONSE TO RFP NO. 22:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 22 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 150 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 23:

All documents supporting the statement in Paragraph 183 of the Ga. NAACP Complaint that "race predominated in the Controlling Party's decision not to create a new majority-Black Congressional district in the MetroAtlanta area and in cracking and packing the adjacent Metro Atlanta Congressional districts to dilute the voting strength of Black voters and other voters of color in order to avoid drawing the new majority-Black Congressional district."

OBJECTIONS AND RESPONSE TO RFP NO. 23:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 23 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 183 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties,

Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 24:

All documents supporting the statement in Paragraph 191 of the Ga. NAACP Complaint that "The Controlling Party and its map drawers could have alleviated the overpacking of SD-10 and the cracking of people of color in SD-17 and SD-25 by increasing the percentage of people of color in SD-17 and SD-25."

OBJECTIONS AND RESPONSE TO RFP NO. 24:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 24 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific

Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Plaintiff will produce responsive documents consistent with the scheduling order on expert discovery.

REQUEST FOR PRODUCTION NO. 25:

All documents supporting the statement in Paragraph 196 of the Ga. NAACP Complaint that "These line drawing decisions were made intentionally and surgically to diminish Black voting strength."

OBJECTIONS AND RESPONSE TO RFP NO. 25:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located

within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 25 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 196 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 26:

All documents supporting the statement in Paragraph 210 of the Ga. NAACP Complaint that "This was an intentional and deliberate choice on the part of the Controlling Party and its map drawers to dilute the voting strength of Black and Latinx voters by packing them into two senate districts."

OBJECTIONS AND RESPONSE TO RFP NO. 26:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege,

attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 26 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 210 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 27:

All documents supporting the statement in Paragraph 215 of the Ga. NAACP Complaint that "There is no compelling or reason for six senate seats to enter Cobb County, except to dilute the voting strength of the burgeoning population of people

of color in Cobb County and adjacent areas."

OBJECTIONS AND RESPONSE TO RFP NO. 27:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 27 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 215 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion

to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 28:

All documents supporting the statement in Paragraph 222 of the Ga. NAACP Complaint that "Racial considerations predominated the Controlling Party's redistricting plan for SD-48."

OBJECTIONS AND RESPONSE TO RFP NO. 28:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 28 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific

Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 222 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 29:

All documents supporting the statement in Paragraph 234 of the Ga. NAACP Complaint that "the districting plan rips apart communities of interest."

OBJECTIONS AND RESPONSE TO RFP NO. 29:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any

documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 29 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Plaintiff will produce responsive documents consistent with the scheduling order on expert discovery.

REQUEST FOR PRODUCTION NO. 30:

All documents supporting the statement in Paragraph 236 of the Ga. NAACP Complaint that "The Controlling Party's predominant purpose was to make these line-drawing decisions to preserve the White majority in SD-1."

OBJECTIONS AND RESPONSE TO RFP NO. 30:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of

Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 30 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 236 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 31:

All documents supporting the statement in Paragraph 242 of the Ga. NAACP Complaint that "the Controlling Party and its map drawers drew the House Districts in this area of the State with the intent and effect of diluting the political power of Black voters."

OBJECTIONS AND RESPONSE TO RFP NO. 31:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 31 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 242 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties,

Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 32:

All documents supporting the statement in Paragraph 249 of the Ga. NAACP Complaint that "Race was the predominant motive behind the drawing of these districts."

OBJECTIONS AND RESPONSE TO RFP NO. 32:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 32 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as

limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 249 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 33:

All documents supporting the statement in Paragraph 255 of the Ga. NAACP Complaint that "Race was the predominant motive behind the drawing of these districts."

OBJECTIONS AND RESPONSE TO RFP NO. 33:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any

documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 33 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 255 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 34:

All documents supporting the statement in Paragraph 267 of the Ga. NAACP Complaint that "Race was the predominant motive behind the drawing of these districts."

OBJECTIONS AND RESPONSE TO RFP NO. 34:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege,

attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 34 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 267 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 35:

All documents supporting the statement in Paragraph 272 of the Ga. NAACP Complaint that "The drawing of these districts was done by the Controlling Party with the intent and has the effect of diluting the voting power of Black voters."

OBJECTIONS AND RESPONSE TO RFP NO. 35:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 35 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 272 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties,

Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 36:

All documents supporting the statement in Paragraph 278 of the Ga. NAACP Complaint that "Race was the predominant motive behind the drawing of these districts."

OBJECTIONS AND RESPONSE TO RFP NO. 36:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 36 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as

limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 278 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 37:

All documents supporting the statement in Paragraph 289 of the Ga. NAACP Complaint that "The changes made by the Controlling Party andits mappers were intended to limit the emerging voting strength in Gwinnett County's communities of people of color."

OBJECTIONS AND RESPONSE TO RFP NO. 37:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 37 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 289 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 38:

All documents supporting the statement in Paragraph 298 of the Ga. NAACP Complaint that "The choice to split apart racial minorities in north Fulton County predominated the line-drawing choices and were specifically emphasized over compliance with traditional redistricting principles such as contiguity and preserving communities of interest."

OBJECTIONS AND RESPONSE TO RFP NO. 38:

Plaintiff objects to this Interrogatory on the grounds that it is a premature

request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 38 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 298 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 39:

All documents supporting the statement in Paragraph 302 of the Ga. NAACP Complaint that "the Controlling Party and its map drawers drew lines in this region to specifically protect the White voting population's political power in HD-164."

OBJECTIONS AND RESPONSE TO RFP NO. 39:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 39 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as

follows:

Documents supporting the statement in Paragraph 302 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 40:

All documents supporting the statement in Paragraph 312 of the Ga. NAACP Complaint that "The predominant purpose for drawing the lines that intersect LaGrange in this manner was to ensure that Black voters wouldhave a reasonable opportunity to elect candidates of their choice in only HD- 137, and not in the other House Districts in LaGrange, including HD-136."

OBJECTIONS AND RESPONSE TO RFP NO. 40:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 40 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 312 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 41:

All public statements made by each Plaintiff, or any Plaintiff's representative, concerning the Redistricting Plans. In responding to this request, such statements should include public testimony, e-mail messages, text messages, social media posts, speeches, or other similar statements.

OBJECTIONS AND RESPONSE TO RFP NO. 41:

Plaintiff objects that the terms "each Plaintiff," "any Plaintiff's representative" and "similar statements" as used in this Request are vague,

ambiguous, and overbroad. Plaintiff also objects to this Request on the grounds that it seeks public information. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents."

Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record.

Plaintiff will produce press releases, public testimony, and public social media posts from designated organization accounts about the Redistricting Plans that are identified after a reasonable search. Plaintiff will also provide access to a database where its web content and social media posts are archived. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 41 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Access to a database where Plaintiff's web content and social media posts are archived is located at https://social.pagefreezer.com/openrecords/121CV5338.

REQUEST FOR PRODUCTION NO. 42:

All public statements made by each Plaintiff, or any Plaintiff's representative, since January 1, 2020, regarding the redistricting process in the State of Georgia. For this request, responsive records should include any statements proposing principles or changes to proposed redistricting plans in Georgia. In responding to this request, such statements should include publictestimony, e-mail messages, text messages, social media posts, speeches, or other similar statements.

OBJECTIONS AND RESPONSE TO RFP NO. 42:

Plaintiff objects that the phrases "the election laws in the State of Georgia," "principles," "changes" "each Plaintiff" and "any Plaintiffs representative" as used in this Request, are vague, ambiguous, and overbroad. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents." Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record.

Plaintiff will produce public statements from designated organization accounts about the redistricting process that are identified after a reasonable search. Plaintiff will also provide access to a database where its web content and social media posts are archived. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents, to the

extent such documents exist within its custody and control, on the basis of its objections.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 42 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Access to a database where Plaintiff's web content and social media posts are archived is located at https://social.pagefreezer.com/openrecords/121CV5338.

REQUEST FOR PRODUCTION NO. 43:

All documents that reflect communications since November 1, 2020, between any Plaintiff in this action and any Plaintiff in any other civil action challenging the Redistricting Plans.

OBJECTIONS AND RESPONSE TO RFP NO. 43:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff objects to the term "any Plaintiff in any other civil action challenging the Redistricting Plans" because it is vague and ambiguous. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this

Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request. to the extent such documents could be located within its custody and control after a reasonable search.

REQUEST FOR PRODUCTION NO. 44:

All documents since November 1, 2020, that reflect communications between any Plaintiff in this action and any campaign for individuals running for elected office.

OBJECTIONS AND RESPONSE TO RFP NO. 44:

Plaintiff objects to this Request on the ground that the Request seeks

documents not relevant to any party's claim or defense. Plaintiff objects to the term "any campaign for individuals running for elected office" because it is vague and ambiguous. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

REQUEST FOR PRODUCTION NO. 45:

All documents since November 1, 2020, that reflect communications between

any Plaintiff in this action and the United States Department of Justice relating to the Redistricting Plans.

OBJECTIONS AND RESPONSE TO RFP NO. 45:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff objects to the term "related to" because it is vague and ambiguous. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Based upon the foregoing objections, Plaintiff will not be producing any

documents responsive to this Request to the extent such documents could be located within its custody and control after a reasonable search.

REQUEST FOR PRODUCTION NO. 46:

All documents that reflect any agreements entered into with any Plaintiff in any of the other civil actions challenging the Redistricting Plans.

OBJECTIONS AND RESPONSE TO RFP NO. 46:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all

documents reflecting the information sought.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

REQUEST FOR PRODUCTION NO. 47:

All documents that reflect any agreements entered into by any Plaintiff and Fair Fight Action, Inc. or Fair Fight, Inc.

OBJECTIONS AND RESPONSE TO RFP NO. 47:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8

(S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

REQUEST FOR PRODUCTION NO. 48:

All documents that support any denial by Plaintiffs to any of Defendants' requests for admission.

OBJECTIONS AND RESPONSE TO RFP NO. 48:

Plaintiff objects to this Request because it is overbroad, unduly burdensome, is improperly compound and contains multiple subparts in that it requests documents supporting each of the State Defendants' requests for admissions that Plaintiff denied. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-*

CIO v. FEC, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Plaintiff will produce documents to the extent that they exist after a reasonable search and inquiry responsive to Plaintiff's Request for Admission No. 3. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections.

REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION NO. 1:

Admit that before the Redistricting Plans were enacted, each Organizational Plaintiff expended resources on election-related activities.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 1:

Plaintiff objects to this Request on the grounds that it is vague and ambiguous, including with respect to the meaning of the terms "expended resources," and "election-related activities" as used in this Request. Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action.

Subject to and without waiving these objections, Plaintiff responds as follows: Admit as to Plaintiff GCPA only.

REQUEST FOR ADMISSION NO. 2:

Admit that after the Redistricting Plans were enacted, each Organizational Plaintiff expended resources on election-related activities.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 2:

Plaintiff objects to this Request on the grounds that it is vague and ambiguous, including with respect to the meaning of the terms "expended resources," and "election-related activities" as used in this Request. Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action.

Subject to and without waiving these objections, Plaintiff responds as follows: Admit as to Plaintiff GCPA only.

REQUEST FOR ADMISSION NO. 3:

Admit that no Organizational Plaintiff has discontinued any previous election-related activities since the Redistricting Plans were enacted.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 3:

Plaintiff objects to this Request on the grounds that this request is vague and ambiguous, including with respect to the meaning of the terms "discontinued" and "previous election-related activities." Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action.

Subject to and without waiving these objections, Plaintiff can neither confirm nor deny. Plaintiff directs Defendant to Interrogatory responses Nos 1, 2, 4 and 5.

REQUEST FOR ADMISSION NO. 4:

Admit that Democratic and minority legislators were invited to meet with the chair of the committee with jurisdiction over redistricting in their respective chambers.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 4:

Plaintiff objects to this Request on the grounds that this request is vague and ambiguous, including with respect to the meaning of the terms "invited" and "meet." Plaintiff objects to this Request on the grounds that this request calls for speculation. Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action.

REQUEST FOR ADMISSION NO. 5:

Admit that all legislators were invited to meet with the chair of the committee with jurisdiction over redistricting in their respective chambers.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 5:

Plaintiff objects to this Request on the grounds that this request is vague and ambiguous, including with respect to the meaning of the terms "invited" and "meet." Plaintiff objects to this Request on the grounds that this request calls for speculation.

Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action.

REQUEST FOR ADMISSION NO. 6:

Admit that in the second 2001 special session, the 2001 Congressional plan (SB 1EX2) was introduced on August 22, 2001; voted on the Senate floor on September 7, 2001; voted on the House floor on September11, 2001; and sent to the Governor on October 1, 2001.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 6:

Plaintiff objects to this Request on the grounds that this request calls for speculation. Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action. Plaintiff also objects to this Request because it seeks information that is within State Defendants' possession and is equally (if not more) accessible to State Defendants.

REQUEST FOR ADMISSION NO. 7:

Admit that in the 2011 special session, the 2011 Congressional plan, HB 20EX was introduced on August 22, 2011; voted on the House floor on August 25, 2011; voted on the Senate floor on August 31, 2011; and sent tothe Governor on September 1, 2011.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 7:

Plaintiff objects to this Request on the grounds that this request calls for speculation. Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action. Plaintiff also objects to this Request because it seeks information that is within State Defendants' possession and is equally (if not more) accessible to State Defendants.

REQUEST FOR ADMISSION NO. 8:

Admit that the redistricting plans that were invalidated for voting rights violations as referred to in Paragraphs 43–47 of the Common Cause Complaint were drawn by Democratic-controlled General Assemblies.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 8:

Plaintiff objects to this Request on the grounds that this request calls for speculation. Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request as it relates to the Common Cause Complaint.

REQUEST FOR ADMISSION NO. 9:

Admit that Joe Mack Wilson was a Democrat during his time in the Georgia General Assembly.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 9:

Plaintiff objects to this Request on the grounds that this request calls for speculation. Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action. Plaintiff also objects to this Request because it seeks information that is within State Defendants' possession and is equally (if not more) accessible to State Defendants.

REQUEST FOR ADMISSION NO. 10:

Admit that no court invalidated any portion of the 2011 congressional redistricting plan referred to in Paragraph 48 of the Common Cause Complaint.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 10:

Plaintiff objects to this Request on the grounds that this request calls for speculation. Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request as it relates to the Common Cause Complaint.

REQUEST FOR ADMISSION NO. 11:

Admit that in 2018 and 2020, Congressional District 6 was not a majority-Black district.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 11:

Plaintiff admits that in 2018 and 2020, Congressional District 6 was not a

majority-Black district.

REQUEST FOR ADMISSION NO. 12:

Admit that the alternative maps referenced in Paragraph 27 of the Ga. NAACP Complaint were never introduced as legislation (either as a bill or by amendment) by a member of the General Assembly during the 2021 special session.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 12:

Plaintiff objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action.

Subject to and without waiving these objections, Plaintiff responds as follows: Admit as to Plaintiff GCPA only.

Respectfully submitted this 23rd day of November, 2022

/s/ Toni Jackson
Toni Michelle Jackson*
Astor H.L. Heaven*
Keith Harrison*
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**Admitted pro hac vice*

CERTIFICATE OF SERVICE

I certify that on November 23, 2022, the foregoing GEORGIA COALITION FOR THE PEOPLE'S AGENDA, INC.'S FIRST SUPPLEMENTAL OBJECTIONS AND RESPONSES TO DEFENDANTS' FIRST SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION OF DOCUMENTS, AND REQUESTS FOR ADMISSION was sent by email to all counsel of record.

/s/ Toni Jackson
Toni Michelle Jackson*

Counsel for Plaintiffs
GEORGIA STATE CONFERENCE
OF THE NAACP, et al.

**Admitted pro hac vice*

Exhibit
0006

(https://georgiaunitymaps.org)

Announcing the Release of Proposed Georgia Unity Redistricting Plans and Maps by the Georgia State Conference of the NAACP, GALEO Latino Community Development Fund, Georgia Coalition for the People's Agenda and the Urban League of Greater Atlanta

(October 28, 2021)

The Georgia State Conference of the NAACP (Georgia NAACP), GALEO Latino Community Development Fund (GLCDF), Georgia Coalition for the People's Agenda (People's Agenda) and the Urban League of Greater Atlanta (ULGA) are proud to announce that we have issued proposed unity redistricting maps and data for Georgia's Congressional, State Senate and State House districts.

All of our organizations are non-profit, non-partisan organizations. These maps reflect our goal of creating redistricting plans that are fair, reflective of the rich diversity of our state, and which take into account the significant population shifts and growth in our state as reported in the 2020 Census.

Since 2004, the white percentage of the Georgia electorate has steadily decreased while the percentage of the minority electorate has steadily increased, with the white share of the overall state population falling from 55.9 percent to 50.1 percent. As a result, people of color in Georgia now comprise almost half of the total population of the state. Our proposed maps, which adhere to the Georgia General Assembly's redistricting principles, with a particular interest in adherence to the Voting Rights Act of 1965, give Georgia's voters of color a meaningful opportunity to elect candidates of choice. Several highlights from our proposed maps include:

- ✔ 8 of 14 congressional districts are majority people of color
- ✔ 8 of 14 congressional districts are majority voting-age people of color
- ✔ 7 of 14 congressional districts are majority citizen voting-age people of color
- ✔ 7 of 14 congressional districts are majority registered voters of color

- ✔ 31 of 56 state senate districts are majority people of color
- ✔ 29 of 56 state senate districts are majority voting-age people of color
- ✔ 26 of 56 state senate districts are majority citizen voting-age people of color
- ✔ 27 of 56 state senate districts are majority registered voters of color
- ✔ 96 of 180 state house districts are majority people of color
- ✔ 94 of 180 state house districts are majority voting-age people of color
- ✔ 82 of 180 state house districts are majority citizen voting-age people of color,
- ✔ 87 of 180 state house districts are majority registered voters of color.

Our proposed maps demonstrate that the creation of redistricting plans where Georgians of color have an equal opportunity to elect candidates of choice is possible without partisan or racial gerrymandering. Moreover, our proposed maps unpack districts which are over-concentrated with voters of color, while observing traditional geographic county and city concerns, particularly in the Atlanta region. With reference to the Georgia Senate, a new Asian-American opportunity district was created amid the meeting point of Forsyth, Gwinnett, and Fulton counties. A majority Latino/Hispanic district was also created in northern Dekalb County and western Gwinnett County.

If you like what you see on these unity maps and support our joint efforts to advocate for the drawing of fair redistricting maps which reflect the rich diversity of our state, please take a few moments to voice your support of our maps to the Georgia General Assembly's Joint Reapportionment Committee through its public comment portal at this link: https://www.legis.ga.gov/joint-office/reapportionment/public-comments?edit_requested=true (https://www.legis.ga.gov/joint-office/reapportionment/public-comments?edit_requested=true)

To learn more about our organizations, please visit our individual websites at the following links:

Georgia State Conference of the NAACP (naacpga.org) (https://www.naacpga.org/)

GALEO Latino Community Development Fund (galeo.org) (https://galeo.org/)

Georgia Coalition for the People's Agenda (thepeoplesagenda.org) (https://thepeoplesagenda.org/)

Urban League of Greater Atlanta (ulgatl.org) (https://ulgatl.org/)

Unity Map Proposals

State-Wide

Congressional Districts (http://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia-Congress-Statewide.pdf)

State Senate Districts (http://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia-Senate-Statewide.pdf)

State House Districts (http://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia-House-Statewide.pdf)

Population Centers

Georgia Congress - Atlanta (http://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia-Congress-Atlanta.pdf)

Georgia House - Atlanta (http://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia-House-Atlanta.pdf)

Georgia Senate - Atlanta
(http://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia-Senate-Atlanta.pdf)

Georgia House - Augusta
(http://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia-House-Augusta.pdf)

Georgia Senate - Augusta
(http://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia-Senate-Augusta.pdf)

Georgia House - Columbus
(http://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia-House-Columbus.pdf)

Georgia House - Macon
(http://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia-House-Macon.pdf)

Georgia House - Savannah
(http://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia-House-Savannah.pdf)

Georgia Senate - Savannah
(http://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia-Senate-Savannah.pdf)

GIS Downloads

.KMZ Files

Congressional Districts
(https://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia_Congress.kmz)

State Senate Districts
(https://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia_Senate.kmz)

State House Districts
(https://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia_House.kmz)

.ZIP Files

Congressional Districts
(https://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia_Congress.zip)

State Senate Districts
(https://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia_StateSenate.zip)

State House Districts
(https://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia_StateHouse.zip)

State Demographics

District Demographics Combined
(https://georgiaunitymaps.org/wp-content/uploads/2021/10/District-Demographics-Combined.xlsx)

Participating Organizations

G • A • L • E • O (https://galeo.org/)

NAACP (https://www.naacpga.org/)

(https://thepeoplesagenda.org/)

(https://ulgatl.org/)

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Relevant Testimony Provided by Organizations

Testimony of Barbara Pierce, President, NAACP Georgia State Conference Submitted for the Record to the Georgia House Legislative and Congressional Reapportionment Committee and Senate Reapportionment and Redistricting Committee Testimony (10/29/2021)

NAACP State Conference Testimony
(http://georgiaunitymaps.org/wp-content/uploads/2021/11/10-29-21_GA-NAACP-State-Conference-Testimony_Signed_2.pdf)

Exhibit
0007

GEORGIA UNITY MAPS

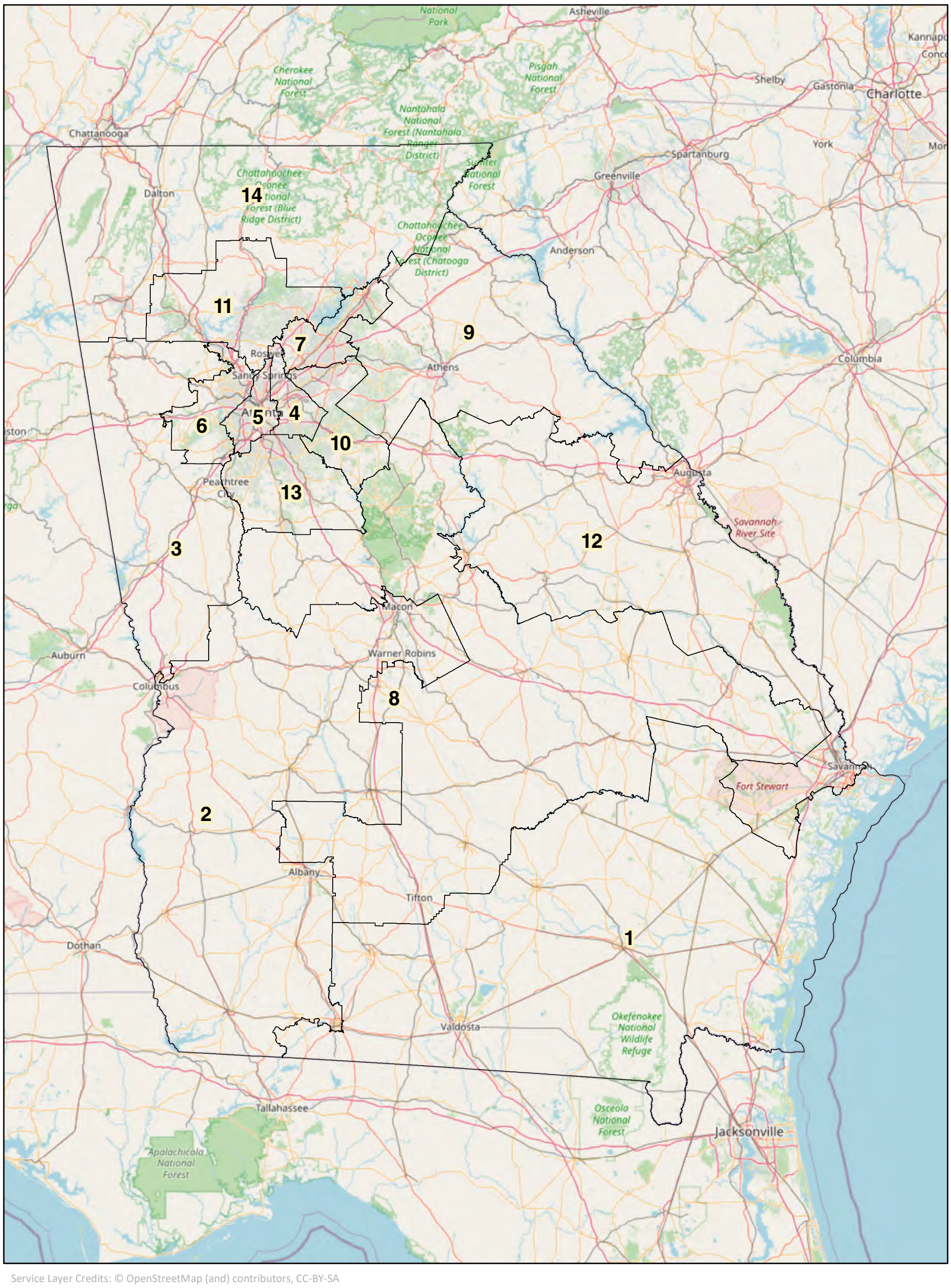
U.S. House of Representatives

G·A·L·E·O

NAACP 1909

The Peoples' Agenda

Urban League of Greater Atlanta



Service Layer Credits: © OpenStreetMap (and) contributors, CC-BY-SA

Redistricting

National Coalition of 100 Black Women, Inc.

PRESENTED BY

HELEN BUTLER

The Peoples' Agenda

Exhibit
0008

Why Important to Participate

Make Your Voice Heard

Opportunity to elect candidates that represent our interests

- Jobs
- Education
- Healthcare
- Transportation
- Safety

Determine how much Resources come to our communities

The Process:

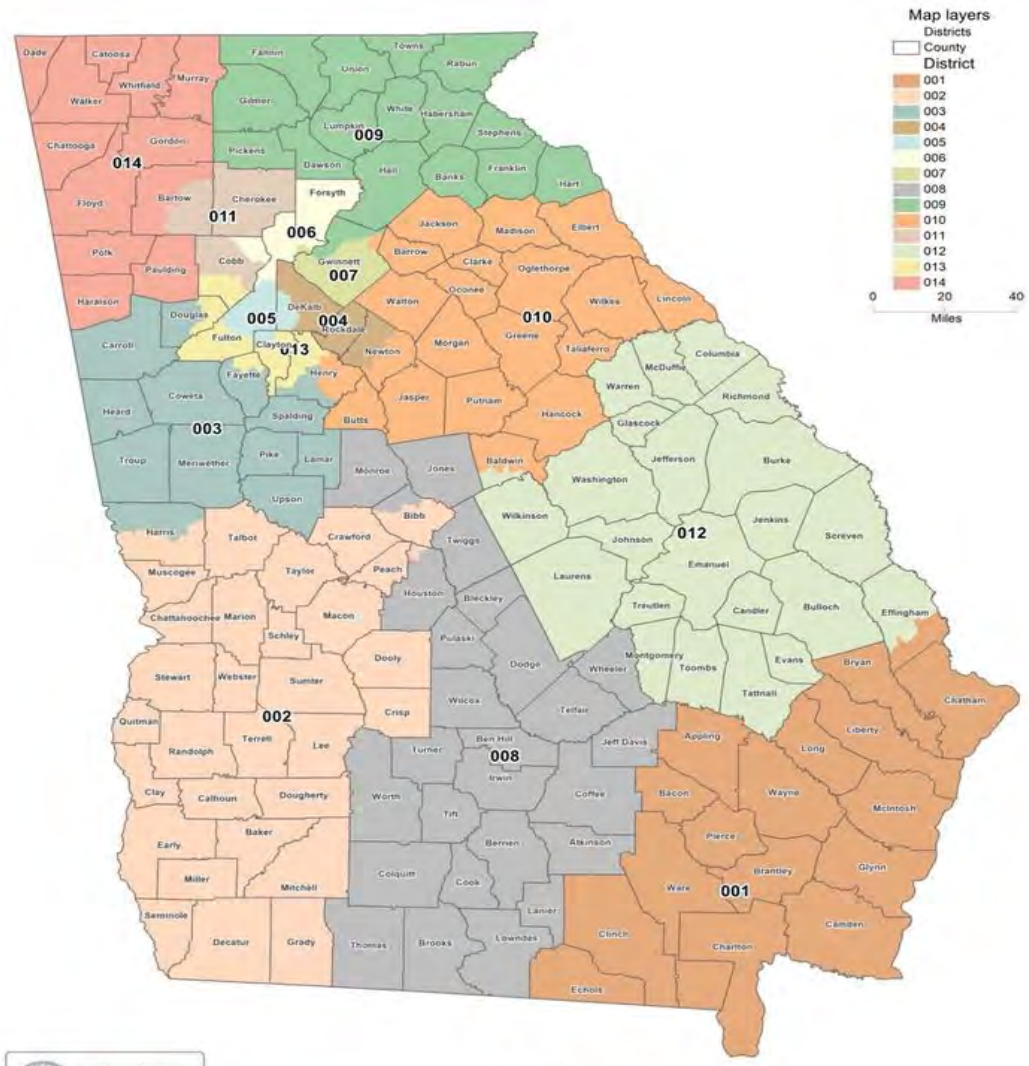
- Special Legislative Session
  - Congressional and State Districts
  - Community Engagement - Hearings

- Legislative Reapportionment – Local Districts
  - Deadline February 18, 2022
  - Community Engagement – Hearings, Draw Own Maps
  - Local Delegations approve Maps
  - SB 177 – Approval by State Legislature
  - Circumvented normal legislative process for local redistricting

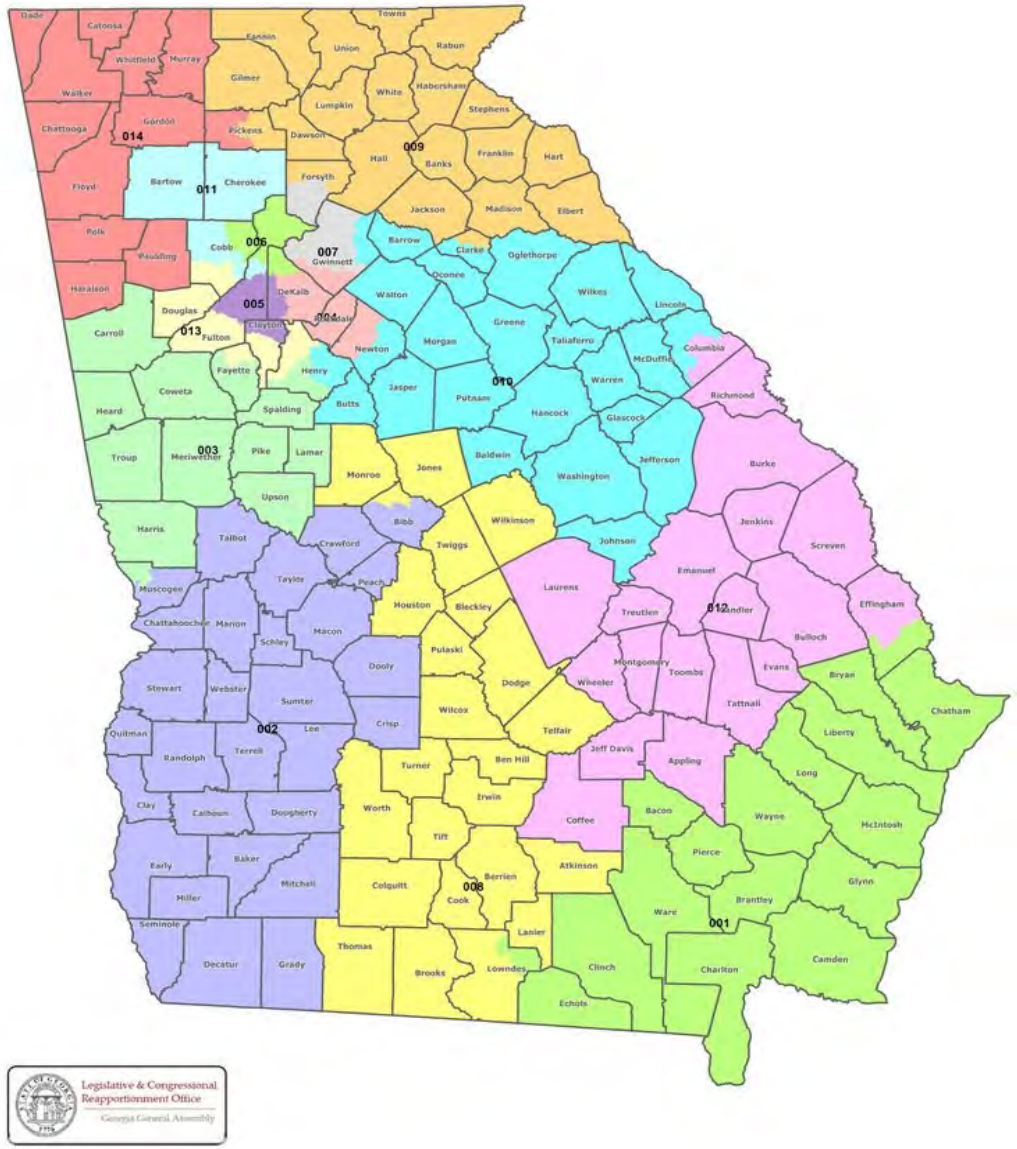
Results:

- Gerrymandered districts
- Local control as long as local control means minority rule for a particular political party
- No transparency in the development of overridden maps
- SB 177 requiring approval of the State Legislature for all local maps
- Litigation against these new maps

Draft- Georgia Congressional Districts



Georgia Congressional Districts



Action Items – Redistricting

- Collect stories about the impact of new district maps for legal action
- Educate voters about new maps and who will represent them
  - Get copies of Congressional, state and local maps
  - Hold townhalls or forums to highlight these changes
  - Post copies of new maps on social media
    - Write op-eds, do public service announcements, billboards, flyers
- Contact new district representatives and have an introduction forum for voters

National Voter Registration Day

Redistricting 101

Helen Butler, Executive Director

GA Coalition for the People's Agenda

Helen.Butler@thepeoplesagenda.org

Gwinnett County Alumnae Chapter

Delta Sigma Theta Sorority, Inc.

The Peoples' Agenda

Exhibit
0009

Introduction to Redistricting:
What you will learn

WHAT IS REDISTRICTING?

WHY DOES REDISTRICTING MATTER?

WHY IS IT IMPORTANT FOR US TO BE ENGAGED IN THIS WORK IN UNITY?

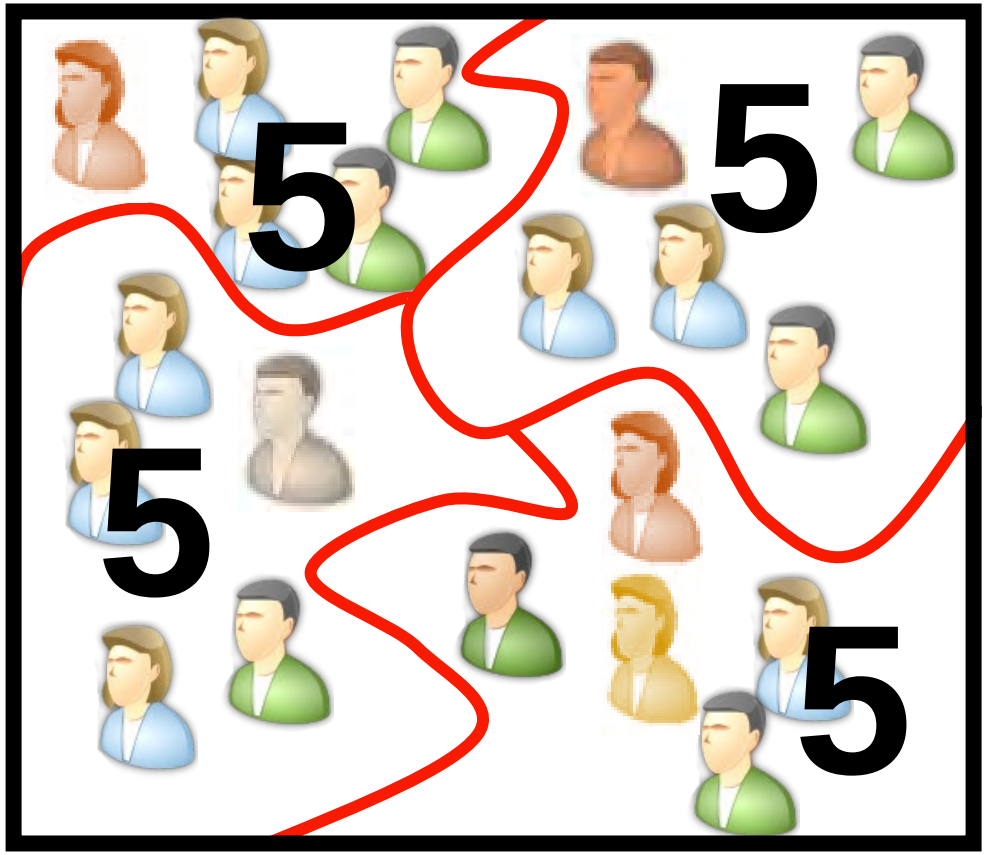
What is Redistricting?

Redistricting is the process used by governments to redraw political district boundaries. Redistricting applies to all level of government where district elections are held, including the US House of Representatives, state legislatures, city councils, school boards and more.

Redistricting is based on the idea of "one person, one vote"

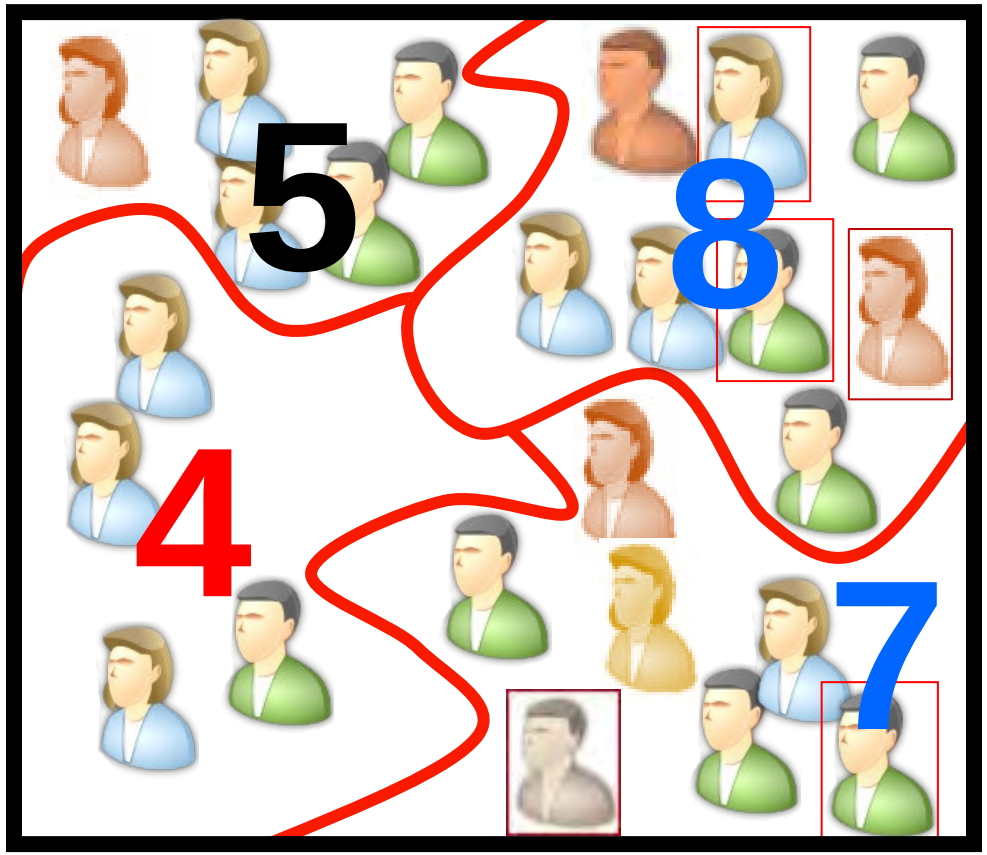
Introduction: What is redistricting?

Redistricting is when we redraw districts so each has the same number of residents.



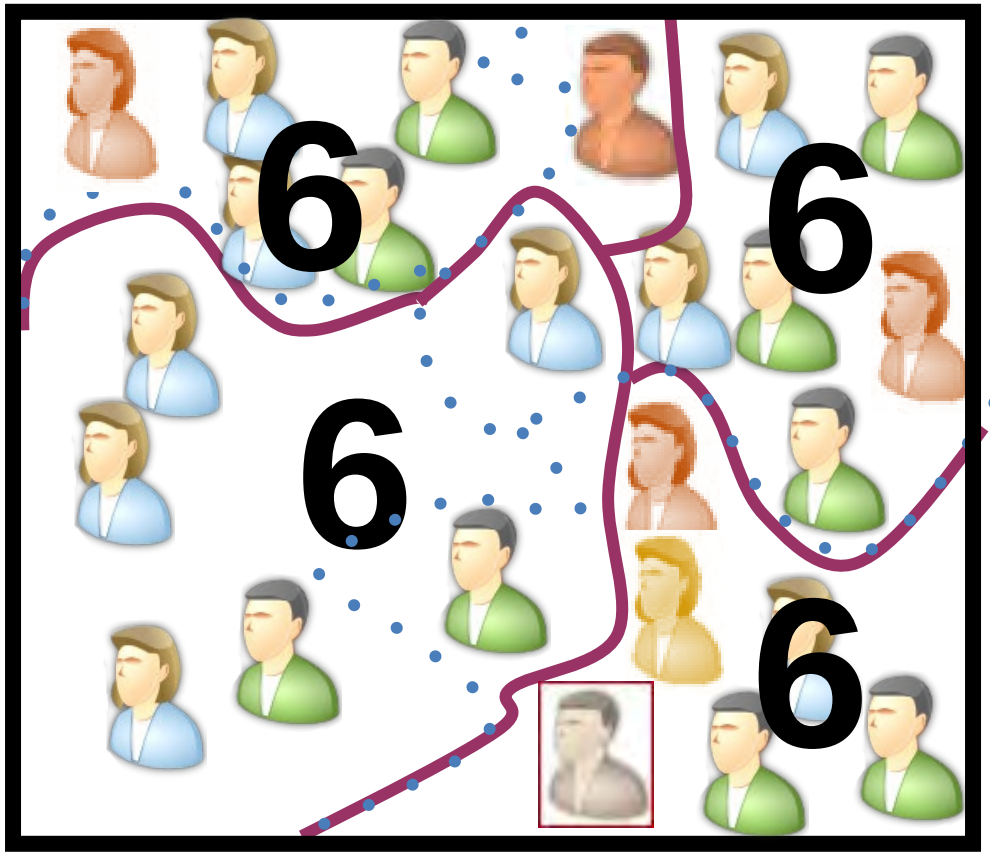
Introduction: What is redistricting?

Over time, districts become uneven in size.



Introduction: What is redistricting?

Every ten years, we count people again, and then redraw the district lines to have an even number of people again.



The Process

Census Data is gathered by the US Government and released to the states.

Public Hearings are organized by the legislature (or some form of commission).

Maps are drafted and presented to the legislature. Local maps must also be approved by the state legislature due to 2019 legislation

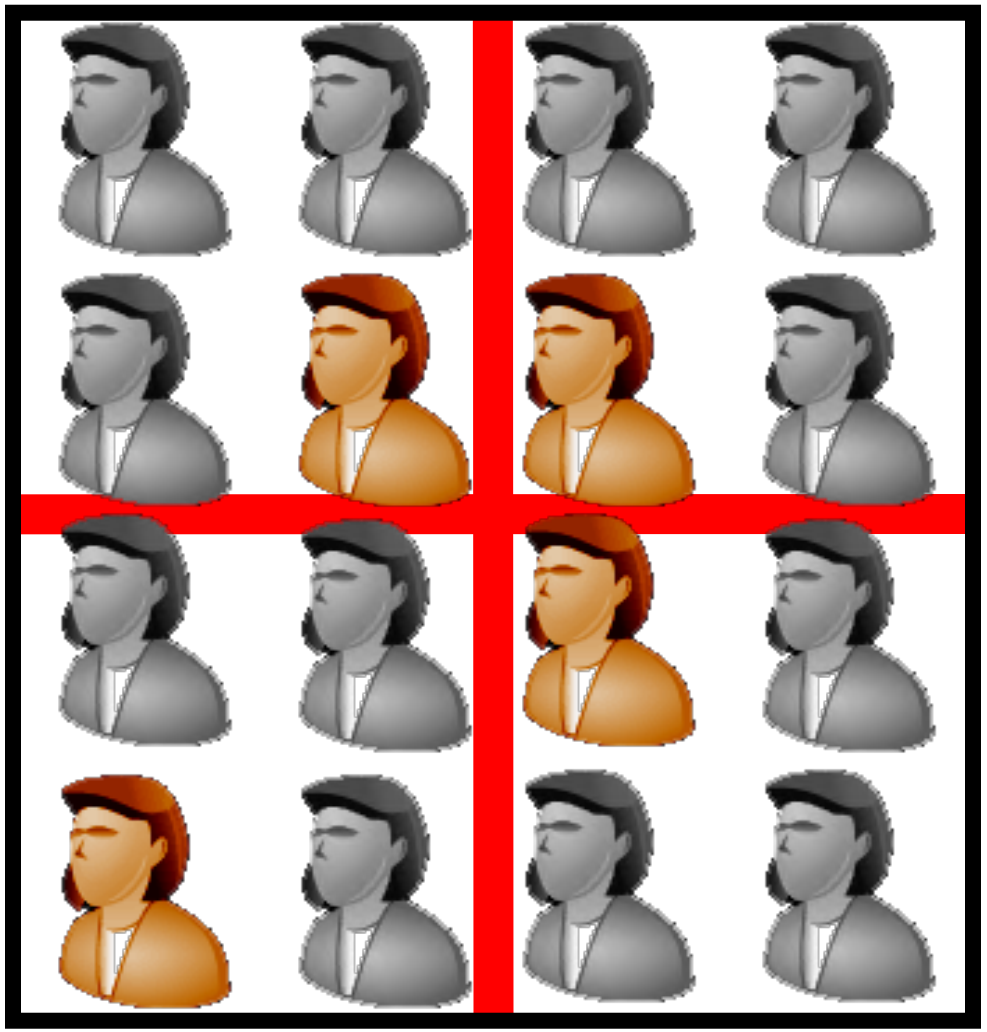
Special Session of the Georgia State Legislature (November3) to approve new maps.

Elections take place with the new maps. Congressional district maps last ten years. Some state districts may change in Georgia

Introduction: Why does redistricting matter?

Redistricting can take away minority voting rights.

Minorities make up only ¼ of each district

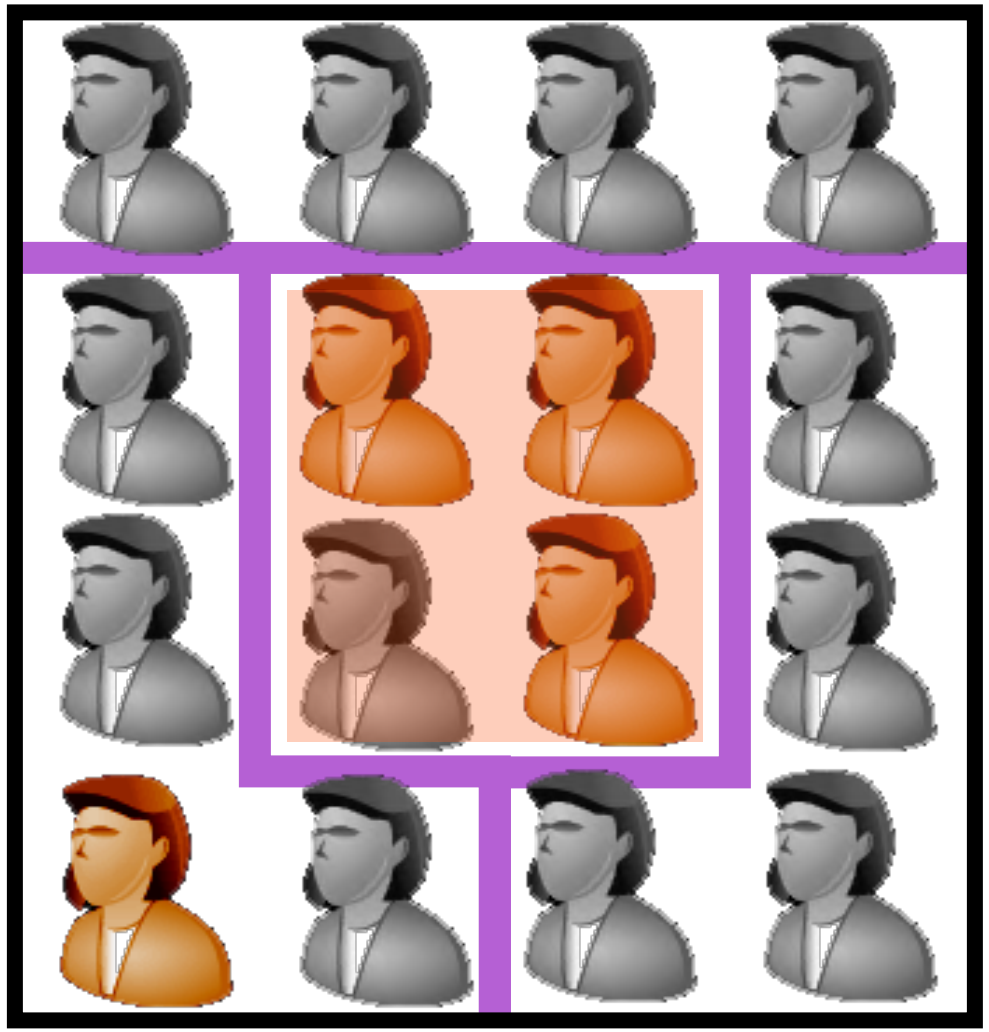


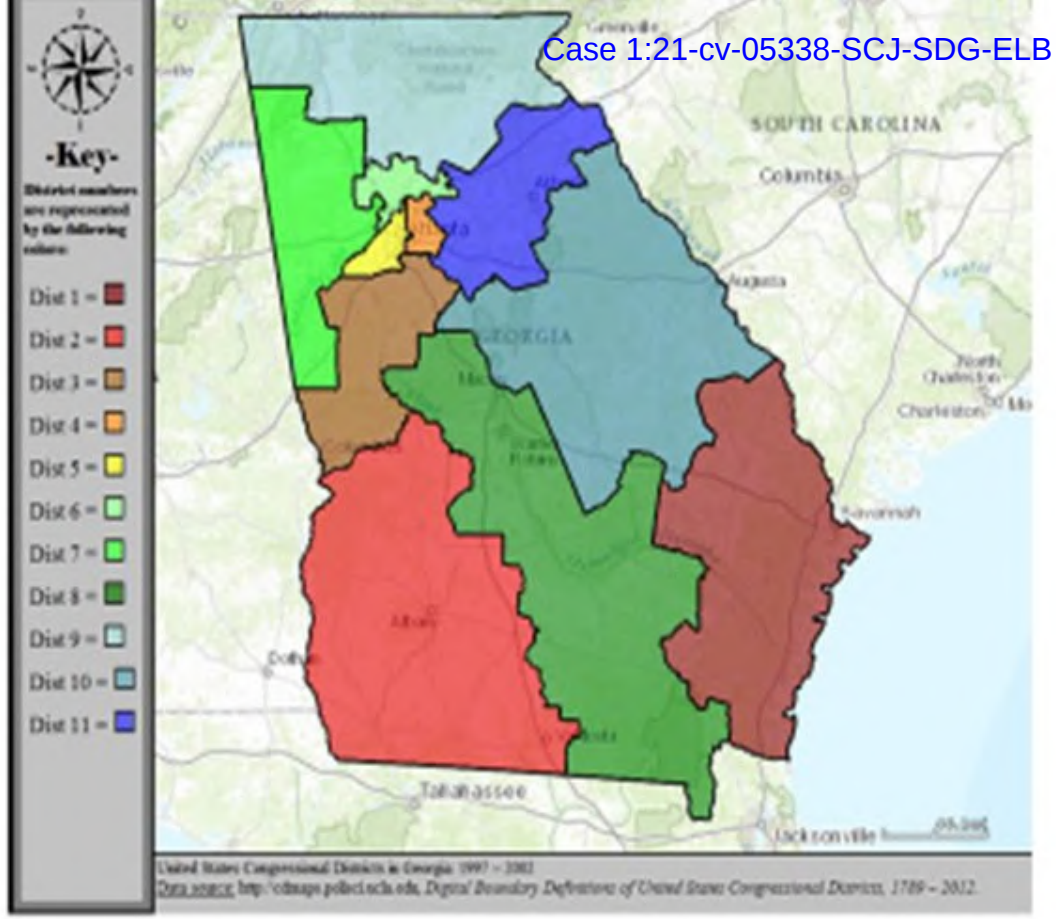
Introduction: Why does redistricting matter?

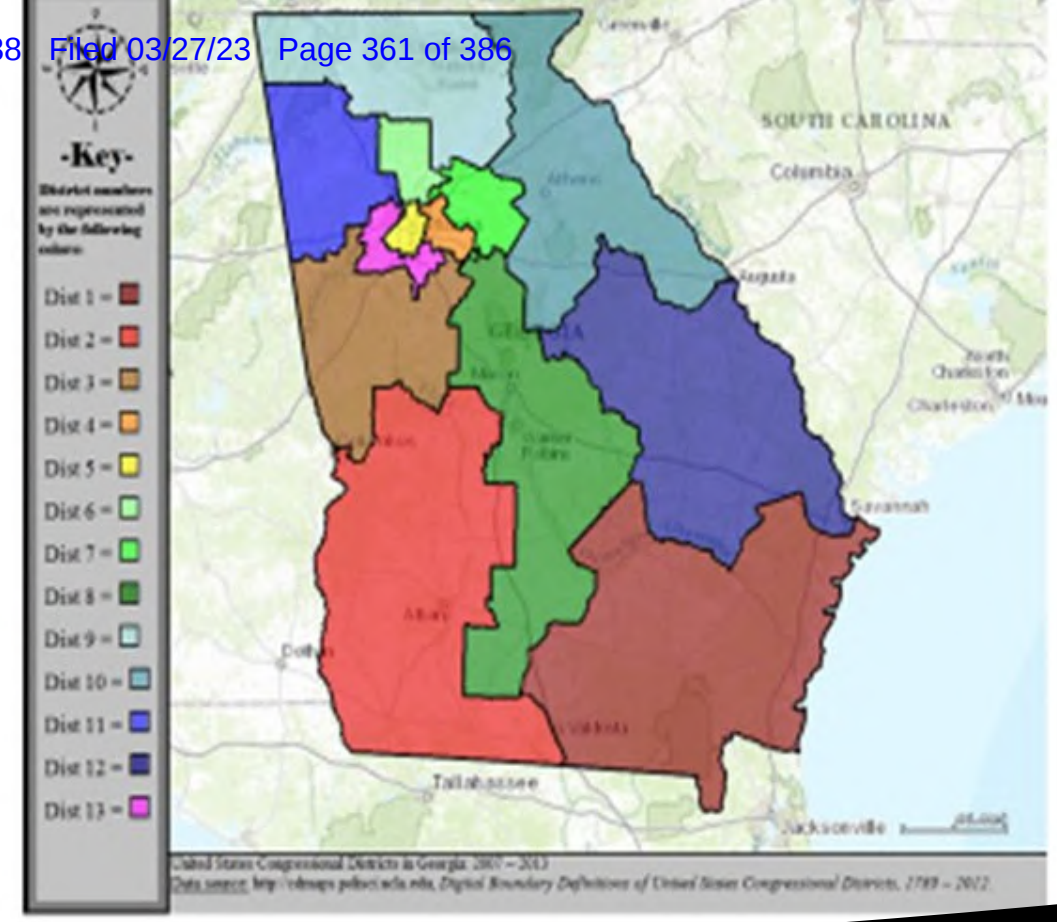
When we organize, we can elect candidates of our community's choice.

Minorities make up a majority of this district

If a majority can be drawn, the Voting Rights Act may require it



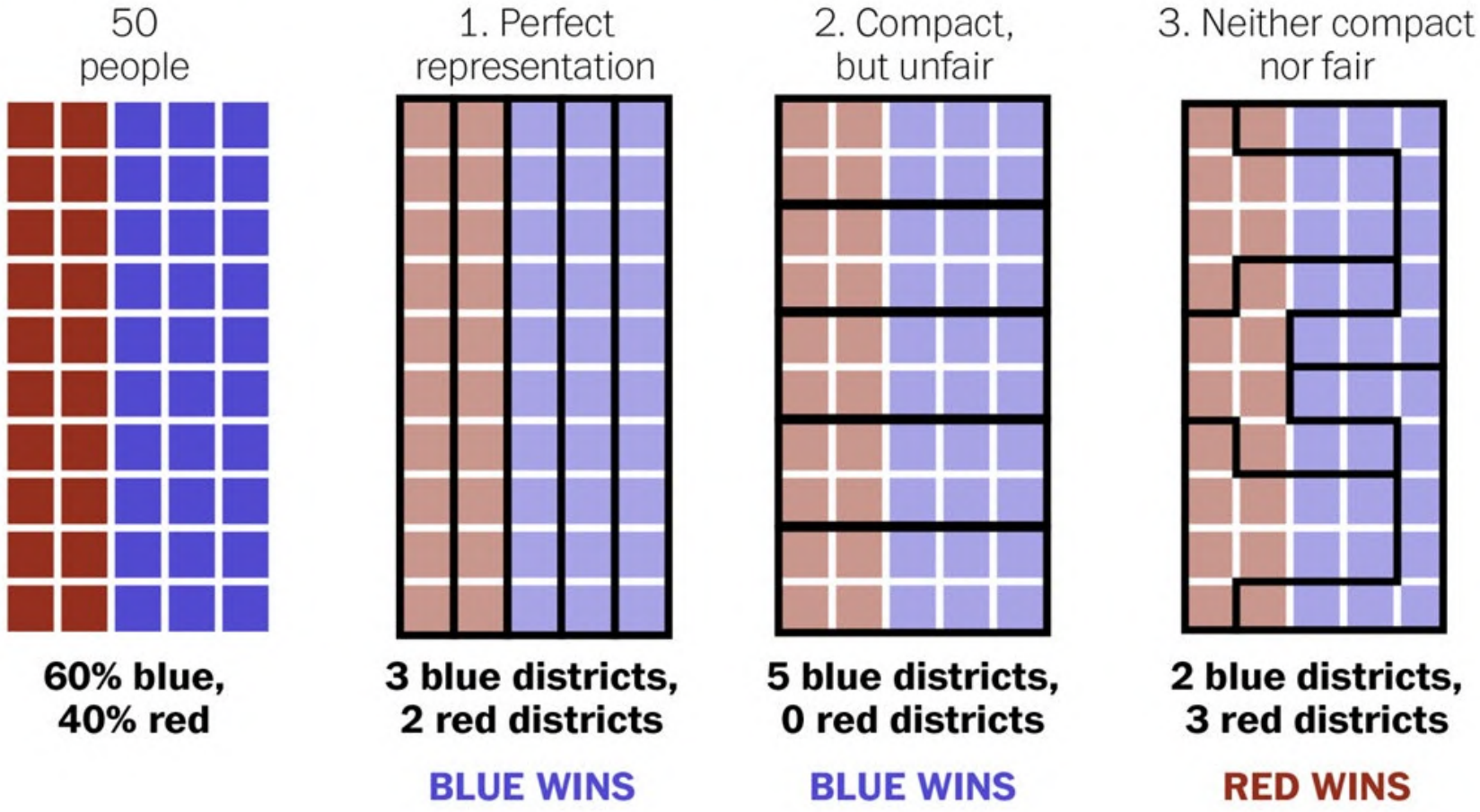




What is Gerrymandering?

Gerrymandering, explained

Three different ways to divide 50 people into five districts



WASHINGTONPOST.COM/**WONKBLOG**

Adapted from Stephen Nass

packing

cracking

Minority Vote Dillution

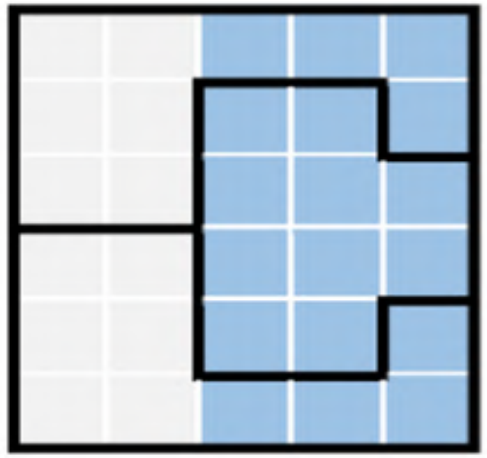
- Redistricting has been used at times to prevent minority voters from gaining political power by drawing districts in a way that resulted in those voters having less of a chance of electing their candidate(s) of choice.
- This is known as minority vote dilution, and it commonly can be seen when map drawers use techniques, such as, packing and cracking.
- Districts are drawn based on the cohesion of like-minded groups, but shapes of districts need not be perfectly geometric.

What is PACKING?

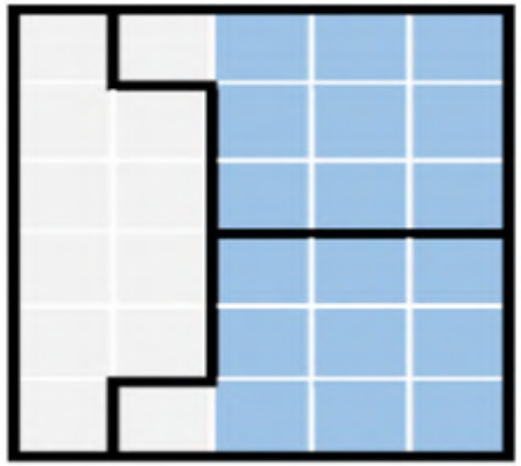
Packing is the term used when minority voters are compressed into a smaller number of districts to waste their collective strength, instead of effectively controlling one district or more.

An example is when mapmakers draw one district that is over 90% of a single minority group (BLUE), when one could draw two districts each with 50% single minority group.

60% Blue Wards
40% Grey Wards



3 Districts: 2 Grey,
1 Blue
Blue wards are "packed"
into one district



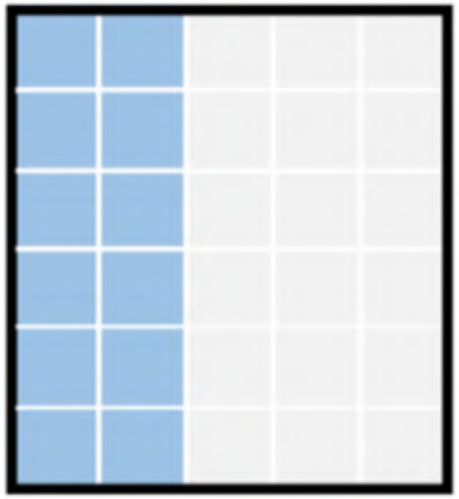
3 Districts: 2 Blue,
1 Grey
Proportional Outcome

Source: Common Cause

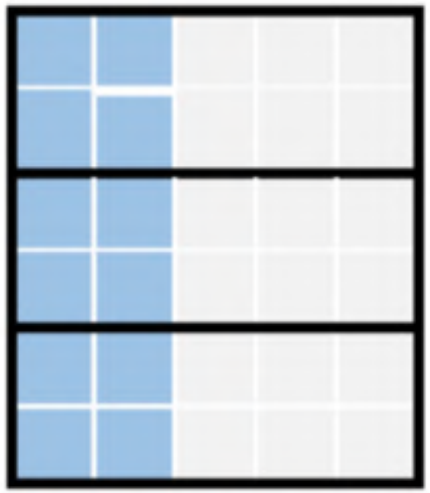
What is CRACKING?

Spreading (splitting apart areas of) minority voters thinly into many districts is known as **cracking**, splitting, or fracturing.

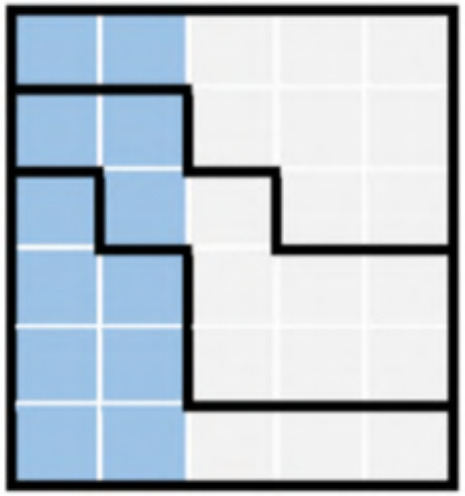
An example of cracking can occur if three districts are created that have 40% of a single minority population in each. If the minority population (BLUE) were placed within one district where they are 70%, the minority community would have an opportunity to elect a candidate of their choice.



60% Grey Wards
40% Blue Wards



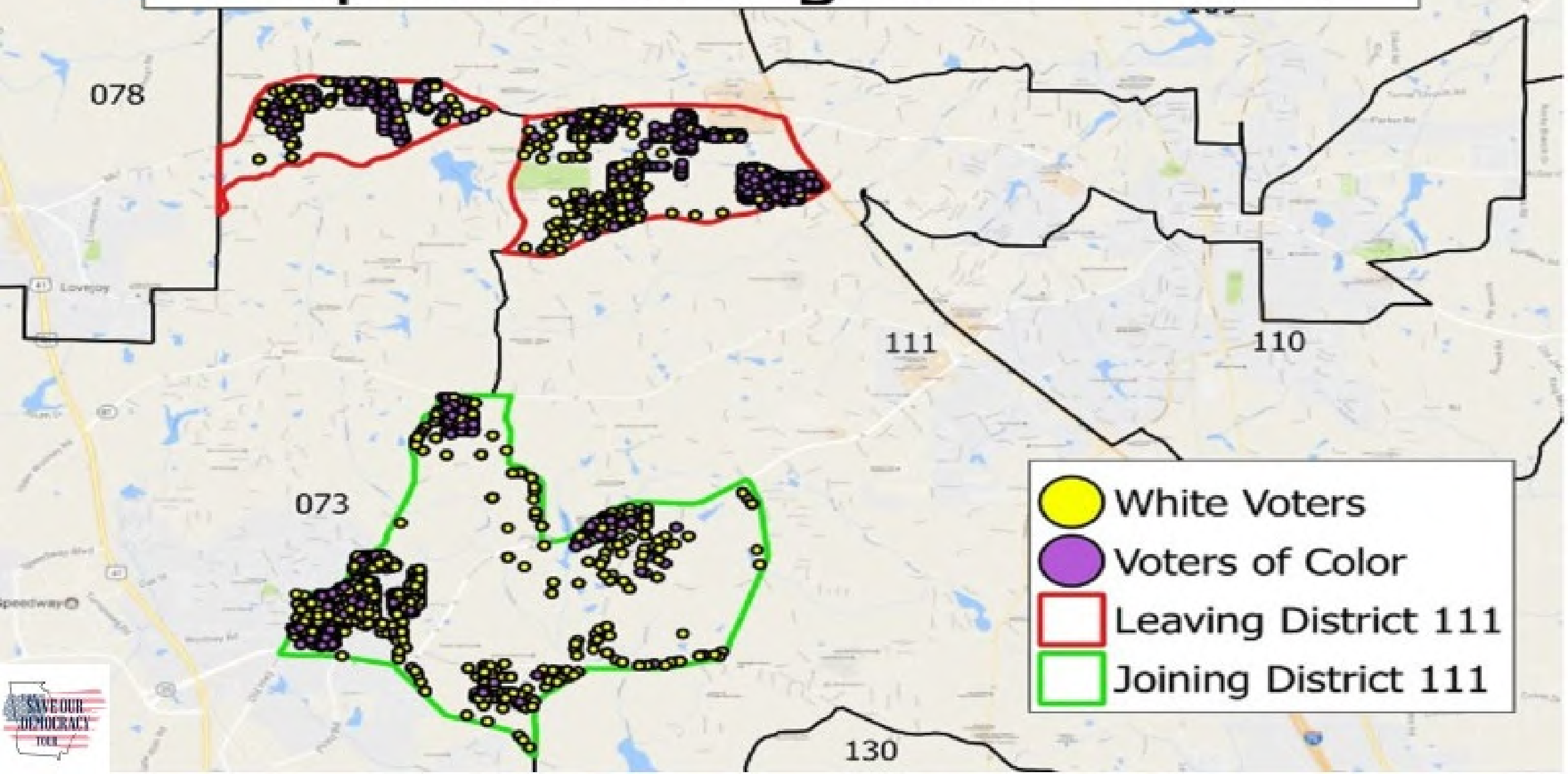
3 Districts: 3 Grey, 0 Blue
Blue wards are "cracked" into one district



3 Districts: 1 Blue, 2 Grey
Proportional Outcome

Source: Common Cause

Proposed Changes to HD 111



What does a "fair district" look like?

Equal Population

Doesn't violate the Voting Rights Act.

What does a "fair district" look like?

Preserve Communities of Interest

Be Compact

What does a "fair district" look like?

Be Contiguous

Follow Existing Political Subdivisions and/or Natural Boundaries

Other Criteria

Respect Existing Legislative Boundaries

Respect Incumbency

Preparing Communities of Interest Maps

What is a "community of interest"

A community of interest is a neighborhood, community, or group of people who have common policy concerns and would benefit from being kept in a single district.

How do you define a community of interest?

- **Create maps.** Draw a map of your neighborhood or area. Mark street names and significant locations.
- **Written description.** Tell your community's story. Describe what connects the people and why it should stay together. Whenever possible, include statistics (median household incomes, language isolation, poverty levels, homeownership rates, etc)
- **Personal testimonies.** Find community members willing to tell their individual stories, what residents share in common, and what makes your community unique.
- **Community issues.** What issues have not been addressed? How do resources and elected officials impact those?

Hearings After Maps Drawn?

Public Hearings

Public Hearings

- June 15th : Virtual Meeting
- June 28th: Atlanta
- June 29th: Cumming
- June 30th: Dalton
- July 6th: Athens
- July 7th: Augusta
- July 26th: Brunswick
- July 27th: Albany
- July 28th: Columbus
- July 29th: Macon
- July 30th: Virtual Meeting

The Peoples' Agenda

Prior to Maps Being Drawn

Organize, Draw Maps, Present Maps

Special Legislative Session

November 3, 2021

Redistricting Rules

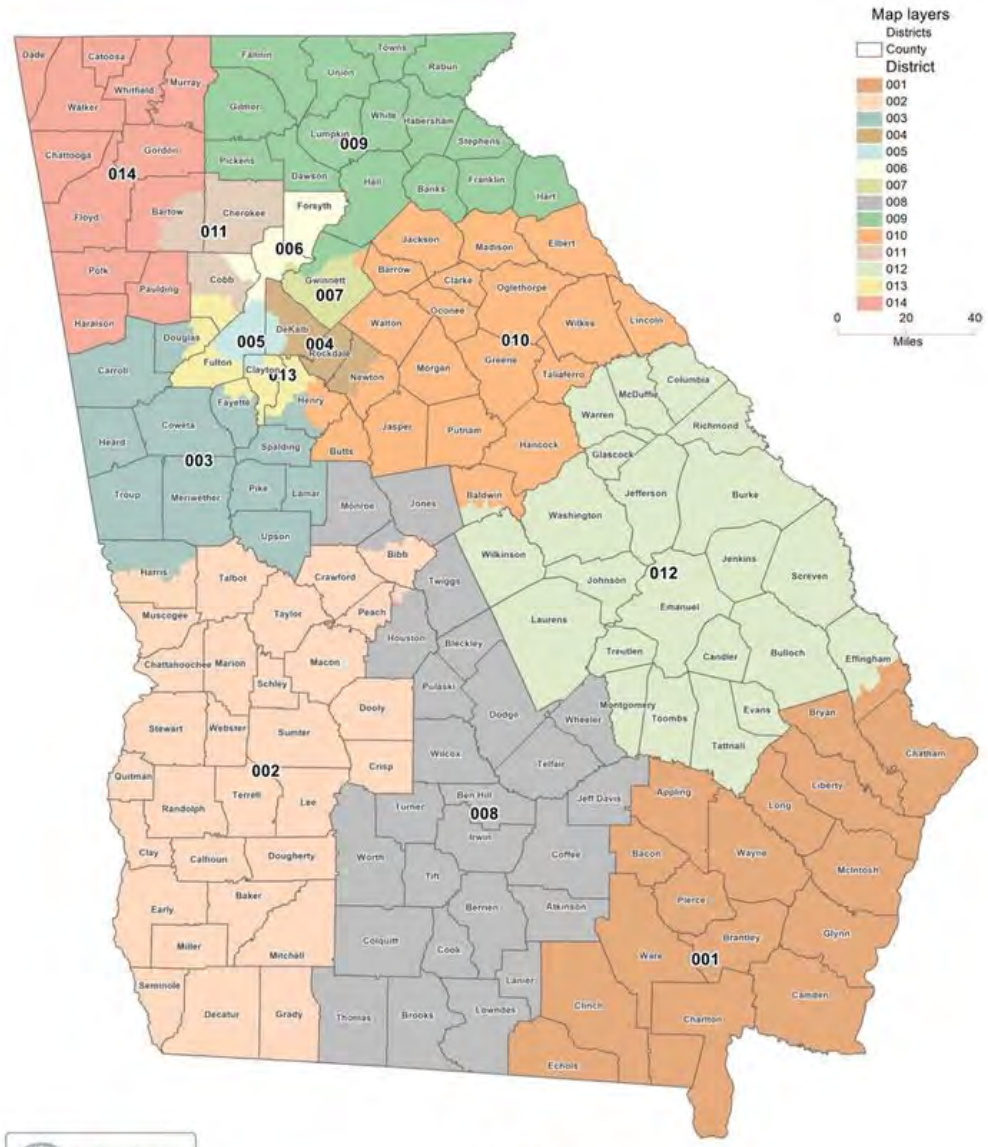
Georgia

Who draws the lines?

- Congressional lines are **drawn/approved by the state legislature** as a statute and is subject to a gubernatorial veto
- State legislative lines are **drawn/approved by the state legislature** as a statute and is subject to a gubernatorial veto
- Local district lines are **drawn/approved by the state legislature**

Draft- Georgia Congressional Districts

Type: Congress



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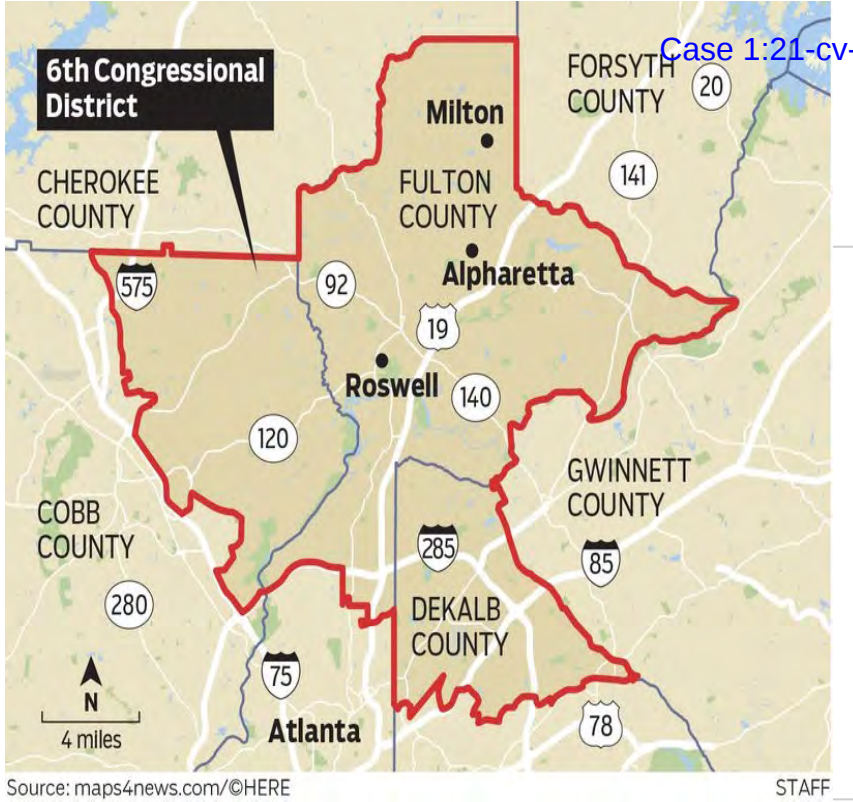
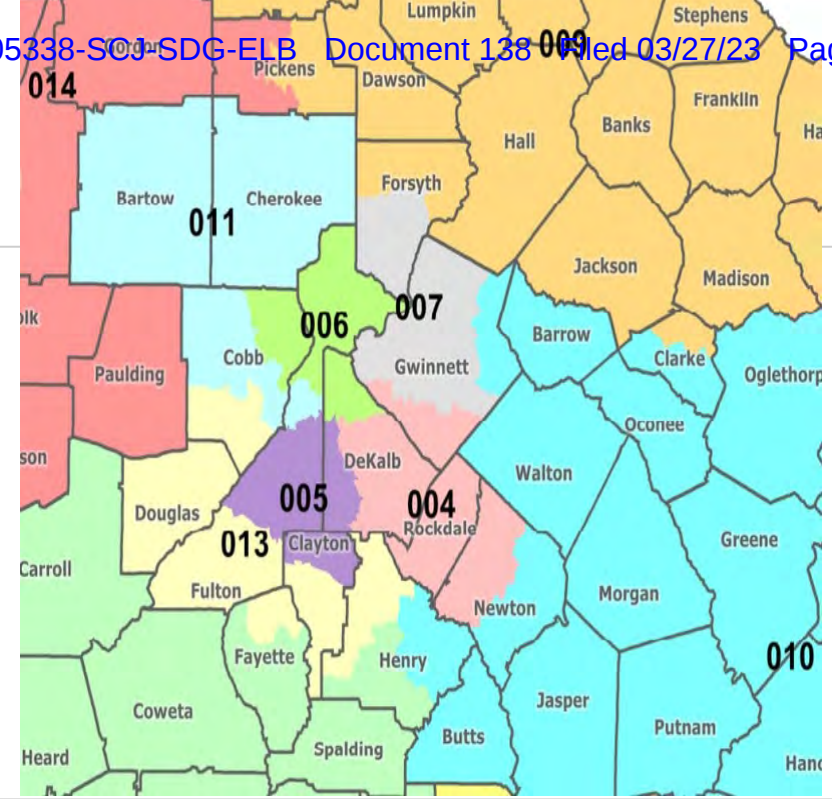
Legislative and Congressional Reapportionment Office
Georgia General Assembly

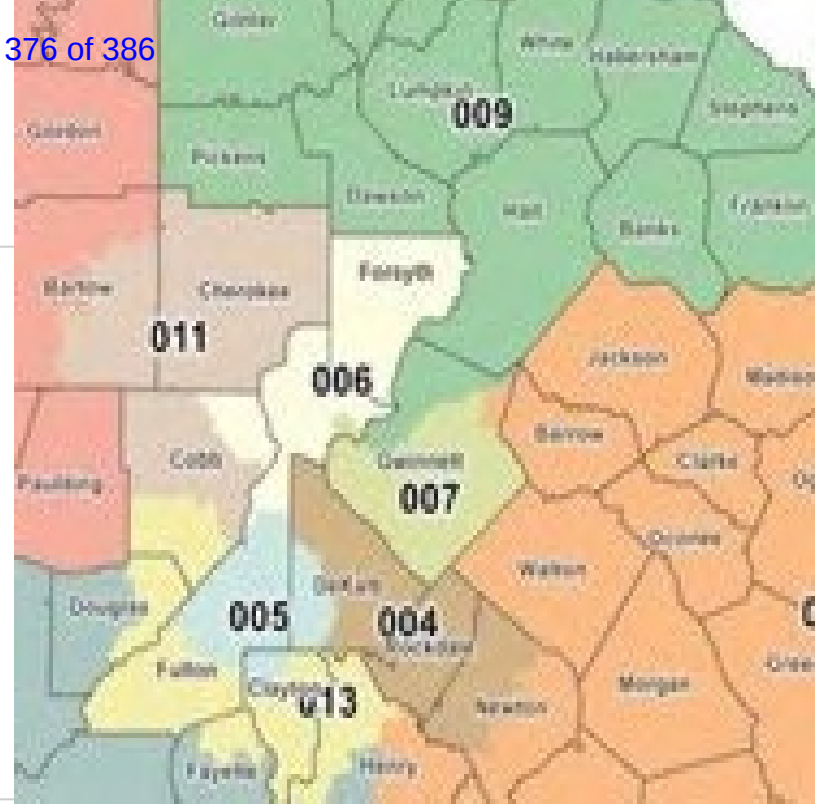
Georgia Congressional Districts

Client: State
Plan: Congress12
Type: Congress

Legislative & Congressional Reapportionment Office
Georgia General Assembly







Congressional Districts 4,6, 7, 9, 13 Changes

Preparing Your Testimony

- **Introduce yourself.** What is your name? Where do you live? Do you represent an organization? What are your goals for testifying?
- **Describe a map of your community.** Do current political district boundaries divide your community? Or keep it together?
- **Describe your community.** Who lives in your community? What is your history? Remember to include data. How is your community like or unlike those around you?
- **What do you hope to see as the legislature navigates this process?** Transparency? Non-Partisanship? A chance to comment on drafted maps? Present your maps for consideration
- **Closing.** Thank the committee. Provide a written copy of your testimony and any data. Restate your goals. Acknowledge community members present. Provide copies of maps as needed

Thank You!

Helen Butler

Helen.Butler@thepeoplesagenda.org

To: Cindy Battles[redacted]
From: Rich, Bonnie[redacted]
Sent: Wed 6/30/2021 2:16:48 PM (UTC-04:00)
Subject: Re: Redistricting Hearing and Statement *** External Email *** *** External Email *** *** External Email *** *** External Email ***

Oh, I misread your email. I thought you were referring to an incident in Atlanta. No, Capitol police were not there last night.

Get Outlook for iOS

From: Cindy Battles[redacted]
Sent: Wednesday, June 30, 2021 2:05:43 PM
To: Rich, Bonnie[redacted]
Subject: Re: Redistricting Hearing and Statement *** External Email *** *** External Email *** *** External Email *** *** External Email ***

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Capitol police were in Cummings last night? We didn't see any law enforcement until the end. Also, Capitol police were aware that the man in the Trump hat and Trump shirt was harassing people Monday night. They did not do anything because he had not "crossed a line". In fact, they were more suspicious of the Black women wearing Protect the Vote shirts standing along the wall in the committee room. Not that any of us were surprised. This has happened at both in-person meetings so far. I and one other person chose not to wear our masks in Cumming last night because that is how the man at the capitol was choosing who to target. It is fast becoming an unsafe environment and my question is, what actions will the committee take to hold people accountable? Or at least let people know that type of behavior is inappropriate? There is no way the entire committee missed Stacey Abrams being referred to as a "terrorist" or the reaction when the speaker from ACLU was heckled because he said the ACLU was non-partisan. You may have missed him being called a name but the reaction was too loud to have been missed completely.

Even if you do not heed our other requests to make the process as fair, transparent, and non-partisan as possible, I ask that you take measures to make it safer.

Cindy Battles (she/her)
Policy & Engagement Director
GA Coalition for the People's Agenda
[redacted]
www.thepeoplesagenda.org

Exhibit
0010

On 2021-06-30 01:41 PM, Rich, Bonnie wrote:

Oh, no! I understand how uncomfortable he must've been for you and him. I've been treated that way, too, and it's very unsettling, not to mention inappropriate. I can assure you that I did not hear and was not aware of that, and I have not heard from any committee member who was aware. Capitol police were there; did anyone alert them?

From: cbattles[redacted]
Sent: Tuesday, June 29, 2021 6:20:37 PM
To: Rich, Bonnie
Subject: Re: Redistricting Hearing and Statement *** External Email *** *** External Email *** *** External Email ***

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Last night I described being harassed by a Trump supporter in line to sign up to speak. I said allowing name calling during testimony was creating an aggressive environment. The entire committee sat quietly while an ACLU staff

member was heckled and called a "f--king asshole" by a white woman in the fourth row and several other comments.

We are currently making sure he leaves early or with a group.

Sent from Samsung Galaxy smartphone.

-------- Original message --------
From: "Rich, Bonnie" [redacted]
Date: 6/29/21 12:13 PM (GMT-05:00)
To: Cindy Battles [redacted]
Cc: "Taylor, Darlene" <Darlene.Taylor@house.ga.gov>, "Holmes, Susan" <Susan.Holmes@house.ga.gov>, "Alexander, Kimberly" <Kimberly.Alexander@house.ga.gov>, "Ballinger, Mandi" <Mandi.Ballinger@house.ga.gov>, "Deloach, Buddy" <Buddy.Deloach@house.ga.gov>, "Dollar, Matt" <Matt.Dollar@house.ga.gov>, "Efstration, Chuck" <Chuck.Efstration@house.ga.gov>, "Fleming, Barry" <Barry.Fleming@house.ga.gov>, "Gilliard, Carl" <Carl.Gilliard@house.ga.gov>, "Jackson, Mack" <Mack.Jackson@house.ga.gov>, "Jones, Jan" <Jan.Jones@house.ga.gov>, "Nix, Randy" <Randy.Nix@house.ga.gov>, "Scott, Sandra" <Sandra.Scott@house.ga.gov>, "Setzler, Ed" <Ed.Setzler@house.ga.gov>, "Smith, Lynn" <Lynn.Smith@house.ga.gov>, "Smith, Richard" <Richard.Smith@house.ga.gov>, mickey.stephens@gmail.com, "Sutton, Julie" <Julie.Sutton@house.ga.gov>, "Bryant, JC" <JC.Bryant@house.ga.gov>, "Turner, Vanessa" <Vanessa.Turner@house.ga.gov>, "Holloman, Shunta" <Shunta.Holloman@house.ga.gov>, "Fountain, Lisa" <Lisa.Fountain@house.ga.gov>, "Clark, Peyton" <Peyton.Clark@house.ga.gov>, "Bohannon, Alicia" <Alicia.Bohannon@house.ga.gov>, "Fuller, Antarica" <Antarica.Fuller@house.ga.gov>, "Moghimi, Madeleine" <Madeleine.Moghimi@house.ga.gov>, "Wideman, Kimberli" <Kim.Wideman@house.ga.gov>, "Wright, Sheena" <Sheena.Wright@house.ga.gov>, "Brooks, Dianna" <Dianna.Brooks@house.ga.gov>, "Chappelle, Nicole" <Nicole.Chappelle@house.ga.gov>, "Lewis, Pamela" <Pamela.Lewis@house.ga.gov>, "Sims, Olivia" <Olivia.Sims@house.ga.gov>
Subject: Re: Redistricting Hearing and Statement *** External Email *** *** External Email ***

Thank you for that extra information about the signup process for the first virtual hearing. It'll be helpful as we prepare for the next virtual one. This is the first time this has ever been done, so it's been a learning process for us all.

Next time we will definitely have alternates or a waiting list in case we have so many no-shows again. Having a big joint meeting like that is such an investment for everyone involved, we all wish we'd thought of it before! Chairman Kennedy was just trying to use the time we had to let people speak in person that day -- it wasn't part of our original plan.

I think that rumor you heard was just a theory -- I haven't seen any evidence of that. I sure hope that isn't the case, because, as I said, many people had put a lot of work and heart into that meeting.

I'll forward your email to our Policy Analyst department so they can coordinate with IT on the Google Doc.

From: Cindy Battles [redacted]
Sent: Tuesday, June 29, 2021 9:45:27 AM
To: Rich, Bonnie
Cc: Taylor, Darlene; Holmes, Susan; Alexander, Kimberly; Ballinger, Mandi; Deloach, Buddy; Dollar, Matt; Efstration, Chuck; Fleming, Barry; Gilliard, Carl; Jackson, Mack; Jones, Jan; Nix, Randy; Scott, Sandra; Setzler, Ed; Smith, Lynn; Smith, Richard; mickey.stephens@gmail.com; Sutton, Julie; Bryant, JC; Turner, Vanessa; Holloman, Shunta; Fountain, Lisa; Clark, Peyton; Bohannon, Alicia; Fuller, Antarica; Moghimi, Madeleine; Wideman, Kimberli; Wright, Sheena; Brooks, Dianna; Chappelle, Nicole; Lewis, Pamela; Sims, Olivia
Subject: Re: Redistricting Hearing and Statement *** External Email *** *** External Email ***

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Chairwoman Rich,

I submitted my statement in writing per your instructions but given that I wanted to remark on the process before the meetings are concluded and I am not sure when the submitted written statements will be read, I took the additional step of emailing them directly to the committee. As I mentioned to your staff, there also needs to be a way to attach documents to the statements in case people want to submit data to support their statements. I hope that can be altered to accommodate. I have used Google forms to recruit fellows in the past and it was possible for them to upload a cover letter and resume.

But I am glad you brought up the first meeting. First, there is a rumor that people deliberately signed up and did not log in to give fewer people the chance to speak. I am not sure where that was founded but it does emphasize the need for a waiting list if you are going to limit the virtual meetings to only sixty people. Further, after the word went out that only sixty people would be allowed to speak, we were told an email would go out to let people know whether they were one of the sixty or not. Very few people that I know who signed up received those emails, some had to check in to find out if they were on the list, others assumed if they did not receive the email they were not on the list. I do know that one name you called had not received an email. If you create a waiting list, you will have a list of names to call on if people do not log on, have internet/computer issues, or defer their time. That would allow you to hear from more citizens who want to be involved in the process.

Also, a number of us asked about attending the virtual meeting in person and were told we could not. So, it was a surprise to us when Chairman Kennedy gave "the public" a chance to speak. While it was probably a mistake, it does not give confidence when people are already suspicious of the process.

I do not envy you the task in front of you but I do hope it can be conducted in a manner where citizens feel safe, heard, and considered when the maps are finished.

Thank you,

Cindy Battles (she/her)
Policy & Engagement Director
GA Coalition for the People's Agenda
[redacted]
www.thepeoplesagenda.org

On 2021-06-29 08:35 AM, Rich, Bonnie wrote:

As we explained last night, please submit all written testimony to the central portal by clicking the banner at the top of our home page: www.house.ga.gov. In addition, as is customary with legislative committee meetings, we made the Zoom link available to all members of this Committee. We held an earlier virtual hearing at which all Georgians were invited to speak virtually; unfortunately, more than half of those who signed up to speak did not log into Zoom to do so. The hearing last night was for non-legislators wishing to speak in person. If you would like to attend a virtual hearing, we will have another one later this summer.

Georgia General Assembly
www.house.ga.gov
Georgia General Assembly, is one of the largest state legislatures in the nation. The General Assembly consists of two chambers, the House of Representatives and the Senate.

From: Cindy Battles [redacted]
Sent: Monday, June 28, 2021 9:33:26 PM
To: Rich, Bonnie; Taylor, Darlene; Holmes, Susan; Alexander, Kimberly; Ballinger, Mandi; Deloach, Buddy; Dollar, Matt; Efstration, Chuck; Fleming, Barry; Gilliard, Carl; Jackson, Mack; Jones, Jan; Nix, Randy; Scott, Sandra; Setzler, Ed; Smith, Lynn; Smith, Richard; mickey.stephens@gmail.com
Cc: Sutton, Julie; Bryant, JC; Turner, Vanessa; Holloman, Shunta; Fountain, Lisa; Clark, Peyton; Bohannon, Alicia; Fuller, Antarica; Moghimi, Madeleine; Holloman, Shunta; Wideman, Kimberli; Wright, Sheena; Wideman, Kimberli; Brooks, Dianna; Chappelle, Nicole; Lewis, Pamela; Sims, Olivia
Subject: Redistricting Hearing and Statement *** External Email ***

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Chairwoman Rich and Members of the Committee,

Given that two minutes is not enough to make meaningful comments on the redistricting process in Georgia, I wanted to make sure you got my full testimony so that you can see the concerns we have with the way this process has played out so far and the way it seems to be continuing. It is difficult to say what will happen given that you have not gotten the data; but, given that multiple people were aware of the rumor you intend to redraw districts so that either Carolyn Bordeaux or Lucy McBath lose their seat, it appears that people already know or believe it is not going to be fair. I have attached my full prepared statements to this email and will send an identical email to the Senate Committee.

Our concerns about this process has honestly increased since today's meeting. Not only is the public not being given enough time to make comments, but members of the Republican party are being allowed to to call political activists/candidates they do not agree with names like "terrorist" with no admonishment from either Chair. It does not surprise me that myself and several others in line were harassed by a man wearing a Trump hat and t-shirt who complained about losing his "original neighbors" during his testimony. The environment is one that allows for name calling and even threats with little to no accountability. If you do not set the tone, the harassment will continue.

It was also surprising to see that Zoom testimony was made available for Speaker Jones given it was not an option for Georgia residents, some of whom sat in traffic for hours before giving up hope of making it to the one meeting happening in the metro area. Should I be surprised that Speaker Jones used her time to share revisionist history and what could almost be called propaganda? Yes, Democrats gerrymandered the districts egregiously but Republicans used Section 5 of the Voting Rights Act to sue. AG Holder "pre-approved" the maps because of timing and because it was no use suing Republicans when SCOTUS was still deciding Shelby v. Holder. Further, Speaker Jones neglected to mention the mid-session redistricting that occurred to ensure that while Republicans still only had 53% of the vote, you won a super majority in the Senate. Her speech gave no one hope this process was going to be fair.

Elections do have consequences. I am just wondering if one of those consequences is one party cheating to make sure they decide the next election? It has been done by both parties but at some point, it is incumbent on one party or the other to do the right thing. Republicans may gerrymander districts but if you do, how will you hold Democrats accountable when they are once again in the majority and return the favor? The losers in all of this is the Georgia voter, regardless of party.

Cindy Battles (she/her)
Policy & Engagement Director
GA Coalition for the People's Agenda
[redacted]
www.thepeoplesagenda.org

Exhibit
0011

GEORGIA UNITY MAPS

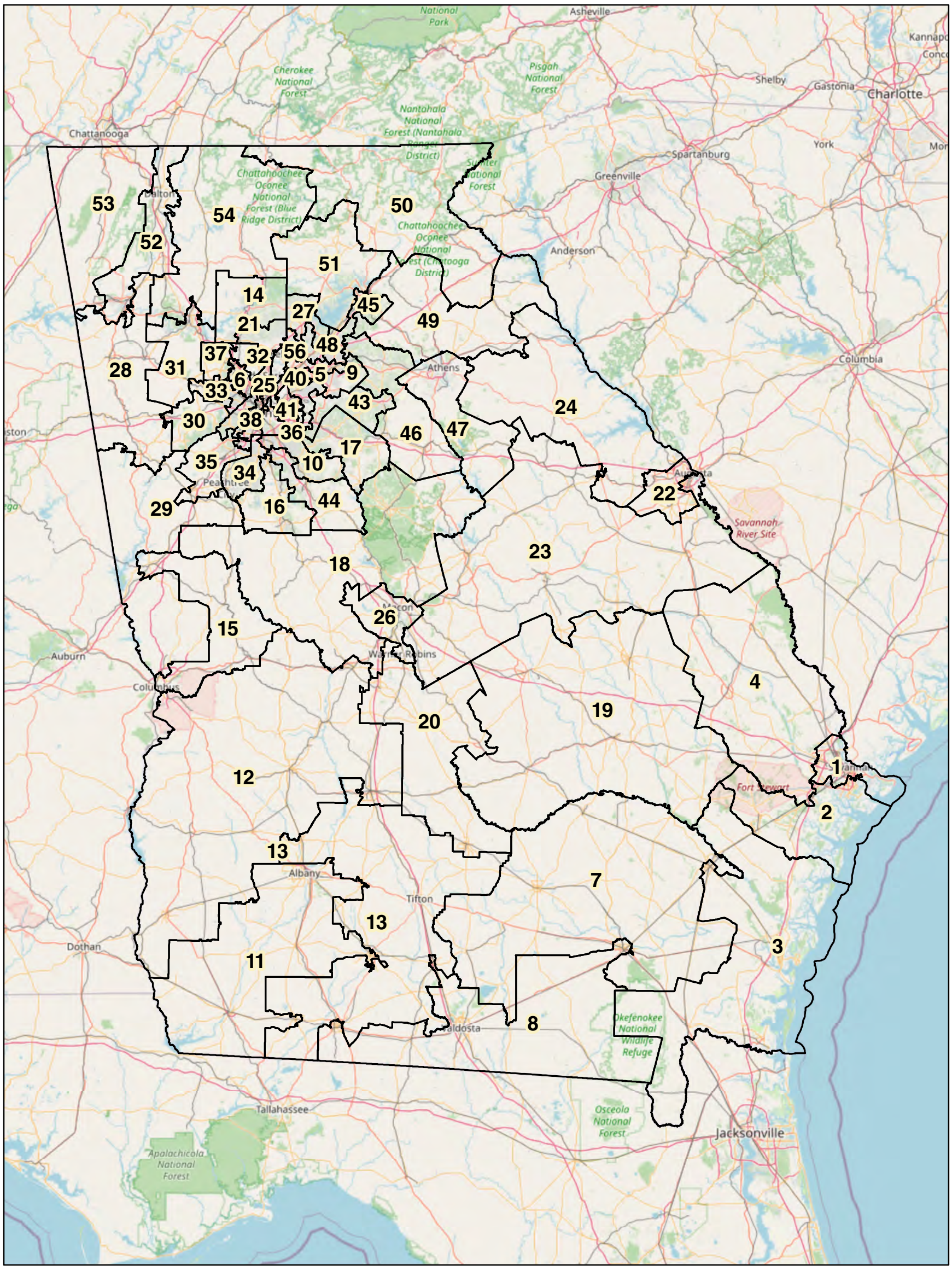
Georgia Senate

G·A·L·E·O

NAACP 1909

The Peoples' Agenda

Urban League of Greater Atlanta



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0012

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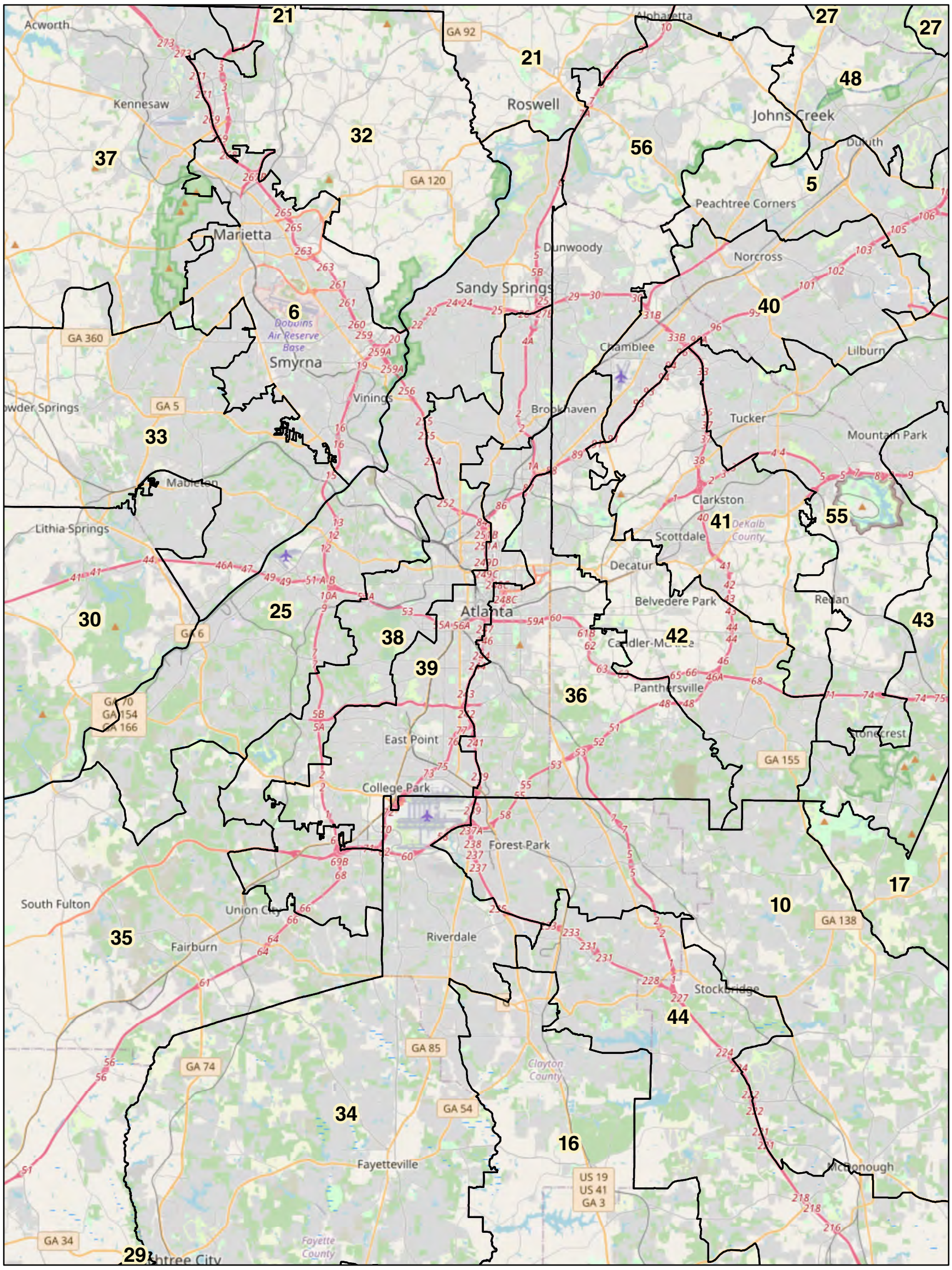

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Exhibit
0013

GEORGIA UNITY MAPS

Georgia House of Representatives

G·A·L·E·O

NAACP 1909

The Peoples' Agenda

Urban League of Greater Atlanta

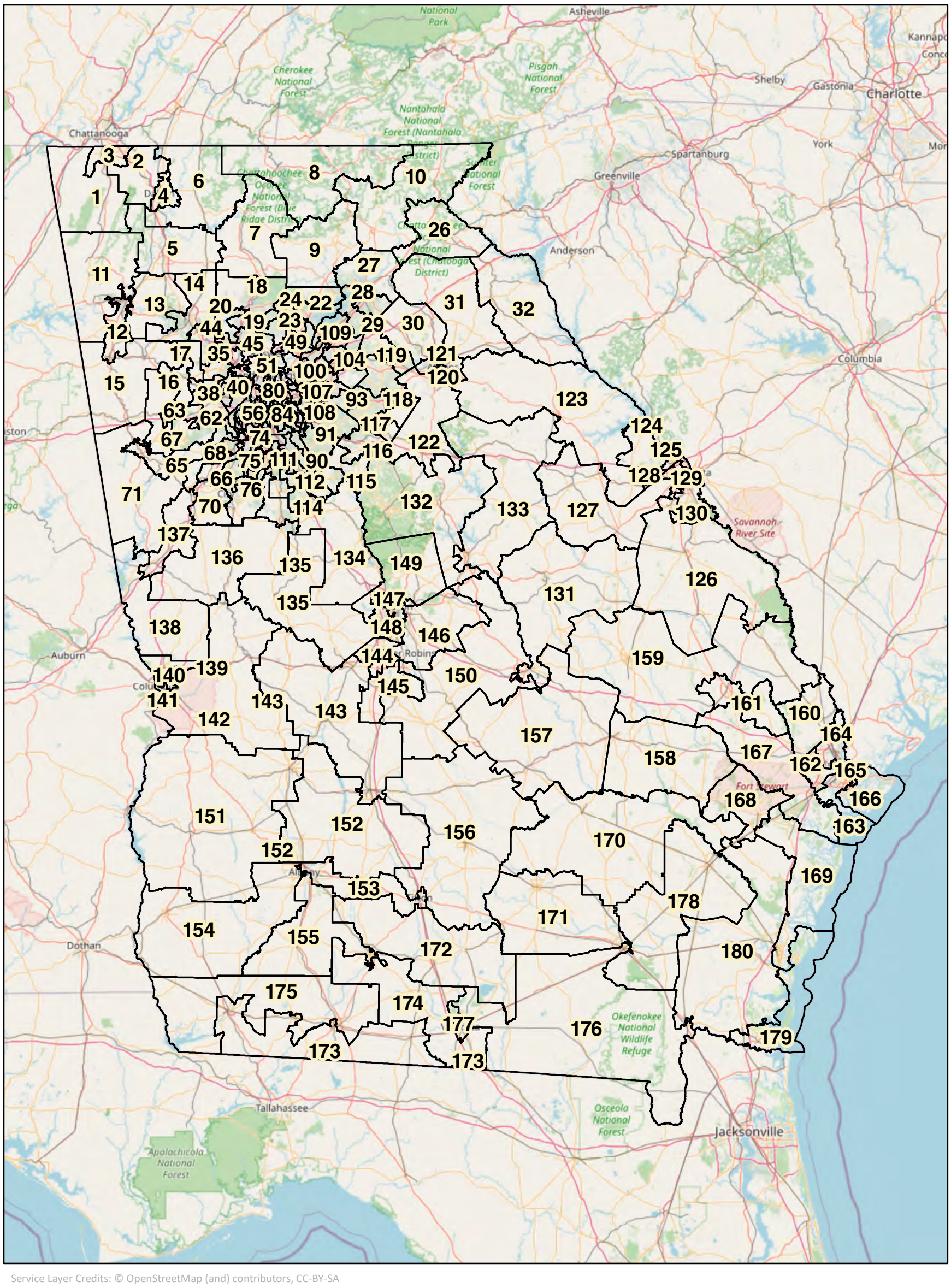

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Exhibit
0014

GEORGIA UNITY MAPS

Georgia House of Representatives

G·A·L·E·O

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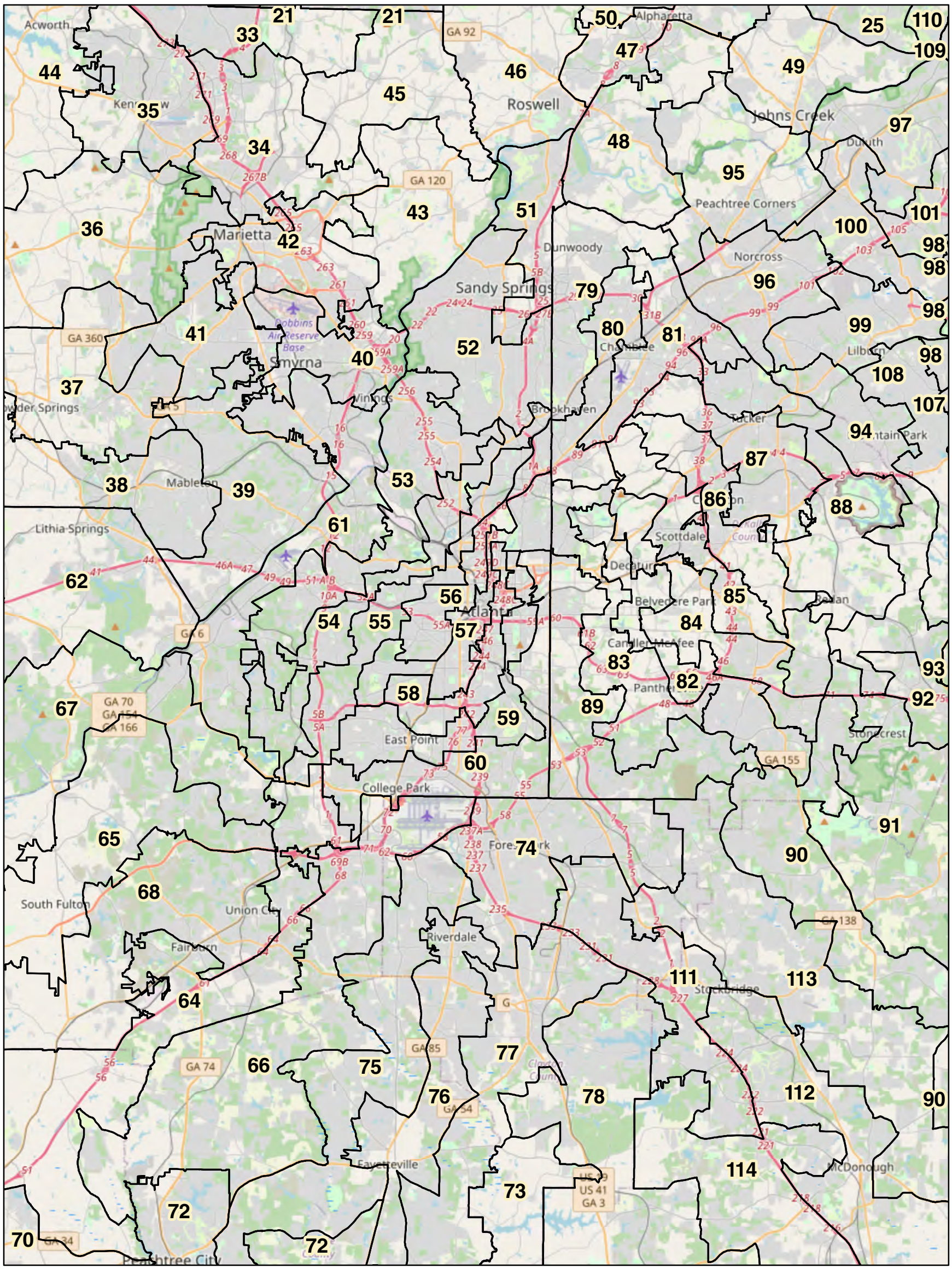
Urban League of Greater Atlanta



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