

EXHIBIT D

Grant, Annie Lois, et al.v. Raffensperger, Brad, E

Page 1

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF GEORGIA
3 ATLANTA DIVISION

4 ANNIE LOIS GRANT, et al.,

5 Plaintiffs,

6 v.

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

7 BRAD RAFFENSPERGER, in his
8 official capacity as the
9 Georgia Secretary of
10 State, et al.,

11 Defendants.

12 COAKLEY PENDERGRASS, et al.,

13 Plaintiffs,

14 v.

CIVIL ACTION FILE
NO. 1:21-CV-05339-SCJ

15 BRAD RAFFENSPERGER, et al.,
16 Defendants.

17 VIDEOTAPED ZOOM DEPOSITION OF
18 MAXWELL PALMER, Ph.D.

19 February 22, 2023

20 9:28 A.M.

21 Lee Ann Barnes, CCR-1852B, RPR, CRR, CRC
22
23
24
25

1 question, for the record.

2 BY MR. JACOUTOT:

3 Q. So let me ask you this: What is your
4 standard for determining racial polarization?

5 A. So determining racial polarization, to me,
6 comes in three parts.

7 First, I have to see if -- and just to
8 simplify, just for black and white voters as I'm
9 looking for here. If black voters vote
10 cohesively -- that is, do they -- do the large
11 majority of the black voters support the same
12 candidate -- then do white voters vote cohesively,
13 do a large majority of white voters support the same
14 candidate, and then are they different candidates or
15 not. So you first have to have a candidate of
16 choice for each group and then those have to be
17 different candidates.

18 Q. Okay. And how do you -- how do you define
19 cohesively as used in that standard?

20 A. I don't have a bright-line test. Here the
21 results are unambiguous regardless of any cutoff you
22 might want to use.

23 Q. And you didn't examine any primary data in
24 your analysis; right? It was strictly limited to
25 general elections and runoffs, I believe.

1 A. That's correct.

2 Q. Okay. Do you know if there's a -- and
3 this is just for how you operate personally in this
4 area.

5 But do you know if there is a cutoff, like
6 or a threshold level of support that you need to
7 achieve in order to find -- in order for you to find
8 that a -- a group voted cohesively in a given
9 election?

10 A. I don't have a bright-line cutoff.

11 Q. If a group voted 55 percent for the same
12 candidate, would you -- would you find that to be
13 cohesive voting of that group?

14 A. Generally weakly cohesive or not cohesive.

15 Q. Okay. And if there's weak cohesion --

16 A. Sorry. I -- I would say that's not
17 cohesive.

18 Q. Okay. What about 60 percent?

19 Have you ever seen a -- examined an
20 election contest where an indiv- -- a group that you
21 were analyzing voted 60 percent for a candidate -- a
22 given candidate, would you -- have you ever said
23 that that was sufficiently cohesive, in your
24 opinion, for your -- for purposes of your racial
25 polarization analysis?