EXHIBIT N

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

GEORGIA STATE CONFERENCE OF THE NAACP, ET AL.,	
PLAINTIFFS,	Case No. 1:21-CV-5338-ELB-SCJ-SDG
v.	
STATE OF GEORGIA, ET AL.,	
DEFENDANTS.	
COMMON CAUSE, ET AL.,	
PLAINTIFFS,	Case No. 1:22-CV-00090-ELB-SCJ-SDG
v.	
BRAD RAFFENSPERGER,	
DEFENDANT.	

VIDEO RECORDED DEPOSITION OF BENJAMIN SCHNEER
(TAKEN by DEFENDANTS)
ATTENDING VIA ZOOM IN MIDDLESEX COUNTY, MASSACHUSETTS
MARCH 14, 2023

VIDEOGRAPHER: Krishan Patel

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

1 describing that pattern accurately. The leap that
2 you're making though and that Dr. Alford is making is
3 that you can attribute a cause, that the party is the
4 cause of that. And what I'm saying is that there's not
5 evidence to make that leap.
6 Q But there's also not evidence to suggest that
7 changing the race of the candidate affects voter
8 behavior in your analysis; right?
9 A I mean, I don't know that we need to go back
10 over this all over again. But, again, the -- you know,
11 that's -- I don't believe that's what you can -- the
12 statement you just made I don't believe you can
13 conclude what you're saying from my report, no.
14 Q So black voters in Georgia are uniformly
15 voting in support of democratic candidates --
16 correct? -- in the races that you analyzed?
17 A Yes. That's correct.
18 Q By a very large margin. Is that fair to say?
19 A Based on my analysis, yes, that is fair to
20 say.
21 Q Okay. But it's not true that black voters in
22 Georgia exclusively favor black candidates running for
23 election in Georgia unless that black candidate is a
24 Democrat? It is true to say that. Let me rephrase
25 that because that's going to come out poorly.

1 view.
2 Q Okay. Is there -- do you see any benefit of
3 maybe including it but not allowing it to alter your
4 conclusions given its differences but still including
5 it in the report?
6 A I don't know. I'm not sure. I mean, I
7 guess, you know, ultimately, I didn't include it. I
8 guess you could make an argument of putting it in the
9 appendix. I don't think it matters really one way or
10 the other.
11 Q Okay. Paragraph 20, just the next page over,
12 you state in the second sentence that "Primary
13 elections may be of use in racially polarized voting
14 analysis, but in my view studying them is not necessary
15 or sufficient for drawing conclusions about racially
16 polarized voting in Georgia general elections."
17 If you're not studying primary elections, how
18 are you able to determine -- or are you able to
19 determine whether voters are simply voting for a
20 candidate based on their party as opposed to based on
21 their race?
22 A Well, again, that goes back to this kind of
23 fundamental point I'm trying to make, which is I'm not
24 trying to disentangle those things in my report. I'm
25 describing how these different racial groups vote,

which, in my understanding is what I need to know to make this determination about racially polarized voting.

I think the issue with the primaries is -- which I lay out in the report -- is that the -- you know, for one, the electorates differ. So ultimately what I'm interested in this report is electing candidates of choice, which occurs in the general election; right? And so to the -- you know, so there's an element to which the electorate in the general election is very different than in a primary election. And so you can draw inferences about a primary electorate that may or may not carry over to the general election and vice versa. So that's kind of -- that's the caution I have with primaries. I don't think that it's necessarily wrong to look at primaries. But for -- in my view, for the -- what I'm doing in this report it, as I said, was not necessary, nor would it be sufficient to, for example, just look at primaries.

Q Okay. I bring you down to paragraph 27.

A Okay.

Q The second sentence in paragraph 27 states "When a minority candidate was not one of the two major party candidates, minority voters continued to vote