

# Exhibit E

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

EAST ST. LOUIS BRANCH NAACP, et al.,

Plaintiffs,

vs.

Case No.

1:21-CV-05512

ILLINOIS STATE BOARD OF ELECTIONS,  
et al.,

Defendants.

ZOOM DEPOSITION OF DR. RYAN D. WEICHELT  
Taken on behalf of Legislative Defendants  
December 3, 2021  
10:02 a.m.

NAOLA C. VAUGHN, CCR, RPR, CRR, CCP  
MO CCR #1052  
KS CCR #0895

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Defendants.

ZOOM DEPOSITION OF DR. RYAN D. WEICHELT,  
produced, sworn and examined on behalf of the  
Legislative Defendants, pursuant to Notice, on  
Friday, the 3rd day of December 2021, between the  
hours of 10:02 a.m. CST and 12:33 p.m. CST of that  
day, with all participants appearing remotely from  
their respective locations, and reported  
stenographically by me, NAOLA C. VAUGHN, MO CCR  
1052, KS CCR 0895, CRR, RPR, a Certified Court  
Reporter, within and for the States of Missouri and  
Kansas.

A P P E A R A N C E S

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BY: ELIZABETH H. YANDELL

Also Present (via Zoom):

Ami Gandhi  
Carl Gibbons  
Chris Comstock  
Erica Knox  
Heather Wier Vaught  
Jason Enos  
John Greenbaum  
Ryan Snow

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I N D E X

WITNESS: DR. RYAN D. WEICHELT

Examination by Ms. Yandell ..... 5

EXHIBITS

NUMBER	DESCRIPTION	PAGE
Exhibit 1 -	Expert Report of Dr. Ryan D. Weichelt	58
Exhibit 2 -	Rebuttal Report of Dr. Ryan Weichelt	60

1 DR. RYAN D. WEICHELT,  
2 the deponent, being first duly sworn, testified as  
3 follows:

4 EXAMINATION

5 BY MS. YANDELL:

6 Q. Good morning, Dr. Weichelt. My name  
7 is Libby Yandell. I'm an attorney with Latham &  
8 Watkins, and I represent the legislative  
9 defendants in this action.

10 And the first thing I want to do is  
11 make sure I'm pronouncing your name correctly.

12 Is it Weichelt?

13 A. Yes, it is.

14 Q. Okay. Great. And where are you  
15 located today?

16 A. I'm in Eau Claire, Wisconsin.

17 Q. And where specifically? Is that in  
18 your office?

19 A. Yes.

20 Q. Okay. And is anyone else in the room  
21 with you today?

22 A. No.

23 Q. All right. And which attorney here in  
24 our Hollywood Squares is going to be representing  
25 you today; do you know?

1           A.       I believe Mr. Drayton.

2           Q.       Okay. And have you been deposed  
3 before?

4           A.       No, I have not.

5           Q.       So I'll go over a few kind of baseline  
6 rules and recommendations, all right.

7                    So you understand that you just took  
8 an oath and that's the same oath you would take if  
9 you were in court. So you're required to tell the  
10 truth today.

11                   Do you understand that?

12          A.       Yes, I do.

13          Q.       We have a court reporter here with us,  
14 Ms. Naola, and she's going to be taking down every  
15 word that you say and that I say. So it's going  
16 to be important that we don't speak over each  
17 other.

18                   Does that make sense?

19          A.       Yes, it does.

20          Q.       And please give all your answers with  
21 a verbal answer instead of a nod or an uh-huh, all  
22 right?

23          A.       Okay.

24          Q.       So I'll be asking a lot of questions  
25 today, and if you don't understand my question or

1       need a clarification, you'll need to let me know  
2       that. So if you answer my question without asking  
3       for clarification, I'm going to assume you  
4       understand it.

5                       Does that work?

6               A.       Yes.

7               Q.       So one aspect of depositions that's  
8       kind of unnatural is that your attorney,  
9       Mr. Drayton, may object to many of the questions I  
10      ask you.

11                   And you are still obligated to answer  
12      my question unless he instructs you specifically  
13      not to answer it.

14                   Does that make sense?

15              A.       Yes.

16              Q.       So I understand you have some other  
17      obligations today, maybe a child's birthday; is  
18      that right?

19              A.       Yes. It's my son's birthday today.

20              Q.       Okay. So we'll just try to keep  
21      things moving as quickly as we can to make sure we  
22      don't impede on those obligations.

23                   So I just wanted you to understand  
24      kind of the objection, and that you "just go ahead  
25      and still answer" situation.



1           I guess the last thing is that if  
2   you -- you know, we're not going to be on all day  
3   today, but if you need a break, just please let me  
4   know, all right?

5           A.     Okay.

6           Q.     And we'll probably take a break, even  
7   if you don't need one, because our reporter will  
8   need a break at some point probably, all right.

9           Because we're in a virtual setting,  
10  just a few extra things.

11           Is there anything on your screen right  
12  now, aside from our Zoom app and programs  
13  necessary for the deposition?

14           A.     I just have the screen of the Zoom app  
15  up. That is it.

16           Q.     Okay. Great.

17           We'll need to have kind of a rule that  
18  you don't communicate with your counsel while  
19  we're on the record.

20           Can you agree to that?

21           A.     Yes.

22           Q.     And are there any -- what documents do  
23  you have access to right there in the room with  
24  you?

25           A.     I have the initial report that I did,

1 the rebuttal report, the amended report, the  
2 amended rebuttal report, as well as the initial  
3 report sent by the lawyers, and then their  
4 response. The defendant -- to the defendants  
5 discussion.

6 Q. Okay. That sounds like a good set.  
7 So please keep those to the side for  
8 now.

9 A. Okay.

10 Q. And if I need you to access them, I  
11 will let you know, but do not access them unless I  
12 ask you to, all right?

13 A. Okay.

14 Q. Good.

15 All right. Today I'm going to do a  
16 couple shortcuts to keep things moving in terms of  
17 how I refer to things. So I'll just go through  
18 these quickly. I'm going to refer to the parties  
19 that I understand have engaged you as NAACP.

20 Does that work?

21 A. Yes.

22 Q. And when you say the defendants, I'll  
23 be referring to the parties I represent, the  
24 legislative defendants, okay?

25 A. Okay.

1           Q.     If I say Senate Bill 927, do you --  
2     can we agree that I'm referring to the legislative  
3     redistricting plans that were passed in September  
4     of this year?

5           A.     Yes.

6           Q.     And if I refer to that as the  
7     September plan, will you also understand that to  
8     refer to Senate Bill 927?

9           A.     Yes, I will.

10          Q.     And if I refer to the June plan, will  
11     you understand that I am referring to the  
12     redistricting plan that was passed in June of this  
13     year?

14          A.     Would that be referring to 2777?

15          Q.     House Bill 2777, yes.

16          A.     Yes.

17          Q.     Okay. Great. And if I use the  
18     acronym, VAP, I'll be referring to voting age  
19     population.

20                     Does that work?

21          A.     Yes.

22          Q.     And if I say CVAP, I'll be referring  
23     to citizen voting age population.

24                     Do you understand that?

25          A.     Yes.

1           Q.     All right.   So I'll ask you a few  
2     questions about what you did to prepare to be here  
3     today.

4                     So did you meet with your attorneys?

5           A.     In what -- in what format?

6           Q.     In any format.   And don't disclose the  
7     contents of what you discussed.   It's just a yes  
8     or no.

9           A.     Yes.   I met with the attorneys.

10          Q.     I assume that was virtually?

11          A.     Yes, it was.

12          Q.     When did you have that preparation  
13     meeting?

14          A.     That happened yesterday.   The 2nd.

15          Q.     And about how long did you meet?

16          A.     I don't have an exact hour.

17     Three hours, four hours.   Something to that  
18     effect.

19          Q.     Did you review any documents during  
20     that meeting?

21                     MR. DRAYTON:   I'm going to just  
22     instruct the witness not to answer that question.

23                     MS. YANDELL:   It's a yes or no.   I  
24     don't need the details of which documents.

25                     MR. DRAYTON:   You can answer yes or no

1 to that.

2 A. Yes.

3 Q. BY MS. YANDELL: Okay. Are you aware  
4 of the identities of the NAACP's other experts in  
5 this case?

6 A. I know of the ones that were listed in  
7 the briefs.

8 Q. Did you review the report of  
9 Dr. Collingwood?

10 A. No, I did not.

11 Q. Okay. Did you review the report of  
12 Dr. Tolson?

13 A. No, I did not.

14 Q. Are you aware of the identity of any  
15 of the other experts in these actions for other  
16 plaintiffs?

17 A. Unless they -- if they were listed in  
18 some of briefs I looked, I couldn't give you an  
19 exact name.

20 Q. Um-hum. Did you review the reports of  
21 any other expert in this -- in any other action?

22 A. I reviewed Dr. Lichtman's report that  
23 was provided to me. I just looked over it.

24 Q. I believe your rebuttal report  
25 mentions that you reviewed the remedial plan

1 submitted by the Republican plaintiffs; is that  
2 right?

3 A. I only reviewed the shape files that  
4 were sent along.

5 Q. All right. You're being compensated  
6 at a rate of \$175 an hour for your work on this  
7 matter; is that right?

8 A. That is correct.

9 Q. And who is compensating you?

10 A. That would be the Cooley law firm.

11 Q. When were you first contacted about  
12 this case?

13 A. I can't remember the exact date, but  
14 mid, late September, I believe, somewhere in that  
15 area.

16 Q. And who contacted you?

17 A. That would have been James Tucker.

18 Q. And is he with Cooley?

19 A. He's with the Lawyers Committee.

20 Q. And when did you begin your work on  
21 this case? Around the same time?

22 MR. DRAYTON: Objection to the  
23 question. And I think if you're talking about his  
24 work on the -- on his report, the things that he's  
25 testifying about, that's one thing. But to the

1 extent he did other work that is privileged, he  
2 doesn't really -- shouldn't disclose anything  
3 about it at all.

4 Q. BY MS. YANDELL: I'm just interested  
5 when you started working on this case, how long  
6 you've been working on this case. I don't need  
7 any privileged information.

8 MR. DRAYTON: And, again, I think  
9 that -- the answer to the question should just be,  
10 you know, when we started working on things that  
11 related to his opinions in this case. And not  
12 other matters that are -- would deem to be  
13 attorney-client work privilege, if he was working  
14 with the lawyers on a consulting basis.

15 Q. BY MS. YANDELL: Okay. Go ahead and  
16 answer the question, Mr. -- Dr. Weichelt.

17 MR. DRAYTON: Without divulging the  
18 privileged information, you can answer.

19 A. Could you please repeat the question?

20 Q. BY MS. YANDELL: When did you start  
21 working on your report in this case?

22 A. So you're asking when the report was  
23 done, not when the initial discussion was going  
24 on?

25 Q. BY MS. YANDELL: I'm asking when you

1 started working on this case, and for you to  
2 answer the question without divulging privileged  
3 information.

4 A. It would have been in, sometime,  
5 September, early October.

6 Q. All right. Thank you.  
7 Are you from Wisconsin?

8 A. Yes, I am.

9 Q. And you studied undergrad at  
10 University of Wisconsin; right?

11 A. The University of Wisconsin - Eau  
12 Claire.

13 Q. And you obtained graduate degrees from  
14 Texas State at St. Marcus, and the University of  
15 Nebraska?

16 A. Yes. The University of Nebraska -  
17 Lincoln.

18 Q. And your first post -- post-degree  
19 teaching position, that was at University of  
20 Central Oklahoma; is that right?

21 A. Yes. I was a visiting professor  
22 there.

23 Q. And since that time have you been  
24 employed by University of Wisconsin - Eau Claire?

25 A. Yes. Since August of 2009.



1 Q. Have you ever lived in Illinois?

2 A. No, I have not.

3 Q. Have you ever been to Illinois?

4 A. Yes, I have.

5 Q. What parts have you visited?

6 A. I've been in a lot of places, I guess.  
7 I've driven through numerous times. Been to  
8 Chicago numerous times. Been to other places,  
9 Belvidere. I've been, you know -- I've driven  
10 through a lot of Illinois.

11 Q. So your report discusses exclusively  
12 an area called the Metro East area of Illinois.

13 Would you agree with that?

14 A. Yes.

15 Q. Have you ever visited the Metro East  
16 area?

17 A. I have driven through a number of  
18 times.

19 Q. Okay. Have you ever stopped in the  
20 Metro East area?

21 A. Can you explain what you mean by  
22 stopped?

23 Q. For something more than gas.

24 Have you ever spent a night in Metro  
25 East area?

1 A. No, I have not.

2 Q. Have you ever had a meal in the  
3 Metro East area?

4 A. I believe once we stopped at a  
5 McDonald's, driving through in the East St. Louis  
6 area, but I can't give you a date on that.  
7 So . . .

8 Q. No problem.

9 So your report primarily adjust lines  
10 for House District 114, and that results in  
11 changes to the neighboring districts; is that  
12 correct?

13 A. Can you say specifically which  
14 neighboring district you're referring to?

15 Q. Sure. But you can always add that,  
16 okay.

17 So your report adjusts lines for  
18 House District 114; is that right?

19 A. That's one part, but it also -- other  
20 plans require some adjustments to other districts.

21 Q. What other districts did you adjust  
22 lines for?

23 A. It varies from the different plans,  
24 but in some cases mostly 112, House District 112,  
25 House District 113, and in some plans a little bit

1 of House District 111.

2 Q. And is your understanding that changes  
3 to those house districts would necessarily result  
4 in changes to the senate districts in which those  
5 house districts are nested?

6 A. Yes.

7 Q. So the NAACP plaintiffs assert that  
8 House District 114 has been a safe district for  
9 black voters since the 1970s.

10 Do you agree with that position?

11 A. Can you define what you mean by  
12 "safe"?

13 Q. Why don't you tell me if you agree  
14 with that position generally based on your  
15 understanding of "safe."

16 A. I guess I'm not understanding what you  
17 mean by "safe."

18 Q. So do you -- your report mentions that  
19 a black representative has been elected in  
20 House District 114 since the 1970s; right?

21 A. Yes.

22 Q. So my question is: The parties that  
23 you are engaged by have written in their briefs to  
24 the court that House District 114 has been safe  
25 for black members to be elected since the 1970s.

1                   So what is your interpretation of what  
2                   they might mean by that based on your studies of  
3                   the Metro East area?

4                   MR. DRAYTON: Objection to form and  
5                   scope. Outside of the report.

6                   Q.       BY MS. YANDELL: Go ahead and answer.

7                   A.       I'm sorry. You broke up there.

8                   Q.       Go ahead and answer.

9                   A.       Okay. I guess in the sense of that a  
10                  black candidate was elected.

11                  Q.       So do you agree that  
12                  House District 114 is a safe district for a black  
13                  member to be elected?

14                  MR. DRAYTON: Objection to form and  
15                  scope.

16                  Q.       BY MS. YANDELL: Go ahead.

17                  A.       I will say that a black candidate has  
18                  been elected, but I don't have a definition based  
19                  on what you mention as "safe." I don't know what  
20                  that -- that could mean many different things.

21                  Q.       In studying the Metro East area -- let  
22                  me back up.

23                         I assume you studied the Metro East  
24                  area in order to draw the maps that you present in  
25                  your various reports; is that right?

1           A.       Yes. I looked at the Metro East area.

2           Q.       And when you say looked at the  
3 Metro East area, what do you mean by that?

4           A.       I looked at the specific demographic  
5 variables to both St. Clair County and Madison  
6 County, taking into consideration where different  
7 groups of people were living. And then looking at  
8 socioeconomic variables, more specifically in  
9 St. Clair County.

10          Q.       In studying the Metro East area, did  
11 you observe whether race and political affiliation  
12 are correlated?

13          A.       That was not the scope of my report.

14          Q.       So you did not look at that at all?

15          A.       I looked at election results to see  
16 who had won particular districts, but I did not do  
17 specific statistical analyses and correlation of  
18 voting results.

19          Q.       Do you have an understanding of  
20 whether white voters correlate with Republican  
21 affiliation in the Metro East area?

22                   MR. DRAYTON: Objection to form.  
23 Scope.

24          Q.       BY MS. YANDELL: You have to answer  
25 every question unless he tells you not to.

1           A.       Okay. You were before telling me to  
2       answer. I'm sorry. Okay.

3                   Can you repeat the question? Sorry.  
4       I got distracted.

5           Q.       Do you have an understanding of  
6       whether white voters correlate with Republican  
7       voters in the Metro East area?

8           A.       Again, that was not in the scope of  
9       my --

10                   MR. DRAYTON: Objection. Same  
11       objection.

12                   You can answer.

13           A.       Great. Yeah. That was not in the  
14       scope of my report.

15           Q.       BY MS. YANDELL: So you don't have an  
16       understanding of it?

17                   I understand it's not in the scope of  
18       your report, but we can talk about things outside  
19       the scope of your report. So I need to know if  
20       you have an understanding of it at all.

21           A.       I guess I'm not understanding what  
22       you're getting at.

23           Q.       You just need to answer the question  
24       whether or not it's in your report.

25           A.       It's not in my report.

1 Q. So I understand that.

2 A. Okay.

3 Q. So I could ask you if you play  
4 baseball on the weekend, and that's not in your  
5 report and you have to answer it.

6 So whether or not it's in your report,  
7 my question that I need an answer to is whether  
8 you have an understanding of whether white voters  
9 correlate with Republican voters in the Metro East  
10 area?

11 MR. DRAYTON: Same objection.

12 Q. BY MS. YANDELL: Do you know either  
13 way?

14 A. I don't have specific analysis because  
15 that was not in the scope of my report.

16 Q. And do you have an understanding of  
17 whether black voters correlate with Democratic  
18 voters in the Metro East area?

19 MR. DRAYTON: Same objection.

20 A. Again, that wasn't in the scope of my  
21 report to run analysis on voting results.

22 Q. BY MS. YANDELL: So you did not do any  
23 analysis on whether black voters correlate with  
24 Democratic voters in the Metro East area? Is  
25 that -- am I -- am I saying that correctly?

1           A.       In this report I did not run any  
2       analysis on election results for any group.

3           Q.       All right. In your report you talk  
4       about some of the area of the Metro East, and you  
5       give them labels such as urban core, outer core,  
6       and periphery.

7                    Do you recall that part of your  
8       report?

9           A.       Yes, I do.

10          Q.       Did you do any analysis of whether  
11       voters in the urban core tend to be Democratic  
12       voters?

13          A.       Again, I didn't do analysis, a  
14       specific statistical analysis of election results.

15          Q.       So I just need you to answer my  
16       question. And that will keep the day moving a lot  
17       quicker. So I'm going to read it back exactly as  
18       I said it.

19                   Did you do any analysis of whether  
20       voters in the urban core areas tend to be  
21       Democratic voters?

22          A.       As you phrase that question, I looked  
23       at voting results and saw the patterns throughout  
24       the two counties.

25          Q.       So in the data that you observed,



1 voters in the urban core areas tend -- do they  
2 tend to be Democratic voters?

3 A. Yes. Looking at --

4 MR. DRAYTON: Objection to form.

5 A. So, again, in the scope of my report,  
6 we didn't do that. But looking at those results  
7 you can see the Democratic percentages increase in  
8 the Metro East area and decrease as you move  
9 farther out of the Metro East area.

10 Q. BY MS. YANDELL: And when you say the  
11 Democratic numbers decrease as you move farther  
12 out of the Metro East area, do you mean into the  
13 periphery areas, as you called them?

14 A. Into both the outer core and then into  
15 the periphery areas.

16 Q. Okay. Did you interview anybody in  
17 preparing to draw your maps or write your report?

18 A. No, I did not.

19 Q. Did you study the differences between  
20 any of the municipalities that are affected by the  
21 plans you present?

22 A. Can you explain what you mean by that  
23 question?

24 Q. Sure.

25 A. By "differences."

1           Q.     You -- your plan affects the area  
2     called Washington Park; is that right?

3           A.     Washington Park's part of the plan,  
4     yes.

5           Q.     Okay. Do you -- what do you know  
6     about Washington Park?

7           A.     Yep. It's a very -- it's a small  
8     area, but it's a very compact village that has a  
9     very large black population.

10          Q.     Do you know anything else about  
11     Washington Park?

12          A.     It models very similar socioeconomic  
13     results of the other -- of black areas  
14     specifically in the Metro East area. So it's a  
15     poor black area.

16          Q.     And what about Fairview Heights? What  
17     do you know about Fairview Heights?

18          A.     Fairview Heights is a neighborhood  
19     directly east of that area. It's a -- not as  
20     black of a core area, but there's still  
21     significant sizable population there.

22          Q.     And what about Belleville? What do  
23     you know about Belleville?

24          A.     Belleville is a -- one of the larger  
25     urban areas in the Metro East area and extends to

1 the south and east of the -- you think about the  
2 core Metro East area. It's to the south and east  
3 of East St. Louis.

4 Q. So socioeconomically, what do you know  
5 about Belleville? Anything?

6 A. Yeah. It fits into that -- we talked  
7 about inner core, outer core, as it's sort of  
8 transitioning out of the inner core to the outer  
9 core, has a higher socioeconomic status than you'd  
10 see in the inner core area. It's kind of a  
11 transition area. You could argue transitioning  
12 from industry down to suburbanization.  
13 Suburbanized neighborhood.

14 Q. Do you have any idea whether  
15 Belleville is populated by white voters or black  
16 voters?

17 A. There's white and black persons that  
18 live there, and I assume they vote. So there's --  
19 yeah.

20 Q. Thinking about the Metro East area,  
21 does the reference to "up the hill" mean anything  
22 to you in terms of geography?

23 A. I am unaware of that term.

24 Q. And what about "down the hill"? I  
25 assume the same answer?

1           A.       Yeah. I'm unaware of that term.

2           Q.       Okay. I should have asked this  
3 earlier.

4                   Dr. Weichelt, have you served as an  
5 expert witness before in any other legal  
6 proceeding?

7           A.       Yes, I have.

8           Q.       How many times?

9           A.       One time.

10          Q.       And what was that case?

11          A.       I was a rebuttal witness in the  
12 Western Native Wises versus -- I can't remember  
13 the -- I can't remember the --

14          Q.       No problem.

15          A.       It was a case in Montana.

16          Q.       And when was that case? Just an  
17 estimate.

18          A.       That was last September of 2020.

19          Q.       And were you qualified by a federal  
20 court as an expert in that case?

21          A.       In that case it was state court.

22          Q.       And were you qualified as an expert  
23 witness by the court?

24          A.       Yes, I was.

25          Q.       What kind of witness were you

1 qualified as?

2 A. Expert with geography in geospatial  
3 analysis.

4 Q. Did your work in that case involve  
5 drawing redistricting plans?

6 A. No, it did not.

7 Q. So is this the first case in which you  
8 have served as an expert and submitted proposed  
9 redistricting plans as part of your report?

10 A. Yes, it is.

11 Q. Now, thinking about the several plans  
12 you submitted in this case, just kind of  
13 collectively, did anyone have input on how you  
14 drew these maps besides you?

15 A. What do you mean by input?

16 Q. Did you draw them by yourself or did  
17 anyone contribute?

18 A. I drew them by myself, but had the, I  
19 guess, discussions.

20 Q. Who did you have discussions with?

21 A. The -- just talking with the legal  
22 team.

23 Q. So the legal team gave you input on  
24 how to draw the plans that you submitted in your  
25 reports?

1           A.       No, they did not tell me how to draw  
2       the plans.

3           Q.       So did anyone give you input in any  
4       way on how to draw the plans you submit in your  
5       reports?

6           A.       In terms of how I did them, like going  
7       through the process of creating them?

8           Q.       No. Not in terms of what buttons you  
9       pressed and software you used. In terms of where  
10      you drew the lines.

11                   Did anyone else give you input on how  
12      to draw the lines in the plans you submitted in  
13      your report?

14                   MR. DRAYTON: Objection to form.

15           A.       Through the discussions, you know, no  
16      one specifically said, okay, go draw that line  
17      over there or that particular spot. You know, we  
18      discussed looking at --

19                   MR. DRAYTON: Objection. I just want  
20      to caution the witness, you know, to the extent  
21      that you rely on something an attorney told you in  
22      order to prepare a map, you can answer this  
23      question. To the extent you did not, you -- I  
24      instruct you, you know, not to divulge  
25      conversations you had with the attorneys in the

1 case.

2 Q. BY MS. YANDELL: I'm not looking for  
3 what any attorney told you, which would be  
4 privileged information, probably.

5 I'm just wondering whether you drew  
6 these maps all by yourself with no input from  
7 anyone else or whether you had input from others.

8 MR. DRAYTON: Objection to form.

9 A. Their input -- I discussed this with  
10 the lawyers.

11 Q. BY MS. YANDELL: Can you -- just for  
12 the record, what software did you use to draw the  
13 plans that are in your reports?

14 A. Yes. So the redistricting process  
15 itself was done with something called ESRI,  
16 redistricting -- ESRI Redistricting Online, and  
17 this was version 2.36. Additional analysis was  
18 done by exporting some of the shape files to  
19 verify some things using Arc Map 10.8, and maps  
20 were then created in Adobe Illustrator and for  
21 illustrative purposes.

22 MS. YANDELL: And for the reporter,  
23 ESRI is E-S-R-I.

24 Q. BY MS. YANDELL: Okay. So you have  
25 prepared amended versions of both your initial and

1 your reply report; is that right?

2 A. Yes. Excuse me a second. Sorry.

3 Yes.

4 Q. Are you all right?

5 A. Yeah. Sorry. Got a frog in my  
6 throat.

7 Q. Do you need to get some water?

8 A. No. I'm good.

9 Q. Okay. And so the amended reports,  
10 it -- was necessary to amend your reports, I  
11 assume because there were errors in the original  
12 versions; is that right?

13 A. I wouldn't -- they weren't errors. It  
14 was just using different data.

15 Q. Okay. So what different data did you  
16 use in your amended reports versus your initial  
17 reports?

18 A. So the initial report specifically  
19 using the ESRI software, they were using something  
20 called standard VAP. And that included the --  
21 included -- it said non-white, non-black, but that  
22 included different and biracial groups that were  
23 added into it.

24 And so if you were -- say, you could  
25 be considered black but then black and white, and



1       that would get added into that particular numbers.  
2       So that data from ESRI, I was using that to  
3       correlate with everything else. The State had  
4       used the P2 and P4 versions. And so the amendment  
5       was basically to be consistent with what the State  
6       had done.

7             Q.       So you submitted your reply report on  
8       December 1st, two days ago; is that right?

9             A.       I believe so, yes.

10            Q.       So at what point did you realize that  
11       you needed to make these changes to your report?

12            A.       Around that time.

13            Q.       When?

14            A.       I believe that day.

15            Q.       So how did you come to realize you  
16       needed to change your reports on December 1st  
17       versus November 30th?

18            A.       We were -- I, myself, was doing some  
19       analysis in comparing what the State had and  
20       realized some of the numbers were off.

21            Q.       And --

22            A.       Compared to what the State had.

23            Q.       How many changes to your initial  
24       report were necessary based on this new data?

25            A.       I don't have an exact number of the

1 specific number of changes, but there were --  
2 there were -- as you see in the report, there are  
3 a number of changes.

4 Q. And that's the same for the amended  
5 reply report?

6 A. You mean the rebuttal report?

7 Q. Sure.

8 MR. DRAYTON: Objection to form.

9 Q. BY MS. YANDELL: When did you complete  
10 your work on the amended reports?

11 A. The -- so the one -- do you mean the  
12 amended rebuttal report or the amended -- or both  
13 reports?

14 Q. The amended initial report.  
15 When did you complete your work on  
16 that?

17 A. I completed that yesterday.

18 Q. And it sounds like you completed them  
19 at different times. So when did you complete your  
20 work on the amended rebuttal report?

21 A. Oh, so you meant -- can you repeat the  
22 question? I'm sorry.

23 Q. I'm just wondering when you completed  
24 your work on each of your amended reports.

25 A. They were completed -- today's the

1 3rd. So we were completing -- I was completing  
2 stuff on the 1st and then the 2nd. Just double  
3 checking stuff.

4 Q. Okay. And when did you submit your  
5 amended report to your attorneys?

6 A. That was submitted on the 2nd.

7 Q. About what time?

8 A. I -- in the afternoon. I don't  
9 remember the exact time.

10 Q. Okay. So your -- your reply report,  
11 or your rebuttal report -- can we use those words  
12 interchangeably?

13 Will that work for you?

14 A. Yes.

15 Q. In your reply report, you debut some  
16 new maps; is that right?

17 A. Yes.

18 Q. And you call them the alternate  
19 liability plan and the alternate remedial plan;  
20 correct?

21 A. That is correct.

22 Q. So do these alternative plans  
23 supersede the initial plans that were submitted in  
24 your initial reports?

25 A. No, they do not supersede.

1 Q. So which plans are you presenting?

2 A. All plans I have submitted are being  
3 presented.

4 Q. So you don't stand on the initial  
5 plans or the alternate plans? You're saying any  
6 of these plans would work? Just all at once?

7 A. Correct.

8 Q. All right. I just wanted to  
9 understand whether the initial plans were  
10 abandoned and we should only focus on the  
11 alternate plans, but sounds like that's not the  
12 case; right?

13 A. Yes. That's correct.

14 Q. Okay. So I'm going to talk about  
15 redistricting principles. Changing subjects now,  
16 just to keep everyone on track.

17 So one of the subjects in your report  
18 is your opinion regarding whether Senate Bill 927  
19 was drawn consistent with what you call  
20 traditional redistricting principles; right?

21 A. Yes.

22 Q. Do you consider yourself an expert in  
23 identifying traditional redistricting principles?

24 A. Yes, I do.

25 Q. Do you consider yourself an expert in

1 applying traditional redistricting principles in  
2 creating a redistricting plan?

3 A. Yes, I do.

4 Q. What experience that you have has made  
5 you an expert in applying redistricting principles  
6 to a redistricting plan?

7 A. I have a long history in terms of the  
8 research and academic aspects that I have been  
9 engaged in for well over 20 years now.

10 One of those -- you can look at some  
11 of my -- my CV has a number of articles that  
12 relate to this. And I'm currently under contract  
13 in writing a book about redistricting and the role  
14 geography plays in redistricting. And large  
15 portions of that book will require me to draw  
16 plans to discuss those particular principles  
17 attached to it, as well as some of the other  
18 research that I have engaged in we've discussed in  
19 great detail. The article that -- there's a book  
20 chapter written with another geography, Jerry  
21 Webster talked about the language, and how the  
22 language we use in redistricting came about and  
23 analyzing and thinking about redistricting  
24 principles that are discussed here in the  
25 United States since the Constitution was done in

1 1789.

2 So, you know, I have a fair background  
3 associated with understanding what these  
4 principles are and how to apply doing that. I  
5 have a number of assignments in my classes that I  
6 have students that are drawing redistricting plans  
7 themselves. So that requires me to, one,  
8 understand what my students are doing so that I  
9 can tell them if they're doing things correctly or  
10 not, and that also makes me understand that I have  
11 to understand what those principles are.

12 Q. Thank you for that answer.

13 Have you ever applied redistricting  
14 principles to an actual redistricting plan that  
15 was implemented by a state?

16 A. No, I have not.

17 Q. So what are traditional redistricting  
18 principles in your opinion? Can you list them for  
19 me?

20 A. Do you mean for the state of Illinois  
21 or for -- in general?

22 Q. The state of Illinois.

23 A. So my understanding for the state of  
24 Illinois, there's a few different aspects  
25 associated with that. Obviously the first one is

1 the population, "one person/one vote" principle.

2 There's the Voting Rights Act aspects  
3 of -- the second clause, Voting Rights Act stuff  
4 of making sure that we're not disrupting minority  
5 areas and maintaining those areas that are at  
6 least 50 percent, if they can be achieved. That's  
7 another one.

8 The other aspect talks about the  
9 importance of compactness in contiguity in  
10 redistricting principles. And then that would  
11 relate to thinking about maintaining communities  
12 of interest.

13 Q. Can you think of any others?

14 MR. DRAYTON: Objection to form.

15 A. No. Those are the ones that -- ideas  
16 that I applied to.

17 Q. BY MS. YANDELL: Okay. So in your  
18 report you mention limiting splitting of  
19 municipalities.

20 Is that another traditional  
21 redistricting principle?

22 A. I just mentioned that, yes. I talked  
23 about not splitting -- protecting communities of  
24 interest. That falls in the context of not  
25 splitting municipalities.

1           Q.       So you consider all municipalities to  
2       be in the definition of a community of interest?

3                    I just want to be clear for the  
4       record.

5           A.       Not the entire place can't be  
6       considered, an entire large city such as Chicago.  
7       It would be really difficult to say Chicago is all  
8       one community of interest.

9           Q.       And a community of interest can be  
10      something other than a municipality; correct?

11          A.       Yes, it can be.

12          Q.       Okay. So what about maintenance of  
13      the core of an existing district? Is that a  
14      traditional redistricting principle?

15          A.       I'm unaware of, you know, there's 50  
16      different states and 50 different principles.

17          Q.       Okay. So we should just focus on  
18      Illinois.

19                    So in your understanding, is it a  
20      traditional redistricting principle, in your  
21      opinion, in the state of Illinois to maintain the  
22      core of the existing district, as it was drawn in  
23      the previous plan?

24          A.       I'm unaware if that's in the laws or  
25      not.



1 Q. Okay. Do you believe that's a valid  
2 redistricting principle?

3 MR. DRAYTON: Objection to form.

4 A. Is it a valid one? I mean, it's  
5 something to consider.

6 Q. BY MS. YANDELL: So you say that you  
7 teach this to your students.

8 Would you include that in the  
9 curriculum in terms of what -- what considerations  
10 to include when drawing a redistricting plan?

11 Would you advice your students to  
12 consider the preexisting district and to try to  
13 maintain that core?

14 A. It would be difficult going from  
15 district to district to determine where a core  
16 potentially is. We would look at what the  
17 previous district looked like to see what's going  
18 on. Sometimes it's easier to identify in some  
19 districts compared to others.

20 Q. Okay. What about respect for  
21 geographic features and natural boundaries? Is  
22 that a valid consideration when drawing  
23 redistricting plans, in your opinion?

24 MR. DRAYTON: Objection to form.

25 A. It's -- there -- I mean, something you

1 can look at.

2 Q. BY MS. YANDELL: Is that an important  
3 consideration in your opinion? I'm not trying to  
4 be difficult. I'm just trying to make sure we get  
5 a complete list here of what you may consider.

6 A. It might be considered.

7 Q. So if there's a river along the  
8 southern edge of a district, is that something  
9 that you would consider in drawing the lines for  
10 that district?

11 A. It's hard to answer that on a  
12 hypothetical. It depends on where -- what's going  
13 on.

14 Q. Would you consider it?

15 A. In a hypothetical, yes.

16 Q. Thank you.

17 And in terms of other redistricting  
18 principles in the state of Illinois, improving a  
19 political party's performance.

20 Is it your understanding that that is  
21 an acceptable redistricting principle?

22 MR. DRAYTON: Objection to form.

23 A. I am unaware of if that's in any  
24 statute.

25 Q. BY MS. YANDELL: Okay. So let me ask

1 the question differently and try to listen  
2 carefully so you answer the question I'm asking.

3 Would you consider, if you were  
4 drawing a redistricting plan, maintenance of a  
5 political party's performance as an objective?

6 A. No, I would not.

7 Q. And why not?

8 A. That hits at the heart of what we call  
9 gerrymandering. We're manipulating boundaries to  
10 give a party a greater sway over some other place.  
11 So . . .

12 Q. So when you teach your students about  
13 redistricting, you tell them that political party  
14 performance is not a permissible consideration; is  
15 that fair?

16 MR. DRAYTON: Objection. Form.

17 A. In terms of -- I mean, no, we don't --  
18 I teach my students not to only look at political  
19 aspects, and that's how you draw your districts.

20 Q. BY MS. YANDELL: Okay. So I didn't  
21 say only. I said it's one consideration.

22 A. Uh-huh.

23 Q. So when you teach redistricting to  
24 your students, what do you teach them about  
25 considering a party's political performance in the

1 district?

2 A. It becomes sort of the after-aspect.  
3 When you draw the districts, now let's see if you  
4 can apply election results to it. Now let's see  
5 what happens. It doesn't become the overriding  
6 interest from before that.

7 Q. Okay. And I'm going to ask you about  
8 one more redistricting objective, and that would  
9 be the preservation of an incumbent in the  
10 district.

11 Are you familiar with that  
12 redistricting objective?

13 A. Yes.

14 Q. And do you have an understanding of  
15 whether that is a lawful redistricting objective?

16 MR. DRAYTON: Object to form.

17 A. I'm unaware of that. I'm unaware if  
18 that's part of Illinois law.

19 Q. BY MS. YANDELL: Okay. So in your  
20 reply report, in your amended -- sorry. Strike  
21 that.

22 In your alternate plans, you made  
23 changes to account for where the incumbents lived;  
24 is that right?

25 A. Yes. They had mentioned that in the

1 reply to my report. There was that discussion,  
2 and concerns that the representatives in 114 and  
3 113 had.

4 Q. And so your decision to amend your  
5 proposed plans to accommodate that criticism,  
6 why -- why did you amend your plans to accommodate  
7 that criticism?

8 A. It was simply done to address the  
9 point that they made and show that it's possible  
10 to do it. It's not saying that map's better than  
11 the other one, but it was just another  
12 alternative.

13 Q. Okay. So taking a step back, in both  
14 your initial report and in your reply report, you  
15 present two sets of plans; right?

16 A. Yes.

17 Q. A liability plan and a remedial plan;  
18 correct?

19 A. That is correct.

20 Q. Okay. So I'll start here.

21 Why do you present two plans instead  
22 of a single plan?

23 A. The task that was presented to me was  
24 to, one, create a liability plan that fits the  
25 Section 2 requirements, the Voting Rights Act,

1 which is to create a compact, contiguous district  
2 with at least a BVAP of 50 percent or greater.

3 The second one was then to say, okay,  
4 create a remedial plan that looks at some of the  
5 potential issues that the SB 927 plan, the  
6 Constitutional issues in terms of things like  
7 contiguity, looking at communities of interest and  
8 interests associated with that. Further that  
9 remedial plan also looked at some of those  
10 legislative objectives that were identified, such  
11 as including Scott Air Force Base in House  
12 District 114.

13 Q. For the record, when you say BVAP,  
14 you're referring to black VAP; is that correct?

15 A. Yes, that's correct.

16 Q. I'm watching the record here. So I  
17 just want it to be clear for everyone here. Thank  
18 you.

19 So is it fair to say that the purpose  
20 of the liability plan is to demonstrate that  
21 House District 114 can be drawn as a majority  
22 black VAP district?

23 MR. DRAYTON: Objection to form.

24 A. The point of that was to see that  
25 you -- that the district could be created as a

1       50 plus 1 district that's also contiguous and  
2       meets the constitutional requirements that's  
3       associated with traditional redistricting  
4       principles.

5               Q.       BY MS. YANDELL: And the reason you  
6       chose the target population of 50 percent or more  
7       is what?

8               A.       That's the requirement in the Voting  
9       Rights Act, Section 2.

10              Q.       And how do you have that  
11       understanding?

12              A.       I've read -- read a lot of stuff  
13       associated with it. It's in a lot of literature,  
14       when we talk about racial aspects and specifically  
15       gerrymandering. It's a pretty clear aspect  
16       attached to it.

17              Q.       And just to be clear, you're not a  
18       lawyer; is that correct?

19              A.       That is correct.

20              Q.       And so no opinion that you offer in  
21       your report is a legal opinion; is that right?

22                      MR. DRAYTON: Objection to form.

23              A.       They're my opinions.

24              Q.       BY MS. YANDELL: Are they legal  
25       opinions?

1 MR. DRAYTON: Objection to form.

2 A. I guess I don't -- can you define a  
3 legal opinion?

4 Q. BY MS. YANDELL: Really?

5 A. Well --

6 MR. DRAYTON: That's not a question.  
7 You don't have to respond to it.

8 Q. BY MS. YANDELL: Do you have an  
9 understanding of what I mean by a legal opinion?  
10 If you don't, we can move on.

11 A. Well, you're asking if I -- you know,  
12 if -- am I going to court and being a lawyer and  
13 doing those particular things? No.

14 Q. All right. Thank you.

15 Okay. So both liability plans, both  
16 in your initial reports and -- in your initial  
17 report and in your reply report, the black VAP in  
18 House District 114 comes in just over 50 percent  
19 in both; is that right?

20 A. In the liability plans; correct.

21 Q. All right. I'm going to skip a few  
22 things here.

23 Okay. Thinking about House  
24 District 114, we spoke earlier about how the NAACP  
25 plaintiffs have the opinion that it's been a safe



1 district to elect a black member since the 1970s.

2 Do you remember that discussion?

3 MR. DRAYTON: Objection to form.

4 A. I remember talking about that topic.

5 Q. BY MS. YANDELL: And you have -- you  
6 have the understanding that the voters in  
7 House District 114 have elected a black  
8 representative since the 1970s; right?

9 A. Yes.

10 Q. Did you study the black VAP in the  
11 elections since the 1970s as part of your work on  
12 this case?

13 A. That was not in the scope of my  
14 report.

15 Q. Do you have an understanding of  
16 whether House District 114 has had a black VAP of  
17 more than 50 percent at any time since the 1970s?

18 A. I'm unaware.

19 Q. So you just stated that you are aware  
20 that House District 114 has elected a black member  
21 since the 1970s.

22 Why move more than 50 percent black  
23 VAP into a district that is already electing a  
24 black member at less than 50 percent black VAP?

25 MR. DRAYTON: Objection to form.

1           A.       Can you repeat the question, please?

2                   MS. YANDELL: Naola, can you read the  
3 question back?

4                           (The reporter read the record as  
5 requested.)

6                   THE DEPONENT: Thank you.

7                   I didn't know if it was supposed to  
8 switch back to the lawyer, the picture.

9           Q.       BY MS. YANDELL: So here. I'll just  
10 speak.

11           A.       There you go. There you go. I didn't  
12 know in terms of what's going on there.

13                   So, you know, so -- why does it have  
14 to be 50 percent?

15           Q.       Why did you move more than 50 percent  
16 black VAP into a district that was electing a  
17 black member at less than 50 percent black VAP?

18           A.       Okay. If we look --

19                   MR. DRAYTON: Objection to form.

20           A.       If we look at the population changes  
21 that are occurring in that particular district,  
22 specifically over the last 10 years, we're seeing  
23 that population, the black population specifically  
24 in that part of District 114, the East St. Louis  
25 area, is seeing continued decline in black

1 population.

2 So if that -- those numbers continue  
3 to occur, then that district doesn't adhere to  
4 protecting that community of interest. As time  
5 goes on, that population's going to continue to  
6 decline.

7 By creating a 50 percent district that  
8 prevents -- that combines these different groups,  
9 while also giving them the Constitutional  
10 protections that they have under the Voting Rights  
11 Act, we're also creating a community of interest  
12 that allows them to better elect candidate of  
13 their choice.

14 Q. BY MS. YANDELL: Okay. But in the  
15 remedial plan you ask the court to adopt, you  
16 don't propose 50 percent or more black VAP in  
17 House District 114; right?

18 A. That's correct.

19 Q. So is it fair to say -- and tell me if  
20 it's not -- that the only reason you recommend  
21 black VAP of 50 percent or more in your liability  
22 plans is to satisfy the Voting Right Act  
23 requirement?

24 A. That was the task that was given to  
25 me, yes.

1           Q.       So in your understanding of  
2       House District 114, there's a minority percentage  
3       of black VAP; correct?

4           A.       Are you talking about the SB 927?

5           Q.       Yes. Thank you.

6           A.       Yes.

7           Q.       And does that mean that there is a  
8       majority of white VAP in House District 114?

9           A.       Can I look at my report to get the  
10       exact number?

11          Q.       No. I just need to know whether it's  
12       more than 50 percent white VAP in  
13       House District 114.

14                 MR. DRAYTON: Okay. So -- I mean, I  
15       just want to state for the record that you kind of  
16       instructed him not to look at his report. I tend  
17       to think he can just look at his report whenever  
18       he wants to, if it helps him answer the question.

19                 So I just don't want the professor to  
20       be limited by this artificial rule. So I mean, if  
21       he needs to look at his report, he should just  
22       tell you that. I don't think you should limit him  
23       to not look at his report.

24                 MS. YANDELL: So, Joe, I haven't  
25       marked his report as an exhibit. So he shouldn't

1 reference it yet. He can tell me he doesn't know  
2 off the top of his head if the majority  
3 population -- if the majority white VAP in  
4 House District 114 -- strike that.

5 He can tell me if he doesn't know  
6 whether House District 114 has a majority white  
7 VAP.

8 Q. BY MS. YANDELL: If you don't know off  
9 the top of your head, you can say that.

10 MR. DRAYTON: Or if you don't want to  
11 answer -- if you're not comfortable under this  
12 instruction, you can state that as well.

13 Q. BY MS. YANDELL: That's not correct.  
14 You have to answer my question if you know the  
15 answer.

16 A. I can't recall the exact number at  
17 this moment. If I could look at my report, I  
18 could tell you, but I can't recall it.

19 Q. BY MS. YANDELL: So can you recall  
20 whether the white VAP in House District 114 is  
21 more than 50 percent?

22 A. Again, I can't recall.

23 Q. All right. So why not ask the court  
24 to implement your liability plan?

25 MR. DRAYTON: Objection to form.

1           A.       I'm comfortable with all the plans  
2       that I put forth. I was giving options based on  
3       what the task that was given to me to do.

4           Q.       BY MS. YANDELL: So let me unpack that  
5       a little bit.

6                    Your liability plan, you are proposing  
7       that as a potential plan to be implemented as  
8       Illinois' redistricting plan for House  
9       Districts 112 through 114; is that right?

10           MR. DRAYTON: Objection to form.

11           A.       I'm providing a number of options.  
12       That was the scope of my report.

13           Q.       BY MS. YANDELL: So your opinion is  
14       that your initial -- let's talk about the initial  
15       plan first.

16                    Initial liability plan is an  
17       acceptable redistricting plan for the Metro East  
18       area?

19           A.       Yes. That's correct.

20           Q.       If that's the case, why also submit a  
21       remedial plan?

22           MR. DRAYTON: Objection to form.

23           A.       The remedial plan was because that was  
24       a task that was asked to also create that. That  
25       took into consideration some of the Constitutional

1 and problems in redistricting issues that 114,  
2 SB 114 -- or SB 927 114 had created, while also  
3 looking at some of the legislative priorities such  
4 creating things -- or keeping things like Scott  
5 Air Force Base within the district.

6 Q. BY MS. YANDELL: So earlier when I  
7 asked you about your experience that establishes  
8 your expertise for redistricting, you listed a lot  
9 of literature you read and articles you've  
10 written, among other things.

11 So are you aware of other cases where  
12 an expert has submitted two redistricting plans  
13 instead of one?

14 MR. DRAYTON: Objection to form.

15 A. I'm unaware.

16 Q. BY MS. YANDELL: In your role as a  
17 professor teaching redistricting, have you ever  
18 addressed the possibility of submitting two  
19 redistricting plans in the situation to your  
20 students?

21 MR. DRAYTON: Objection to form.

22 A. I'm not understanding your question  
23 here.

24 Q. BY MS. YANDELL: Okay. So you told me  
25 earlier that you have assigned your students the

1 task of redistricting certain states; is that  
2 right?

3 A. Yes. That's correct.

4 Q. So if a student turned in their  
5 assignment and they included two redistricting  
6 plans that piecemeal achieved the objective, what  
7 would be your reaction?

8 MR. DRAYTON: Objection to form.

9 A. I don't know what you mean by  
10 "piecemeal."

11 Q. BY MS. YANDELL: If a student turned  
12 in an assignment and said, this achieves the  
13 objective of the assignment because map A achieves  
14 factor 1, and map B achieves the rest of it, would  
15 you accept that?

16 MR. DRAYTON: Same objection.

17 A. If that was the assignment's aspect,  
18 yes.

19 Q. BY MS. YANDELL: Have you ever  
20 mentioned to your students a situation where two  
21 redistricting plans are submitted in a legal  
22 proceeding?

23 A. No, I have not.

24 MS. YANDELL: Okay. I'm going to move  
25 on. We're going to talk about your initial plans



1 now. And I'm just going to talk about kind of  
2 each plan and get the basics, just so you have a  
3 roadmap of where we're going.

4 We've been going about an hour.

5 Do you or does the reporter need a  
6 5-minute break? The reporter does. We'll be back  
7 at 11:10 Central Time.

8 (Recessed from 11:05 a.m. to 11:11 a.m.)

9

10 Q. BY MS. YANDELL: All right. Let's go  
11 back on the record.

12 Okay. Dr. Weichelt, as I said before  
13 the break, we're now going to talk about each of  
14 your plans in turn, just to give you a roadmap of  
15 where you're going.

16 So I'm going to start with the initial  
17 liability plan, okay?

18 A. Okay.

19 Q. So in drawing the initial plans, did  
20 you start with the 2011 plan or did you start with  
21 the SB 927?

22 MR. DRAYTON: Objection to form.

23 A. I didn't start with any plan.

24 Q. BY MS. YANDELL: Okay. So you drew it  
25 from scratch using your software?

1           A.     Yes.

2           Q.     All right. In your reports, you run a  
3 comparison of your liability plan to  
4 Senate Bill 927 plan; correct?

5           A.     Yes.

6           Q.     And you can give an estimate, but  
7 about how many differences are there between the  
8 two plans?

9           A.     Can I look at my report and give you a  
10 number?

11                     I would say over 10. I believe that  
12 was the correct number.

13           Q.     So we don't need to go through all of  
14 them, but the ones that you remember, what is --  
15 what -- let's start with one that you remember.

16                     Can you describe the first one you  
17 remember?

18           A.     Are we discussing just District 114?

19           Q.     Yes.

20           A.     So comparing District 114 from the 927  
21 to the liability plan that I created?

22           Q.     Yes.

23           A.     Initial one? Okay.

24                     Yeah. I mean, the biggest difference  
25 that you can definitely see is in the south and

1 eastern portion, the SB 927, their District 114  
2 version had added that massive area, specifically  
3 identified as the peripheral area.

4 That's one of the first things that  
5 stood out to me.

6 Q. And how is your initial liability plan  
7 different than Senate Bill 927 in that area?

8 A. My initial liability plan does not go  
9 into those peripheral areas.

10 Q. And why did you draw your initial  
11 liability plan not to include those peripheral  
12 areas?

13 A. I would have been unable to, one,  
14 maintain a 50 percent plus BVAP, and, two, it  
15 would have made it very odd shaped to fit well  
16 within the idea we think about compactness.

17 Q. Okay. What's another difference?

18 A. Can I look at my report?

19 MS. YANDELL: Sure. So, Naola, we  
20 will mark as Exhibit -- we're going to call it  
21 Weichelt Exhibit 1.

22 Q. BY MS. YANDELL: And, Dr. Weichelt,  
23 you should access only your amended initial  
24 report.

25 A. So now we're -- we're not doing the

1 initial. We're now doing the amended? I mean,  
2 it's the same shape. It's just the numbers are  
3 different between the two.

4 Q. Right. So our understanding is we  
5 should only use your amended report; right?

6 A. Yep.

7 Q. Okay.

8 MR. DRAYTON: While he's doing that,  
9 Ms. Yandell, I guess the question I have is: How  
10 are you getting the exhibit to the court reporter?  
11 You sent that already, that Exhibit 1?

12 MS. YANDELL: No. The way we've been  
13 doing it, Joe, is to send the exhibits at the end  
14 of deposition.

15 MR. DRAYTON: Okay.

16 MS. YANDELL: That end up being  
17 marked.

18 MR. DRAYTON: Okay. Thank you.

19 MS. YANDELL: Sure.

20 A. I don't think -- yeah, I was thinking  
21 back at this. The liability plan one that you're  
22 discussing wasn't the rebuttal report.

23 Q. BY MS. YANDELL: So there's a  
24 liability plan in your initial report; correct?

25 A. Yes. But I didn't do the comparison

1 in the initial report like you look on those  
2 particular maps you're referring to. They're in  
3 the rebuttal. The remedial.

4 Q. Okay. So are you saying that you --  
5 in order to answer my question, you need to review  
6 your rebuttal report?

7 A. If it's based on the question you're  
8 asking of how SB 927 district compares to my  
9 liability plan. If you're referring to that map,  
10 that's in my rebuttal report.

11 MS. YANDELL: Okay. So, Naola, we'll  
12 also mark, as Weichelt Exhibit 2, Dr. Weichelt's  
13 Amended Rebuttal Report.

14 Q. BY MS. YANDELL: And you have a copy  
15 of that, Dr. Weichelt?

16 A. Yes. It ended up being a -- oh,  
17 here's the color version. I couldn't find the  
18 colored version. Easier to see in the colored  
19 version.

20 All right. Yes. So I have it in  
21 front of me right now.

22 Q. Great. What page are you on?

23 A. This would be page 8, Figure 3.

24 Q. Okay. So we discussed one primary  
25 difference?

1           A.       Oh. No. No. Page 5. I'm sorry. I  
2       was looking at the alternative. The one that  
3       took -- this would be page 5, Figure 1.

4           Q.       Okay. So can you -- now that you have  
5       your rebuttal report in front of you, can you  
6       describe a second difference between your initial  
7       liability plan and Senate Bill 927?

8           A.       Yes. So it would be the inclusion of  
9       the Belleville area that was added to the  
10      liability plan that was part of the old district,  
11      and now you can see that difference added into it.

12          Q.       So you added Belleville into your  
13      liability plan?

14          A.       Yes.

15          Q.       And why did you make that change?

16                  MR. DRAYTON: Objection to form.

17          A.       Well, one, it added the communities,  
18      specifically the black communities in that  
19      particular area that have that strong connection  
20      back to the core area of East St. Louis. And it  
21      also helped the -- maintaining Washington Park  
22      area, and then going into the Belleville area by  
23      including the black populations in there.

24          Q.       BY MS. YANDELL: Can you identify any  
25      other differences between your initial liability

1 plan and Senate Bill 927?

2 A. I mean, you can see how the SB 114  
3 version had added places of -- let's see. That  
4 was 113. 113.

5 There's other differences if we look  
6 at places like parts of 113 and 112 and those  
7 areas.

8 Q. Are there any other differences  
9 between your initial liability plan and  
10 Senate Bill 927 related to House District 114?

11 A. There's also adding in, as I  
12 mentioned, including Washington Park as a whole,  
13 that SB 114 had split. And then the liability --

14 Q. You mean SB -- sorry. You mean  
15 SB 927?

16 A. Yes. Sorry. What did I say? SB 927.  
17 Their District 114 had split parts of Washington  
18 Park out. And mine had extended also a little bit  
19 to the north into the Madison area as well.  
20 Venice and Madison.

21 Q. So why did you draw Washington Park to  
22 be wholly in House District 114 in your initial  
23 liability plan?

24 MR. DRAYTON: Objection to form.

25 A. It was one of the larger total

1 population -- black populations of a community  
2 that was split by the SB 927 plan.

3 Q. BY MS. YANDELL: So just a second ago  
4 you said -- we're talking about the initial  
5 liability plan.

6 A. Um-hum.

7 Q. And you said that there were impacts  
8 on House Districts 112 and 113 as a result of your  
9 changes to House District 114.

10 Did I hear that correctly?

11 A. Yes.

12 Q. Do you report the changes to house  
13 Districts 112 and 113 as a result of your initial  
14 liability plan in your reports?

15 A. They're identified on the map.

16 Q. Okay. And this is in your rebuttal  
17 report, Figure 1?

18 A. Yes.

19 Q. Okay. So now we're going to move  
20 on -- okay.

21 So overall, thinking about your  
22 initial liability plan, what redistricting  
23 criteria did you use to draw that plan?

24 A. I tried to, one, since it's a  
25 liability plan, adhere to the Voting Rights Act,



1 Section 2 part by creating a 50 percent BVAP,  
2 plus 1. I also tried to minimize the splitting of  
3 municipalities, while also then creating a compact  
4 and contiguous district.

5 Q. Okay. Let's move on to thinking now  
6 about the initial remedial plan.

7 A. Okay.

8 Q. Which report would you like to have in  
9 front of you to answer questions about the  
10 differences between the initial remedial plan and  
11 Senate Bill 927?

12 A. I believe that one is in the initial  
13 report. Those differences are identified in the  
14 initial report.

15 Q. Okay.

16 A. The rebuttal report has the new --  
17 that new liability plan -- or remedial plan.  
18 Excuse me.

19 Q. Do you have your amended initial  
20 report in front of you?

21 A. With that map, if you give me one  
22 second.

23 Q. Sure.

24 A. Yes, I do.

25 Q. Okay. Now, I'll ask you largely the

1 same questions about this remedial plan as we just  
2 discussed for the liability plan, okay?

3 A. Um-hum.

4 Q. Okay. So I'll just confirm, in  
5 drawing the initial remedial plan, did you start  
6 from scratch, or did you start with a preexisting  
7 plan?

8 A. Started from scratch.

9 Q. And can you describe a difference  
10 between the initial remedial plan and  
11 Senate Bill 927?

12 A. Yes.

13 Q. Please describe that difference.

14 A. Yes. Before, as we identified  
15 earlier, the biggest difference is looking at that  
16 southeast area, specifically largely in the  
17 peripheral area in the southern parts of St. Clair  
18 County. That's a big difference between my plan  
19 and the remedial plan.

20 This plan also extends through the  
21 northern parts of St. Clair County over to Scott  
22 Air Force Base, and includes Scott Air Force Base  
23 in their remedial plan. Scott Air Force Base was  
24 in the District 114 SB 927 plan.

25 Q. Okay. So let's take these one by one.

1                   Regarding the difference in the  
2                   southeast area, what change -- what is the  
3                   difference specifically between your remedial plan  
4                   and Senate Bill 927?

5                   A.       Referring to that southeast area?  
6                   That's a -- a very large part of that is in part  
7                   of SB 927 114 plan. It's not in my remedial plan  
8                   at all.

9                   Q.       So why did you exclude that from  
10                  House District 114 in your remedial plan?

11                  MR. DRAYTON: Objection to form.

12                  A.       Those particular areas are, one, very  
13                  far away, have very little in common in those  
14                  peripheral areas with people in the inner core and  
15                  even the outer core area. They're not connected.  
16                  And one thing that identified is the lack of  
17                  public transportation. That does not extend out  
18                  into that particular area. Showing that there's a  
19                  further disconnect between that inner core area  
20                  and the peripheral area. And it -- to include all  
21                  that, to sort of go around, it would have -- if I  
22                  included all that to go up in there, I would have  
23                  just basically recreated the plan.

24                  Q.       BY MS. YANDELL: So you said one  
25                  consideration was that people in the southeastern

1 area that you excluded from House District 114  
2 have very little in common with the core of 114;  
3 correct?

4 A. Yes.

5 Q. So please describe in what ways those  
6 voters in the southeastern district and in the  
7 core of 114 do not have things in common? What  
8 are you referencing?

9 A. We're looking at the both  
10 socioeconomic and demographic aspects, as well as  
11 cultural and historical concepts.

12 I could start with the demographics.  
13 The demographics in that southeast area is  
14 predominantly white, rural white persons. There's  
15 not very many municipalities out in that  
16 particular area. Looking at Google imaging, it  
17 looks like a farming area, okay. So there's a  
18 difference between that aspect.

19 If we take then versus the traditional  
20 historical industrial center that East St. Louis  
21 had developed from, and as time has gone on  
22 maintained that black identity, as populations  
23 have shifted into other areas -- and I think one  
24 of the bigger things is, if you take the  
25 distance -- I had mentioned this in one of my

1 reports. If you go to one of those communities in  
2 the far southeast, it's around a 40-mile --  
3 40-minute drive, 30-mile drive from there to  
4 East St. Louis. That was using Google Maps to  
5 find the fastest route. There's no public  
6 transportation that connects that particular area.  
7 And that was identified as an important part with  
8 the -- I think it's called MetroLink and then the  
9 bus service. That services both the inner core  
10 and the outer core area. It does not extend into  
11 many of the peripheral areas, if anything.

12 Q. Okay. So let's move on to a second  
13 difference between your remedial plan and  
14 Senate Bill 927.

15 Can you remind me what your second  
16 difference you described was?

17 A. Extending the north, going to the  
18 north to places like Fairview Heights. And then  
19 there's that Scott Air Force Base. Those are the  
20 two new ones.

21 Q. So why did you include Fairview  
22 Heights in your remedial plan?

23 MR. DRAYTON: Objection to form.

24 A. To adhere to the equal population  
25 standards, right, and to make sure it gets -- and

1 to include Scott Air Force Base in there. That  
2 was the route that was designated to not split as  
3 many municipalities and adhering to those  
4 particular guidelines for redistricting purposes.

5 Q. BY MS. YANDELL: So are you aware of  
6 whether Scott Air Force Base was in  
7 House District 114 in Senate Bill 927?

8 A. It was.

9 Q. So how is the change that you made  
10 different from Senate Bill 927 with regards to  
11 Scott Air Force Base, if at all?

12 MR. DRAYTON: Objection to form.

13 A. I guess could you explain that  
14 question just a little bit more?

15 Q. BY MS. YANDELL: Well, I just asked  
16 you to describe differences between your remedial  
17 plan and Senate Bill 927, and you mentioned  
18 Scott Air Force Base, but my understanding is that  
19 it's in House District 114 under both plans. So I  
20 just want you to clarify what you meant by that.

21 A. Oh, yeah. So by including it in here,  
22 this district that was created in the remedial  
23 plan, one connected voters through the middle  
24 area, if we go to that Fairview Heights out to the  
25 Scott Air Force Base. So that's part of that

1 outer core area of people that have more in  
2 common. And you can think of that commonality  
3 with things like public transportation and having  
4 that connection back to that East St. Louis area.  
5 That's not part of SB 927's District 114 to  
6 connect to Scott Air Force Base.

7 So my plan made that connection,  
8 instead of going all the way around, which made a  
9 much more uncompact district compared to the  
10 compact district that I created.

11 Q. Are there any other differences  
12 between the remedial plan and Senate Bill 927?

13 A. As it relates to District 114?

14 Q. Yes.

15 A. No. I guess it includes Washington  
16 Park as well. I'm sorry. Yes. It does include  
17 Washington Park, the entirety of it all.

18 Q. And are the reasons that you included  
19 Washington Park in its entirety in your remedial  
20 plan the same reasons you gave for including it in  
21 its entirety in your liability plan?

22 A. Yes.

23 Q. Okay. Thinking about your initial  
24 remedial plan generally, what redistricting  
25 criteria did you use to create that plan?

1           A.       Okay. Obviously equal population. I  
2       want to make sure that the district has similar  
3       numbers as other districts. It also followed more  
4       of a compact standard compared to the other ones.  
5       And it also split less municipalities than what  
6       SB 927 District 114 had.

7           Q.       Did you consider race when drawing  
8       your remedial plan?

9           A.       In the sense of it created over  
10      50 percent, no.

11          Q.       Did you consider it at all with the  
12      changes you made to create your remedial plan?  
13      Did you consider race?

14          A.       It wasn't the -- I mean, I was looking  
15      at to see how the numbers were changing, but it  
16      wasn't the overriding aspect.

17                 The overriding aspect was to get to  
18      Scott Air Force Base. To create a district that  
19      doesn't split municipalities.

20          Q.       Did you have a target black VAP to  
21      create in your remedial district?

22          A.       I was never given a target number to  
23      ever achieve by anybody.

24          Q.       Okay. Did you consider incumbencies  
25      in drawing your remedial plan?



1           A.       No, I did not.

2                   MR. DRAYTON:  Objection to form.

3           Q.       BY MS. YANDELL:  Why not?

4                   MR. DRAYTON:  Are we -- which remedial  
5 plan are we referring to?  There's two.  You  
6 say --

7                   MS. YANDELL:  We have not moved on to  
8 the alternate plans yet.  We have just only been  
9 on the initial plans still.

10                  MR. DRAYTON:  Thank you.

11           A.       It wasn't something that I considered.

12           Q.       BY MS. YANDELL:  So my question is:  
13 Why didn't you consider where the incumbents lived  
14 in creating your remedial plan?

15           A.       My understanding that that's not law  
16 to -- I have to adhere to.

17           Q.       All right.  So I'm going to now ask a  
18 couple of questions that apply to both liability  
19 plans.  So correct me if I'm wrong if one of these  
20 questions is different between them, okay?

21           A.       You're referring to the initial  
22 liability plan and then the alternate liability  
23 plan?

24           Q.       These are questions that I think apply  
25 to both.  So I don't think we need to do them

1 twice.

2 A. Okay.

3 Q. Okay. So both of your liability plans  
4 have a black VAP of over 50 percent; correct?

5 A. Yes.

6 Q. Neither of your liability plans have a  
7 black citizen voting age population of over  
8 50 percent; is that correct?

9 A. I didn't consider black citizen  
10 numbers.

11 Q. When you move 50 percent plus black  
12 VAP into House District 114, did you consider the  
13 political effects on neighboring districts?

14 A. Again, that was not --

15 MR. DRAYTON: Objection to form.

16 A. Again, that was not the scope of my  
17 report.

18 Q. BY MS. YANDELL: So is that a no?

19 A. I didn't look at the political aspects  
20 in my report.

21 Q. So you don't have an understanding of  
22 whether your House District 114 impacts the  
23 strength of the Democratic party in any other  
24 district; is that right?

25 MR. DRAYTON: Objection to form.

1           A.       Again, I didn't look at election --  
2       into any election analysis in any of my reports.

3           Q.       BY MS. YANDELL: So that would mean  
4       you also don't have an understanding of whether  
5       the changes in your remedial -- strike it. I  
6       think I said the wrong word.

7                    You also don't have an understanding  
8       of whether the -- your liability plans create a  
9       stronger Republican district in any neighboring  
10      districts; is that right?

11           MR. DRAYTON: I'm sorry. Can I have  
12      the court reporter repeat the question back? I  
13      apologize.

14                    (The reporter read the record as  
15                    requested.)

16           MR. DRAYTON: Objection to form.

17           A.       I didn't look at election results and  
18      do any analysis in my reports.

19           Q.       BY MS. YANDELL: Okay. In both of  
20      your liability plans, you keep Washington Park  
21      whole in House District 114; correct?

22           A.       Yes, that's correct.

23           Q.       Did you know that Washington Park was  
24      split under the 2011 redistricting plan in  
25      Illinois?

1           A.       I do not have that knowledge.

2           Q.       Did you study the degree to which  
3       Washington Park is whole under Senate Bill 927?

4           A.       Yes, I did.

5           Q.       Okay. So your liability plans split  
6       four municipalities; is that correct?

7           A.       I believe that's correct.

8           Q.       Belleville is one of the  
9       municipalities that is split in your liability  
10      plans, in both of them; right?

11          A.       Yes.

12          Q.       Is Belleville also split in both of  
13      your remedial plans?

14          A.       Give me a second. I don't -- give me  
15      a second here.

16                    I believe just -- yes, there's parts  
17      of Belleville split in the remedial plan.

18          Q.       Well, why did you split Belleville in  
19      all four of your plans?

20          A.       Belleville is a very large population,  
21      and to incorporate all those different areas, if  
22      you included the entirety of Belleville, it would  
23      be hard to maintain that equal population. SB 927  
24      District 114 also split parts of Belleville up  
25      too.

1           Q.       So would you agree that splitting a  
2       municipality can be necessary in order to achieve  
3       equal population in redistricting?

4           A.       Yes. But to minimize that number is  
5       important as well.

6           Q.       So why did you decide to split  
7       Swansea?

8           A.       Which plan are we discussing here?

9           Q.       The liability plans, both liability  
10      plans.

11          A.       As you start -- it -- again, necessary  
12      to meet that equal population standard.

13          Q.       You also split Fairview Heights in  
14      both liability plans; is that correct?

15          A.       Let me check a second just to double  
16      check.

17                    I don't remember if it does split. I  
18      don't believe it does split Fairview Heights.  
19      Looking at my liability plans.

20          Q.       All right. Okay. So in your -- oh,  
21      maybe this was my mistake. It splits  
22      Fairmont City?

23          A.       Yes. That is correct.

24          Q.       Okay. So why did you decide to split  
25      Fairmont City in your liability plans?

1           A.       The area that was included with that  
2       small part of Fairmont City was necessary as we --  
3       as I moved up into the Venice and Madison area.

4           Q.       It was necessary for what?

5           A.       To move into those -- to include those  
6       particular sections in the liability plan.

7           Q.       To maintain continuity?

8           A.       Yes, to maintain continuity and also  
9       equal population.

10          Q.       Were there any other reasons you split  
11       Fairmont City in your liability plan?

12          A.       No.

13          Q.       And you also split Madison in your  
14       liability plans; correct?

15          A.       That's correct.

16          Q.       And why did you split Madison in your  
17       liability plans?

18          A.       Same answer as before.

19          Q.       Can you just state it since we're  
20       talking?

21          A.       Yeah.

22          Q.       A different municipality?

23          A.       Equal population continuity aspects.

24          Q.       Did you consider the race composition  
25       of Madison when deciding to split that

1 municipality?

2 A. Yes. The area added was traditional  
3 black area.

4 Q. Did you consider the race composition  
5 of Fairmont City when deciding to split that  
6 municipality?

7 A. I identified that area, yes.

8 Q. Identified the race composition of  
9 Fairmont City in deciding to split it?

10 MR. DRAYTON: Objection to form.

11 A. In that small area.

12 Q. BY MS. YANDELL: Is that a yes?

13 A. You got to realize the area is like --  
14 it's like there's a population and there's a big  
15 park and everything associated with it. So, yes,  
16 I looked at the population and maintained that  
17 area and those blocks with people that were living  
18 in that particular spot before they got to that  
19 park slash looks like a watershed area.

20 Q. Okay. So let's just keep a clean  
21 record.

22 My question was whether you considered  
23 race, the race composition of Fairmont City when  
24 deciding to split that in your liability plans.

25 Is your answer yes?

1 MR. DRAYTON: Objection to form.

2 A. It was one of the reasons, but not the  
3 overriding.

4 Q. BY MS. YANDELL: And in deciding to  
5 split Belleville, did you consider the race  
6 composition of that municipality?

7 A. It was a consideration, but that was  
8 more trying to attain the equal population  
9 throughout the district.

10 Q. So you criticized Senate Bill 927 for  
11 splitting more municipalities than your plans  
12 split; is that right?

13 A. That is correct.

14 Q. What number of municipalities is  
15 acceptable to split in your opinion?

16 MR. DRAYTON: Objection to form.

17 A. I don't have a number, but you want to  
18 minimize the splitting of municipalities to the  
19 best of your ability.

20 Q. BY MS. YANDELL: Do you have any basis  
21 to opine that splitting nine municipalities is  
22 unacceptable in creating a redistricting plan?

23 A. I will say nine seems like a lot.

24 Q. But do you have any basis to opine  
25 that that number is unacceptable?



1 MR. DRAYTON: Objection to form.

2 Q. BY MS. YANDELL: Or is that just  
3 your -- is that just your feeling?

4 MR. DRAYTON: Same objection.

5 A. I think when you look at redistricting  
6 standards and practice is to minimize splitting  
7 municipalities to the best of your ability.

8 Q. BY MS. YANDELL: So if splitting nine  
9 municipalities was necessary to maintain equal  
10 population in the districts, would those splits be  
11 justified, in your opinion?

12 A. I think a hypothetical is too  
13 difficult to answer. Just saying --

14 Q. Please try to answer it.

15 A. I can't give you a good answer,  
16 because there's too many considerations to take  
17 into consideration by just picking out nine  
18 municipalities just out floating in space. It's  
19 really difficult to say if that would be correct  
20 or not.

21 Q. Okay. We'll do it. It will take  
22 longer.

23 So you've said it's acceptable to  
24 split one municipality to maintain equal  
25 population; correct?

1           A.       It's often necessary.

2           Q.       And your plan splits four  
3 municipalities in order to maintain equal  
4 population, as you've testified; right?

5           A.       And accomplished the goals of the  
6 Section 2 requirement to create a 50 percent BVAP.

7           Q.       So would it be acceptable to split  
8 five municipalities in order to maintain equal  
9 population and satisfy other legal requirements  
10 for redistricting?

11                   MR. DRAYTON:  Objection to form.

12           A.       Again, that's a speculative thing that  
13 it potentially -- maybe; maybe not.  Depends what  
14 the circumstances are.  You want to minimize the  
15 number of splits to the best of your ability.

16           Q.       BY MS. YANDELL:  So nine was the  
17 minimum number of municipalities required to be  
18 split in order to meet legal obligations, then  
19 that would be an acceptable number?

20           A.       If it's codified in law, of course,  
21 then.

22           Q.       Do you have an understanding that the  
23 number of permissible municipality splits is  
24 codified in a law?

25           A.       I'm unaware if it is.

1 Q. Did you check before deciding how many  
2 municipalities to split in your plan?

3 A. I read through the Illinois standards  
4 for redistricting and saw no numbers.

5 Q. Okay. Let's now discuss both of your  
6 remedial plans, and these questions are questions  
7 I believe are common to both. So we don't have to  
8 do it twice, but, again, correct me if that's  
9 wrong, okay?

10 A. Yes.

11 Q. In both of your remedial plans,  
12 neither has a black VAP of 50 percent plus;  
13 correct?

14 A. That is correct.

15 Q. And neither of your remedial plans has  
16 a black citizen voting age population of 50 plus,  
17 or do you know?

18 A. I didn't do analysis on black citizen  
19 population.

20 Q. So your initial report says, in  
21 multiple places, that the initial remedial plan  
22 would not work as a liability map because it does  
23 not have a 50 percent plus black VAP.

24 Do you recall that part of your  
25 report?

1           A.       Could you repeat that? I'm sorry.

2           Q.       Your initial report says, in multiple  
3 places, that your initial remedial plan would not  
4 work as a liability map because it does not have a  
5 50 percent plus black VAP.

6                   Do you recall that part of your  
7 report?

8           A.       Yes. That is correct.

9           Q.       Is the same true for your alternate  
10 remedial map, in that it would not work as a  
11 liability plan because it does not have 50 percent  
12 plus black VAP?

13          A.       Yes. That's correct.

14          Q.       Okay. In your reply report, in  
15 discussing the fact that your remedial plans would  
16 not meet the Section 2 requirements, you write  
17 that you never had an intention to create a  
18 50 percent plus black district.

19                   Is that a fair characterization of  
20 your report?

21          A.       As it relates to the remedial plan,  
22 yes.

23          Q.       You write -- and I'm reading -- "The  
24 intention was only that there be sufficient black  
25 population in House District 114 to be an

1 effective minority district."

2 Is that correct?

3 A. Yes.

4 Q. So you also write that you believe  
5 both of your remedial plans would be effective for  
6 black voters; is that correct?

7 A. That is correct.

8 Q. So before we move on, so we're on the  
9 same page, I want to understand what you mean by  
10 "effective" when you're describing these  
11 districts.

12 Do you mean that the district is  
13 effective because it will allow black voters to  
14 elect the candidate of their choice?

15 A. When I mean effective, yes.

16 Q. Okay. So you then write -- and if  
17 you'd like to follow along, I'm on page 13 of your  
18 reply report.

19 You don't need to follow along.

20 A. Okay.

21 Q. Okay. So you write,  
22 "House District 114 under the 2011 plan elected"  
23 black -- "a black candidate every time with  
24 substantially lower percentages of black  
25 population than in both remedial plans I have

1 drawn."

2 Do you recall that part of your  
3 report?

4 A. Yes.

5 Q. So is what you're saying there that  
6 you studied the elections between 2011 and 2020  
7 and the black VAP in each of those elections was  
8 lower than the black VAP in your remedial plans?

9 A. It is correct that the black VAP was  
10 lower, but the districts are different shapes and  
11 different characteristics associated with them.

12 Q. So -- hold on.

13 So what we just read from your report  
14 is that in the 2011 plan, the black VAP was  
15 substantially lower.

16 Does this mean -- or would you agree  
17 that black VAPs substantially lower than those you  
18 propose have been effective in allowing black  
19 voters to elect a candidate of their choice?

20 MR. DRAYTON: Objection to form.

21 A. Given the shape of that district, that  
22 was the results. But the SB 927 version's a lot  
23 different. House district with a lot of different  
24 characteristics associated with it.

25 Q. BY MS. YANDELL: So the black VAP

1 level in your remedial plans are not necessary to  
2 allow black voters to elect a candidate of their  
3 choice?

4 MR. DRAYTON: Objection to form.

5 Q. BY MS. YANDELL: Would you agree with  
6 that?

7 A. I wouldn't agree with that.

8 Q. But the black VAP percentages in your  
9 remedial plans are substantially higher, your  
10 words, than the black VAPs that allowed  
11 House District 114 to elect a black candidate in  
12 the last 10 years; right?

13 A. They're different numbers, yes.

14 Q. Well, your black VAP is substantially  
15 higher. Those are your words; right?

16 A. I said they're different, yes.

17 Q. Okay. So how did you determine -- you  
18 just mentioned that the numbers in Senate Bill 927  
19 were different than they were in the 2011 plan;  
20 right?

21 A. Yes.

22 Q. And I assume your opinion is that the  
23 black VAP numbers in Senate Bill 927 are too low  
24 to be effective, as you describe that term; is  
25 that right?

1           A.       I believe so.

2           Q.       And what is that opinion based on?

3           A.       Opinion's based on the changing  
4 population that's occurring throughout that  
5 district, and then adding on those particular  
6 areas to the southeast and southwest -- or sorry,  
7 south -- blah. Let me start that over.

8                   That area to the south and southeast  
9 of those largely white rural voters.

10          Q.       Did you do any testing to determine  
11 whether House District 114 could be effective at  
12 the black VAP in Senate Bill 927?

13          A.       Again, that was not part of my report  
14 to do any election analysis.

15          Q.       Did you do any analysis of other  
16 elections in districts where black VAP has been at  
17 similar levels as it will be in Senate Bill 927  
18 for House District 114?

19                   MR. DRAYTON: Objection to form.

20          A.       Again, I didn't do any election  
21 analysis for this report.

22          Q.       BY MS. YANDELL: Are you aware that  
23 there are other house districts in Illinois that  
24 elect black members with lower black VAPs than the  
25 black VAP for House District 114 and



1 Senate Bill 927?

2 A. I didn't. That was not part of the  
3 scope of my report. So I did not look at other  
4 areas of the state.

5 Q. You did not think it was relevant to  
6 consider whether the similar black VAPs were  
7 effective at allowing black voters to elect a  
8 candidate of their choice in other districts in  
9 Illinois?

10 A. That was not part of my analysis, and  
11 to do such a thing is -- would be very difficult  
12 due to the fact that different things are  
13 different in different places, different  
14 circumstances and different characteristics that  
15 can lead to that.

16 Q. Understood. Okay. So your reply  
17 report denies that your remedial plans would  
18 threaten East St. Louis as the core of  
19 House District 114.

20 Do you recall that part of your  
21 report?

22 A. That was -- yes, that was in relation  
23 to Representative -- I can't remember her name --  
24 Greenwood from District 114.

25 Q. Right. So Representative Greenwood --

1 are you aware that she is the long time incumbent  
2 of House District 114?

3 A. Yes, I am.

4 Q. And are you aware that she is a black  
5 woman?

6 A. Yes, I am.

7 Q. And it sounds like you reviewed her  
8 declaration in writing your reply report?

9 A. Yes.

10 Q. So you're aware that she is a lifelong  
11 resident of East St. Louis; correct?

12 A. I don't believe in that report it said  
13 she was a lifelong, but I can't recall.

14 Q. Okay. I'll represent to you that it  
15 says that in her declaration.

16 A. Then I agree.

17 Q. Okay. So Representative Greenwood  
18 declares that the changes that you propose in your  
19 remedial plan would threaten East St. Louis as the  
20 core of her district.

21 And that's the opinion you're  
22 responding to; correct?

23 A. That's correct.

24 Q. So in response to Representative  
25 Greenwood, you state, "In your opinion, it is

1 unlikely that Fairview Heights would supplement  
2 East St. Louis as the core of the district."

3 Is that your opinion?

4 A. Yes.

5 Q. So you told me earlier that you've  
6 never been to East St. Louis for any meaningful  
7 amount of time; correct?

8 A. Yes.

9 Q. And have you ever been to Fairview  
10 Heights other than driving through it?

11 A. No, I have not.

12 Q. So did the fact that Representative  
13 Greenwood, a lifelong resident of the area,  
14 Metro East, voted for and supports the September  
15 plan impact your opinion on the subject at all?

16 A. No, it does not.

17 Q. Why not?

18 A. I was given a task to do, what I need  
19 to do. I created liability plans and I created  
20 remedial plans that fit those Constitutional  
21 requirements and redistricting principles.

22 Q. So when you say it's your opinion that  
23 it's unlikely Fairview Heights would supplement  
24 East St. Louis as the core of the District 114,  
25 what is that based on?

1           A.       Based on the comments that  
2       Representative Greenwood had mentioned, which, in  
3       all honesty, I still don't quite understand what  
4       she was trying to say. So if we think about the  
5       population changes and the numbers associated with  
6       it, Fairview Heights population's still smaller  
7       than East St. Louis, and East St. Louis still has  
8       that important pull in that district because of a  
9       long history and the connections with all the  
10      different communities around it that go back to  
11      that. But, again, I didn't quite understand what  
12      Representative Greenwood was saying.

13           Q.       Did you do any research to investigate  
14      her concern that East St. Louis would be  
15      supplanted as the core of the district?

16           A.       My report shows population changes  
17      between 2010 and 2020. And, again, I didn't  
18      understand what she was saying. So it's hard to  
19      research something when you don't understand the  
20      context of what she was mentioning.

21           Q.       So to support your opinion that the  
22      core would not change, did you consider anything  
23      except population numbers? That's all I've heard  
24      you mention. I just want to be sure.

25           A.       The population characteristics and

1 population numbers.

2 Q. Okay. So when you say population  
3 characteristics, do you mean race?

4 A. We think of race and socioeconomic  
5 variables, yes.

6 Q. Okay. Let's move on. We're getting  
7 not far from the end. A little bit more.

8 Okay. So --

9 A. Hold on. I got to cough. I'm sorry.  
10 My apologize. Sorry.

11 Q. No problem. Okay.

12 All right. So in your reply report  
13 and also earlier today, you stated that you  
14 reviewed the Republican's remedial plan by  
15 studying the shape files or otherwise; is that  
16 right?

17 A. Yes. That's correct.

18 Q. And you did that because they also  
19 challenge House District 114 like the NAACP  
20 plaintiffs; right?

21 A. Yes.

22 Q. Did you review the Republican's  
23 remedial plan before filing your initial report?

24 A. Can you repeat that? Sorry.

25 Q. Did you review the Republican's

1 remedial plan before filing your initial report?

2 MR. DRAYTON: Objection to form.

3 A. There was some version sent to me, but  
4 I don't think it was the complete one. So I  
5 didn't really take much stock in what was given to  
6 me.

7 Q. BY MS. YANDELL: So you did receive  
8 the shape files for the Republican's remedial plan  
9 before submitting your initial report; is that  
10 right?

11 MR. DRAYTON: Objection to form.

12 A. The file that was given to me then was  
13 not the final version that you see today. So it  
14 was not the same plan.

15 Q. BY MS. YANDELL: Understood.

16 Did you make any attempt to reconcile  
17 your proposed plan for 114 with the Republican's  
18 proposed plan for 114?

19 A. I didn't put any stock into the  
20 Republican plan.

21 Q. Before filing your reply report with  
22 your alternate plans, did you review the final  
23 version of the Republican's remedial plans?

24 A. I got the final version. I can't  
25 remember the exact date. It was later. And so

1 not in my initial plan, but I remember looking at  
2 it with my rebuttal report. I think I make a  
3 footnote of that. So I saw it, but I didn't  
4 really do much with it.

5 Q. Okay. So in the footnote that you're  
6 referencing that's on your reply on page 8,  
7 Note 2, you explain that, having reviewed that  
8 plan, your remedial plan split fewer  
9 municipalities than do the Republican's plan for  
10 114; correct?

11 A. That's correct.

12 Q. Okay. And the Republican's plan for  
13 114 splits nine municipalities. That's what you  
14 say; right?

15 A. Yes. That's correct.

16 Q. And in that same footnote you say that  
17 you found no inherent flaws in the Republican's  
18 remedial plan; right?

19 A. Yeah. I didn't take a lot of stock in  
20 looking at it and doing a very in-depth analysis.

21 Q. Do you disagree that there are no  
22 inherent flaws in the Republican's remedial plan?

23 MR. DRAYTON: Objection to form.

24 A. The goal of my report was not to  
25 analyze the Republican's plan.

1 Q. BY MS. YANDELL: Okay. But you made a  
2 statement in your report. So I just need to  
3 explore it.

4 So you wrote that you found no  
5 inherent flaws in the Republican's remedial plan?

6 Do you agree with that statement still  
7 today? I mean that was only two days ago.

8 A. Yeah. I mean, that's what I wrote.  
9 Yeah.

10 Q. So that means that you do not find an  
11 inherent flaw in a plan that splits nine  
12 municipalities; right?

13 MR. DRAYTON: Objection. Form.

14 A. Listen, I mean, I didn't put a lot of  
15 stock in analyzing that particular one. It was  
16 not part of the analysis in which I was told to  
17 do.

18 Q. BY MS. YANDELL: Okay. But you did  
19 analyze it and put it in your report. So listen.  
20 What we're looking at is one footnote, and in the  
21 same footnote it says, "The Republican's plan  
22 splits nine municipalities, and I don't see any  
23 inherent flaws in that."

24 So my question is: Is it your opinion  
25 that splitting nine municipalities does not



1 inherently flaw a redistricting plan?

2 MR. DRAYTON: Objection to form.

3 Q. BY MS. YANDELL: You can change your  
4 opinion and say that it does flaw a redistricting  
5 plan, if that's the case. I just need to know.

6 A. I didn't put a lot of -- to make a  
7 more educated answer, I'd have to do a lot more  
8 analysis of that particular plan.

9 Q. Okay. So do you want to abandon this  
10 opinion? You don't stand by it in that footnote?

11 A. I'm standing by that plan or that  
12 footnote.

13 Q. Okay. Are you familiar with the  
14 Republican's expert Dr. Chen at all, even by name,  
15 Dr. Joey Chen?

16 A. No. I've never heard that name  
17 before.

18 Q. You said you reviewed Dr. Lichtman's  
19 report though; right?

20 A. I guess can you define "review"?

21 Q. Did you read defendant's expert  
22 Dr. Lichtman's rebuttal report?

23 A. I looked through it.

24 Q. Okay. So you may or may not have  
25 noticed he quotes an article by Dr. Chen from the

1 Yale Law Journal called The Race Blind Future of  
2 Voting Rights.

3 Do you remember the reference to that?

4 A. No, I do not.

5 Q. Okay. That's fine.

6 So I'll represent that in that article  
7 Dr. Chen opines that "the use of an announced  
8 racial population target in redistricting renders  
9 a district a presumptively unconstitutional racial  
10 gerrymander."

11 Do you agree with that statement based  
12 on your study of redistricting literature?

13 MR. DRAYTON: Objection. Scope.

14 A. I can't make a comment on an article I  
15 never read.

16 Q. BY MS. YANDELL: So forget that it's  
17 written in an article.

18 I'm going to make a statement and you  
19 tell me whether you agree with it or not.

20 "The use of an announced racial  
21 population target renders a district a  
22 presumptively unconstitutional racial  
23 gerrymander."

24 A. Sorry. Someone -- I'm sorry. Can you  
25 repeat? Someone was on the phone and it was going

1 [makes sound].

2 Can you repeat the question, please?

3 Q. Sure. I'm going to make a statement  
4 and you tell me whether you agree with it or not.

5 "The use of an announced racial  
6 population target renders a district a  
7 presumptively unconstitutional racial  
8 gerrymander."

9 MR. DRAYTON: Objection to form.

10 A. I mean, since you're quoting an  
11 article, I can't respond to something I've never  
12 read.

13 Q. BY MS. YANDELL: So I'm just making  
14 that statement and asking if you agree with that  
15 statement.

16 MR. DRAYTON: Same objection.

17 A. And I'll say you're making a statement  
18 from an article I never read.

19 Q. BY MS. YANDELL: So you are required  
20 to answer my questions. So it doesn't matter if  
21 it's written in an article or 20 articles or no  
22 article.

23 Do you agree that "the use of a racial  
24 target renders a district a presumptively racial  
25 gerrymander"?

1 MR. DRAYTON: Objection to form.

2 A. I have no answer.

3 Q. BY MS. YANDELL: You have no opinion  
4 on that?

5 A. Based on what you're -- I have no  
6 opinion, yes or no, for the statement that you  
7 read me without reading that article in greater  
8 detail to make an informed opinion.

9 Q. But based on all the years of studying  
10 of redistricting principles, you don't have an  
11 opinion about whether "the use of a racial target  
12 renders a district a presumptively racial  
13 gerrymander"?

14 MR. DRAYTON: Objection to form.

15 A. Again, you're taking a statement from  
16 an article. You can't -- I know, but you're  
17 taking a statement from an article, and then  
18 you're trying to get me to answer something I  
19 didn't read.

20 Had you never read that article, you  
21 wouldn't make that statement. And so it's  
22 difficult for me to answer a question based on a  
23 researched and academic-based article without  
24 having actually read it. So it's really difficult  
25 for me to give you an opinion associated with

1       that.

2               Q.       BY MS. YANDELL:   So I'm almost done  
3       with my questioning here, but this is going to  
4       take a lot longer if you won't provide an answer  
5       to the question.

6               So if your answer is you have no  
7       opinion, that's fine. But you can't refuse to  
8       answer a question, all right?

9               MR. DRAYTON:   I think he said he had  
10      no opinion.

11              A.       I have no opinion.

12              Q.       BY MS. YANDELL:   You have no opinion.  
13      Good. Thank you.

14              Okay. So your report, you don't offer  
15      any opinions regarding whether white voters vote  
16      as a block in the Metro East region; is that  
17      right?

18              A.       Again, I did no election analysis in  
19      this report.

20              Q.       So is that a no?

21              A.       So, no --

22              MR. DRAYTON:   Objection to form.

23              A.       I didn't do -- I didn't do election  
24      analysis in this report.

25              Q.       BY MS. YANDELL:   So, Dr. Weichelt,

1 please answer my question.

2 Do you offer opinions regarding  
3 whether white voters vote as a block in the  
4 Metro East region?

5 MR. DRAYTON: Objection to form.

6 A. If it's not part of my report, no.

7 Q. BY MS. YANDELL: Okay. Do you have  
8 any expertise that would allow you to opine on  
9 white block voting?

10 MR. DRAYTON: Same objection.

11 A. Yes, I do.

12 Q. BY MS. YANDELL: But you did not apply  
13 that expertise in your report?

14 A. That was not scope of the report.

15 Q. You, in your reports, also do not  
16 offer any opinions regarding whether any group  
17 votes cohesively; is that right?

18 A. My answer will be the same. I didn't  
19 do analysis in there. So, no.

20 Q. You do not have -- tell me if you  
21 agree -- any expertise that would allow you to  
22 opine on the legislature's intent in drawing  
23 Senate Bill 927; is that right?

24 MR. DRAYTON: Objection to form.

25 A. Yeah. Could you repeat that? I'm

1       sorry. I was confused about the first part. If  
2       you could repeat it, please.

3               Q.       BY MS. YANDELL: Um-hum.

4               You do not have any expertise that  
5       would allow you to opine on the legislature's  
6       intent in drawing Senate Bill 927; is that right?

7               MR. DRAYTON: Objection to form.

8               A.       In my report I had mentioned looking  
9       at the deposition of Mr. Maxson. That was the  
10      person responsible for drawing up the report, and  
11      his statement stated his overarching goal for  
12      drawing that district was to -- I don't have the  
13      exact quote in front of me, but sort of focus more  
14      on electoral aspects and political parties than  
15      anything else.

16              Q.       BY MS. YANDELL: Okay. So you read  
17      his deposition transcript. But are you making --  
18      are you offering opinions on his intent based on  
19      reading that transcript?

20              MR. DRAYTON: Objection to form.

21              A.       I'm only reading what he -- I'm only  
22      looking at what he said.

23              Q.       BY MS. YANDELL: So you don't have any  
24      special expertise that makes you more capable than  
25      the court in interpreting the record of evidence

1 in this case; right?

2 MR. DRAYTON: Objection to form.

3 A. Again, the scope of my report was not  
4 to look at election analysis.

5 Q. BY MS. YANDELL: I'm not talking about  
6 election analysis at all.

7 A. But you're --

8 Q. I'm talking about opinions of the  
9 legislature's intent. That's what we're talking  
10 about.

11 A. I didn't analyze the -- besides  
12 looking at Mr. Maxson's report, who was a  
13 representative of the legislature, specifically  
14 the Democratic party, I didn't dig into other  
15 aspects of that report in his deposition.

16 Q. Are you offering any other opinions on  
17 the legislature's reasons for how they drew any  
18 aspect of Senate Bill 927?

19 MR. DRAYTON: Objection to form.

20 A. Repeat that again, please.

21 Q. BY MS. YANDELL: Are you offering any  
22 opinions on the legislature's reasons for how they  
23 drew any aspect of Senate Bill 927?

24 MR. DRAYTON: Same objection.

25 A. Based on what Mr. Maxson said, it



1 makes sense when you start looking at how the  
2 districts are drawn, that politics in their  
3 drawing of those districts superseded everything  
4 else, because that's what he said.

5 MS. YANDELL: Okay. Let's take a  
6 5-minute break, and I'll see how much I have left  
7 to do, and we can come back at -- well, we can  
8 round up -- 12:25.

9 MR. DRAYTON: Sounds good. Thank you.

10 MS. YANDELL: Thank you.

11 (Recessed from 12:17 p.m. to 12:26 p.m.)

12 MS. YANDELL: Okay. Let's go on the  
13 record, Naola.

14 Q. BY MS. YANDELL: Okay. Dr. Weichelt,  
15 thinking about Senate Bill 927, part of your  
16 assignment was to assess whether it was drawn in  
17 conformance with traditional redistricting  
18 principles; right?

19 A. Are you speaking of District 114?

20 Q. Yes.

21 A. Yes.

22 Q. Did you review the resolutions issued  
23 by the Illinois House and Illinois Senate  
24 regarding their reasons for how District 114 was  
25 drawn?

1           A.       I had made -- I believe it was at the  
2       footnotes I had made in my report with HR -- if  
3       you give me a second, I can give you the exact  
4       quotation or does it -- I looked at -- I looked at  
5       separate 2011 and 2020 from the legislature.

6           Q.       So when the legislature issued  
7       Senate Bill 927, that bill was accompanied by a  
8       resolution from the House that explained the  
9       legislature's reasons for why they made the  
10      changes to each district, including 114.

11                   I'm wondering if you reviewed that  
12      resolution.

13           A.       Can I just give you that number just  
14      to make sure we're on the same page.

15           Q.       Sure.

16           A.       Give me one second here.   Okay.   Is  
17      that HR 0359?

18           Q.       You know, I'm actually not sure, but  
19      is that the one for Senate Bill 927?

20           A.       It had mentioned and it talked about  
21      each individual district, and they just talked  
22      about the characteristics of it.

23           Q.       Okay.

24           A.       But, yeah, it didn't say how they draw  
25      them.   They just talked about what was going on in

1       them, if I remember right.

2               Q.       So that's all right. I'm going to  
3       discuss the reasons that the legislature provided  
4       in their resolution for how they drew 114,  
5       regardless of whether you read it or not.

6               And I want to ask you if each of these  
7       reasons is a valid redistricting principle. So  
8       that's -- that's where we're going with this  
9       section, okay?

10              A.       Okay.

11              Q.       Okay. So Senate Bill 927 was drawn to  
12       maintain the incumbent's in House District 114 and  
13       House District 112.

14              Is that a valid criteria for  
15       redistricting?

16              A.       I don't know if that's law or not. I  
17       didn't take that into consideration.

18              Q.       Okay. So step away from whether it's  
19       law or not.

20              But is it a valid consideration when  
21       creating a redistricting plan?

22              MR. DRAYTON: Objection to form.

23              A.       For the scope of my project and what  
24       I've done and what I've analyzed, I've seen very  
25       little that talks about the importance of keeping

1       those incumbents in their districts.

2               Q.       BY MS. YANDELL:   And what about in  
3       your 20 plus years of research about  
4       redistricting?   Have you come across support for  
5       the fact that maintaining incumbents in their  
6       district is a valid criteria?

7               MR. DRAYTON:   Objection to form.

8               A.       I've seen that aspect discussed and  
9       different sides of the argument.

10              Q.       BY MS. YANDELL:   Senate Bill 927 also  
11       aimed to maintain the shape of House District 114  
12       as it existed in the 2011 plan.

13              Is maintaining the prior shape of a  
14       district a valid criteria?

15              MR. DRAYTON:   Objection to form.

16              A.       Again, I've honestly not ever read  
17       that keeping the shape the same is a valid  
18       concern.

19              Q.       BY MS. YANDELL:   Okay.  
20       Senate Bill 927 also aims to maintain a majority  
21       of the core of the district as it existed in the  
22       2011 plan.

23              Is maintaining the prior core of the  
24       district a valid criteria in redistricting?

25              MR. DRAYTON:   Same objection.

1 A. Yes. I've seen that argument before.

2 Q. BY MS. YANDELL: Senate Bill 927 makes  
3 whole six municipalities that were previously  
4 split under the 2011 plan.

5 You have previously said that  
6 maintaining municipalities as a whole is a valid  
7 redistricting criteria; right?

8 MR. DRAYTON: Same objection.

9 A. Yes.

10 Q. BY MS. YANDELL: Senate Bill 927 also  
11 makes whole the Cahokia Community Unit School  
12 District and the Dupo Community Unit School  
13 District.

14 School districts can represent  
15 communities of interest in our parlance; is that  
16 right?

17 A. I've seen people talk about school  
18 districts as communities of interest, a potential  
19 community of interest.

20 Q. Would you consider keeping a school  
21 district whole in a representative district a  
22 valid redistricting criteria?

23 MR. DRAYTON: Objection. Form.

24 A. Yes.

25 Q. BY MS. YANDELL: Senate Bill 927 --

1 scratch that.

2 In Senate Bill 927  
3 House District 114's southern border follows  
4 several township lines.

5 Are following such existing  
6 municipality borders a valid redistricting  
7 criteria?

8 MR. DRAYTON: Same objection.

9 A. I'm not sure if that's codified in  
10 Illinois law, but other places have mentioned  
11 stuff like townships.

12 MS. YANDELL: Okay. I think I'm done  
13 with my questioning for today. I don't know if  
14 your counsel has anything to ask you.

15 MR. DRAYTON: No. We consider the  
16 deposition closed.

17 MS. YANDELL: All right. Well,  
18 Dr. Weichelt, thank you for your time today. I  
19 understand you had to cancel a class to be here.  
20 Thank you for doing that and we appreciate your  
21 time.

22 MR. DRAYTON: We'll reserve.

23 (Zoom Deposition concluded at 12:34 p.m. CST)  
24  
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\_\_\_\_\_  
RYAN WEICHELT, PhD

STATE OF \_\_\_\_\_

ss:

COUNTY OF \_\_\_\_\_

Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

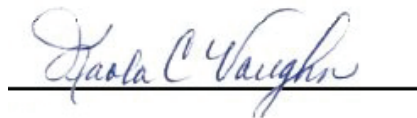
EAST ST. LOUIS BRANCH NAACP, et al. v. ILLINOIS  
STATE BOARD OF ELECTIONS, et al.

REPORTER'S CERTIFICATE

I, NAOLA C. VAUGHN, a Certified Court Reporter within and for the State of Kansas, hereby certify that the within-name witness was first duly sworn to testify the truth, and that the deposition by said witness was given in response to the questions propounded, as herein set forth, was first taken in machine shorthand by me and afterwards reduced to writing under my direction and supervision, and is a true and correct record of the testimony given by the witness.

I further certify that I am not a relative or employee or attorney or counsel of any of the parties, or a relative or employee of such attorneys or counsel, or financially interested in the action.

WITNESS my hand and official seal at Tonganoxie, Leavenworth County, Kansas, this 3rd day of December 2021.

A handwritten signature in blue ink, reading "Naola C. Vaughn", is written over a horizontal line.

NAOLA C. VAUGHN, CCR, CRR, RPR  
Kansas CCR No. 0895



1 JOSEPH DRAYTON, ESQ.

2 jdrayton@cooley.com

3 December 6, 2021

4 RE: EAST ST. LOUIS BRANCH NAACP vs. ILLINOIS STATE BOARD OF  
5 ELECTIONS

6 December 3, 2021, DR. RYAN D. WEICHELDT, JOB NO. 4969995

7 The above-referenced transcript has been  
8 completed by Veritext Legal Solutions and  
9 review of the transcript is being handled as follows:

10 \_\_\_ Per CA State Code (CCP 2025.520 (a)-(e)) - Contact Veritext  
11 to schedule a time to review the original transcript at  
12 a Veritext office.

13 \_\_\_ Per CA State Code (CCP 2025.520 (a)-(e)) - Locked .PDF  
14 Transcript - The witness should review the transcript and  
15 make any necessary corrections on the errata pages included  
16 below, notating the page and line number of the corrections.  
17 The witness should then sign and date the errata and penalty  
18 of perjury pages and return the completed pages to all  
19 appearing counsel within the period of time determined at  
20 the deposition or provided by the Code of Civil Procedure.

21 \_\_\_ Waiving the CA Code of Civil Procedure per Stipulation of  
22 Counsel - Original transcript to be released for signature  
23 as determined at the deposition.

24 \_\_\_ Signature Waived - Reading & Signature was waived at the  
25 time of the deposition.

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1     \_x\_ Federal R&S Requested (FRCP 30(e)(1)(B)) - Locked .PDF

2           Transcript - The witness should review the transcript and  
3           make any necessary corrections on the errata pages included  
4           below, notating the page and line number of the corrections.  
5           The witness should then sign and date the errata and penalty  
6           of perjury pages and return the completed pages to all  
7           appearing counsel within the period of time determined at  
8           the deposition or provided by the Federal Rules.

9     \_\_\_ Federal R&S Not Requested - Reading & Signature was not  
10           requested before the completion of the deposition.

1 EAST ST. LOUIS BRANCH NAACP vs. ILLINOIS STATE BOARD OF  
ELECTIONS

2 DR. RYAN D. WEICHELT (#4969995)

3 E R R A T A S H E E T

4 PAGE \_\_\_\_\_ LINE \_\_\_\_\_ CHANGE \_\_\_\_\_

5 \_\_\_\_\_

6 REASON \_\_\_\_\_

7 PAGE \_\_\_\_\_ LINE \_\_\_\_\_ CHANGE \_\_\_\_\_

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9 REASON \_\_\_\_\_

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11 \_\_\_\_\_

12 REASON \_\_\_\_\_

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15 REASON \_\_\_\_\_

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18 REASON \_\_\_\_\_

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21 REASON \_\_\_\_\_

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24 WITNESS \_\_\_\_\_ Date \_\_\_\_\_

25 \_\_\_\_\_

[&amp; - achieves]

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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.



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