

1 volunteers. Hundreds of volunteers from all across the
 2 Metroplex. And it includes networking with a bunch of
 3 different partners to provide services and fundraising and
 4 other kinds of things.

5 Q. Now Reverend Fugarino I liked to talk a little bit
 6 more about the church that you lead. Where is Independence
 7 Boulevard Christian church located?

8 A. It's located at the intersection of Gladstone Avenue
 9 and Independence Avenue.

10 Q. And where would you say your church is located within
 11 the Kansas City area?

12 A. We are in the Historical Northeast, which is just a
 13 little bit northeast of downtown.

14 Q. And can you describe a little bit about what the
 15 boundaries of that Historical Northeast area looks like?

16 A. So from, like, on the east side Paseo, and then
 17 stretches four ways but north side is the industrial district
 18 and then it's the bottom border is I-70.

19 Q. I'd like to pull a demonstrative Exhibit 304. Now
 20 Reverend, does this map reflect what you had described in terms
 21 of the Historical Northeast?

22 A. Yes.

23 Q. And there's a laser right in front of you. Could you
 24 just show us where your church is located on this map?

25 A. Right inside that little intersection right there.

1 Q. Does your congregation draw predominately from the
2 Historic Northeast area?

3 A. Yes.

4 Q. And can you describe a bit about your congregation?

5 A. We often describe ourselves as island of misfit toys.

6 I mean, very diverse group of people. Very quirky in our own

7 different ways. A lot of strengths, but also a lot of

8 challenges that everybody carries. Mostly from the area, I

9 would say about half of congregation probably does not own a

10 vehicle.

11 Uses public transit or gets rides back and forth to

12 the building. Some of those attending are there for a little

13 while, and then transit. And you're like wait. But it's a

14 pretty small group that's there on Sundays and a huge group

15 that is there on other days.

16 Q. And can you briefly describe the history of your
17 church?

18 A. So the church was founded in 1886 and was known as

19 Prospect Avenue Christian church because it was on Prospect

20 Avenue, and then it moved in 1905 to our current location. In

21 the 20s, you know, the industrial area was coming in, and so

22 we had like some different community investment in terms of

23 people helping those who were lower wage workers and the

24 families that were struggling. And they started what's now

25 called Whatsoever center. It's still in existence. And then

1 in the 80s, I think they were continuing to help throughout
2 the decades.

3 But in the 80s, I know they had, like, a summer--
4 all summer long day camp for the kids so that there was
5 coverage while their parents were working. By the time 2001
6 rolled around they knew that there were so many people
7 experiencing poverty and homelessness that they needed to
8 address that. And so we started a pretty extensive wraparound
9 service ministry to start with dinners on Monday nights, and
10 it's still going now

11 Q. And is it fair to say the church has a long history
12 of supporting its surrounding community?

13 A. Yes.

14 Q. And can you talk a little bit about what the church
15 is doing today to help the community that surrounds it?

16 A. So the biggest one is Micah Ministry on Monday
17 nights, and that's, like, from 5:30 to seven, and people come
18 in and they sit down and they're served a nice dinner. While
19 they're being served they get food. At least people can get
20 clothing orders that they can put in. They also get hygiene
21 products on the way out and packets of cat food and other
22 things. Resources from providers that are there to help make
23 sure that they have access to things to reach their goals.

24 And at the same time we always have free medical care
25 there with our partner Care Beyond the Boulevard.

1 Q. And who runs this wraparound service program?

2 A. Well, besides being executive director, it's really
3 all done volunteers and all the donations come from the
4 volunteers. So people from around the Metroplex that are from
5 all different backgrounds. It's every different faith
6 tradition. Dozens of congregations. But at the same time lots
7 of businesses and schools and individuals that just care about
8 other people.

9 We even have atheist organizations that are highly
10 invested.

11 Q. Who are some of the individuals and organizations
12 that you also partnered with in order to make this program run?

13 A. So Care Beyond the Boulevard is a big one.
14 Harvesters is a big one. And Community Link and Front Porch
15 Alliance. Like I said, dozens of various congregations. All
16 different faiths and other individuals too. And I can keep
17 naming more, but you probably don't want them all.

18 Q. Can you explain specifically how the church stays,
19 like, a physical building is used within the community?

20 A. So the huge fellowship hall is used for that dining
21 space. It's also used for film screenings. But, like, the
22 clinic has permanent space there that Care Beyond the Boulevard
23 they have exam rooms that are permanent there. They have
24 pharmacy and offices. They also have a huge warehouse space
25 where they store everything that they take to the other

1 locations where they offer clinics times.

2 And also out to homeless camps where their serving

3 people. In another portion of the building, we have a school

4 that is housed there. It's a school for young men grades six

5 through 12. That's Ryogoku Soccer Academy. And they --

6 basically, I would probably say over half of their students are

7 second or third language English speakers.

8 Kids who need different study model, curriculum model

9 from what they were getting in the public system. And it's a

10 private owned profit school. And then we use the space before

11 we start that Micah Ministry on Monday nights we have an hour

12 that's nonreligious community building time. And we have live

13 music once a month. We have resource providers and public

14 leaders come in and speak.

15 We have art and games just to help build

16 relationships and help people build resiliency and know that

17 they're not alone in this journey. And we have community

18 organizers to come in and talk about, like, civic conversations

19 about how the systems are impacting us and how we can

20 collaborate together.

21 Q. And what about the rest of the church property are

22 there any uses for that?

23 A. Yeah. So we have, like, the whole neighborhood uses

24 our parking lot across the street for a trash pickup day. But

25 also, like, monthly in warm seasons for everybody to bring

1 their stuff. But also we have a Harvest Festival in our
2 parking lot that's on the other side of the street east side of
3 us. And we have our garage over there with our van that we
4 store. And pretty much every Monday all of our lots are full
5 and so our volunteers and the people who are receiving services
6 are definitely filling the lot on the east side, as well as the
7 south side.

8 Q. Would you say that the Historic Northeast communities
9 would be safe?

10 A. Yes.

11 Q. And what makes it safe?

12 A. A lot of things. I mean, there's some communal pride
13 about it particularly about being a rich cultural area. If
14 we're not the most diverse, we're certainly one of the most
15 culturally diverse neighborhoods where there's a pretty even
16 spread amongst a lot of different racial backgrounds. So we
17 celebrate that a lot. But we also have, like, a Northeast
18 Chamber of Commerce that's just for our area focusing on
19 empowering the businesses.

20 We have a Northeast High School. We have a Northeast
21 News, which is celebrates all the different events going on,
22 but also various issues that impact all of us there in the
23 Northeast. There's a Northeast Neighborhood Trust, which is
24 something that was developed by one neighborhood association,
25 but then kind of adopted by a lot of collaborators as a way to

1 help fund buying properties and keeping them affordable for the
2 community in perpetuity. And then we also have, like, the
3 Neighborhood Associations now. There's several different
4 neighborhoods but they all -- the leaders all collaborate on
5 things that they can do together.

6 Q. And are there any festivals or celebrations that are
7 hosted for that area?

8 A. Every year there's a festival called Americana, that
9 is celebrating all the different cultures that are part of who
10 we are.

11 Q. Based on your understanding of the area you work in
12 and serve, how did the Historic Northeast come to be the
13 community it is today?

14 A. My understanding particularly given those who were
15 founders in our congregation is that it was mostly a wealthy
16 and white area. And then when white flight started moving
17 everybody down towards the suburbs southwest particularly and
18 then also some north and redlining, you know, got invented we
19 had -- our area was one of the few areas where people of color
20 could actually live and locate. And it became an area where,
21 you know, sometimes the people leaving those properties kept
22 ownership and started renting. So it became an area that was
23 very dense in renter population and more so than other parts of
24 the community. Also became an area that was under invested in
25 -- for infrastructure and schools, so property values decreased

1 and it became a place where a lot of refugees from all over the
2 globe were being relocated when they came.

3 And so we have a lot of diversity happening. It kind
4 of felt like with the disinvestment and the lack of economic
5 development in the area a whole lot of poverty was being driven
6 in that direction.

7 Q. So what are some of the needs of this community and
8 the residents in this community that are in common -- that they
9 share in common with each other?

10 A. There's a lot of needs that our folks have in common.
11 One of those is housing and rents have tripled in the last
12 ten-years in the area. And people that we serve who are
13 unhoused and food insecure have doubled in the last five-years.
14 So there's significant impact on poverty. Significant impact
15 on crime and human trafficking.

16 A lot of our population, as I said, are renters. And
17 so renter's rights are pretty significant and a lot of our
18 people are low wage workers. And so workers rights are pretty
19 significant. A lot of people are struggling to get access to
20 free healthcare or any healthcare for that matter, so that's
21 been a huge barrier for people. And then because our
22 population is so diverse they are most readily targeted by the
23 administrations efforts for immigration and ICE, which brings a
24 lot of tension, anxiety, and disruption in many households and
25 neighborhoods.

1 Q. So Reverend Fugarino I'd like to spend some time
2 discussing the impact that the new 2025 map enacted by the
3 General Assembly will have on your community. Prior to the
4 2025 redistricting number what congressional district is your
5 church in?

6 A. We were in five.

7 Q. And you mentioned earlier that the church moved to
8 its current location in 1905; is that correct?

9 A. Correct.

10 Q. As far as you know has Historic Northeast been
11 included in a single congressional district?

12 A. As far as I'm aware of, yes.

13 Q. And what about under the new 2025 map?

14 A. Under the new map our primary building will be in
15 District four. Our parking lot and where the festival is and
16 the garage and all of that will be in District five, and then
17 across the street to the northwest on the other side of
18 Independence Avenue will be District six.

19 Q. So, in other words, the church property is now being
20 split amongst two different districts, fair?

21 A. Yes.

22 Q. So if we could pull up, Your Honor, Exhibit 305
23 demonstrative. Thank you. And does this reflect what we just
24 discussed?

25 A. Yes.

1 Q. And with your pointer, can just point to where the
2 church is and where the parking lot you've been discussing are?

3 A. That's where the church is. This is the east lot and
4 the garage where we had the Harvest Festival and here's our
5 south lot.

6 Q. And so just to reiterate the building that you
7 pointed to where the church is, that's where the food hall and
8 the wraparound services are prepared; correct?

9 A. Yes.

10 Q. And then as you said the parking lot in CD5 that's
11 where your garage and your van and the festival take place;
12 correct?

13 A. Mmm-hmm.

14 Q. Who's the current representative of CD5?

15 A. Emanuel Cleaver.

16 Q. And would you say Representative Cleaver has been
17 responsive to your communities needs as the representative of
18 CD5?

19 A. I would say in a large way he has.

20 Q. And can you describe a little bit about why you
21 believe that?

22 A. He's been supportive of more affordable healthcare
23 and access. He's been supportive of immigration reform and
24 different resistance of the current tactics of ICE. He's also
25 been -- I mean, for our area in specific he's been working for

1 a long time on a transportation corridor that would be along
2 Independence Avenue, which is right by us and it would go all
3 the way across Stateline into Kansas. And it would basically
4 do a lot of economic development. It would make life more
5 livable for all these -- all of our residents who are using
6 public transit on a regular basis. It would do a lot for the
7 entire area.

8 Q. And what affect do you think the new district lines
9 would have at representation in Congress of those --

10 A. I think that when you divide it there it's dividing
11 up the urban area, who have a pretty common concerns and
12 interest. And each of the district now is being combined with
13 either of a huge span of rural areas, which people who are
14 going to have a lot of different concerns. And that's going to
15 be true then some of the others that are both rural and
16 suburban. Areas that are -- and majorities are going to be
17 areas that have very different concerns than the people who
18 live in the urban area.

19 Q. And what are some of the policies that you believe to
20 be negatively impacting by this change of representation?

21 A. Currently kind of the biggest one is kind of ICE is
22 being handled and immigration. It's a huge disruption with
23 we've already got families that have been pulled apart and
24 neighbors trying to care for people who don't feel safe getting
25 out of their houses. Kids who don't feel safe going to school.

1 Trying to make sure that people's needs are met when, you know,
2 their primary breadwinner has left and been detained. That's a
3 major issue.

4 Housing is a major issue. And my understanding is
5 that HUD is basically changing all of the rules and moving away
6 from very evidence based practice of housing first and changing
7 the way funding is given to providers and who ultimately also
8 have new strings that are attached to who gets housing. And
9 it's making a lot more barriers now for people to get housed
10 and making a lot of providers then unable to get funding.

11 And so some of them are even talking about whether or not
12 they're going to be able to continue. I think the applications
13 changed four times just to get the HUD funding this time
14 around.

15 And then on top of that there's the healthcare
16 dynamics with all of our healthcare if we were connected with
17 the Affordable Care Act it's all increasing. And some of the
18 people that were not getting it before are still not getting
19 it. Some of the people that had it before are not able to
20 afford it anymore. Those are, like, significant ones. For us,
21 personally, as well as for a lot of our partners in the area
22 AmeriCorps was a pretty prominent help for a lot of our
23 organizations.

24 We had an AmeriCorps member working for us. It's a
25 significant impact on what programming we're able to provide.

1 True for a lot of our partners. But AmeriCorps was defunded in
 2 a lot of ways. So, like, 80 percent of their DC staffing,
 3 administrative staffing was decreased.

4 And so the programming got -- and the contracting got
 5 all messed up and so the organization that was hosting all of
 6 the AmeriCorps leadership here went away. So we don't -- none
 7 of us have our staff anymore, you know, which changes what we
 8 provide.

9 Q. Based on your understanding of your community and
 10 their needs, do you think there would be any benefit to having
 11 more than representative account what's been working rather
 12 than just talking to the one?

13 A. No.

14 Q. And can you explain your answer?

15 A. Because each of those -- if there's three
 16 representatives. Each of those representatives is going to
 17 have most of their constituents in a rural and/or rural
 18 suburban area. And only a few of their constituents in the
 19 urban area, and so they are less likely to take the concerns
 20 that impact us as seriously.

21 Q. Reverend Fugarino earlier you testified that you
 22 reside in Kansas City on the Kansas side, right?

23 A. Mmm-hmm.

24 Q. Do you know who your current congressional
 25 representative is in Kansas City, Kansas?

1 A. Derek Schmidt.

2 Q. And has he always been your representative?

3 A. No.

4 Q. When did he become your representative?

5 A. When they redrew the districts sector. The last
6 census. And intentionally actually stated aloud that the goal
7 was to try to get rid of -- and take that for the other party.
8 They divided Wyandotte County where I live pretty much in half.

9 And northern part where I live went into Derek Schmidt's
10 district. And then they kind of spans the northern part

11 Wyandotte County and stretch all the way across the northern
12 part of Kansas, which wasn't very, very rural.

13 And very, very different decent needs from where we
14 are. And then her district was the -- District three was the
15 southern part of Wyandotte County into Johnson County and
16 further out south.

17 Q. And do you have any personal experiences with how
18 this redistricting of where you live impacted your life in
19 Kansas City, Kansas?

20 A. Yeah. Being involved in community organizing we were
21 very concerned about what was happening for our local police
22 department and -- that gets long abuses that we were wanting to
23 make sure were held accountable for. And having struggled
24 locally to address that we were advocating for the federal
25 government to do an investigation and we had a lot of events

1 and rallies. And Representative Davis was there for some of
 2 that and was supportive our desire to request that independent
 3 investigation through federal government and the districts
 4 changed. And Derek Schmidt is not interested.

5 Q. And do you have any sense of why he's not interested
 6 in this topic?

7 A. There could be a lot of reasons, but bare minimum
 8 most of his district is rural and is going to be less impacted
 9 by what happens in downtown Kansas City, Kansas.

10 Q. Now Reverend Fugarino returning back to this map and
 11 where the church will now be located under the 2025 map. Is it
 12 right that your church now falls within CD4?

13 A. Yes, the building does.

14 Q. And do you know who the congressional representative
 15 is for CD4?

16 A. Currently -- I know somebody who's running for it,
 17 but I've forgotten who's running -- who's the representative
 18 for District four.

19 Q. And do you have any sense even if you don't remember
 20 his name what his stances might be on the immigration
 21 policies or any ICE protections --

22 A. Well, I know that his party is Republican because
 23 that was the whole stated purpose of making these divisions was
 24 to change the party. The party policy has been pretty
 25 consistent around ICE and supporting ICE and supporting the

1 practices that have been happening. The same thing for
 2 healthcare and not allowing the same subsidies to continue and
 3 all of those kinds of things. The shift in the housing
 4 approach in terms of HUD funding and not doing housing first
 5 anymore, all that kind of stuff has led predominantly by his
 6 party.

7 MS. MENG MORRISON: No further questions, Your Honor.
 8 Pass the witness.

9 **CROSS-EXAMINATION**

10 BY MR. GORE:

11 Q. Good afternoon, Reverend Fugarino.

12 A. Afternoon.

13 Q. My name is John Gore. I don't believe we've met
 14 before today.

15 A. No, we've not.

16 Q. It's nice to meet you. You've testified about the
 17 new congressional district lines in your churches neighborhood;
 18 correct?

19 A. Correct.

20 Q. That's Northeast Jackson. Sorry. And you haven't
 21 testified about the new district lines anywhere else in
 22 Kansas City; is that right?

23 A. Correct.

24 Q. And you also haven't testified about the new district
 25 lines anywhere else in Jackson County; correct?

1 A. Correct.

2 Q. And you're not testifying about the new district
3 lines anywhere else in Missouri; is that right?

4 A. Correct.

5 Q. Are you aware that in the 2022 plan Kansas City was
6 split into three districts? District four, five, and six?

7 A. Yes.

8 Q. And in 2025 plan it's still split into those same
9 three districts: District four, five, and six; is that right?

10 A. The same numbers.

11 Q. Yes.

12 A. But not the same places of division.

13 Q. But still three total districts, right?

14 A. Yes.

15 Q. And you testified before that the district line runs
16 on Gladstone Avenue between your church and your east parking
17 lot. Is that right?

18 A. Yes.

19 Q. And do you know one way or another whether that
20 street is a -- the line of a voting precinct in that part of
21 Kansas?

22 A. I do not know.

23 Q. And I believe you testified that you think northeast
24 is a community; is that right?

25 A. Yes.

1 Q. And it's a community because it's shares certain
2 common interests; is that right?

3 A. Mmm-hmm. Yes.

4 Q. Interests like education, housing, things like that;
5 correct?

6 A. Yes.

7 Q. And the congressional district lines don't change the
8 fact that northeast is a community, do they?

9 A. It changed what we can do together collaboratively.

10 Q. So you've mentioned some things that are done
11 collaboratively in the neighborhood. And it was a very
12 impressive list of things I must say. You talked about church
13 services that you have on Sunday; is that right?

14 A. Yes, I do have services on Sunday.

15 Q. And you provide these wraparound services on Monday?

16 A. Yes.

17 Q. And that brings together various volunteers and
18 community groups from all across the city; correct?

19 A. Correct.

20 Q. And you'll still continue to provide those wraparound
21 services regardless of where congressional lines are; correct?

22 A. Yes. As long as we have the resources and as long as
23 those needs don't continue to grow because of -- as they've
24 been growing over this past year.

25 Q. And you mentioned the Northeast Chamber of Commerce;

1 correct?

2 A. Yes.

3 Q. And it will continue to provide services regardless
4 of whether congressional district lines are drawn; is that
5 correct?

6 A. I would expect that's true.

7 Q. And the same with the Northeast High School it will
8 continue to operate; correct?

9 A. Correct. How we all operate changes.

10 Q. And the school at the church will also operate and
11 provide services to those students who need that particularly
12 --

13 A. Assuming they still get their funding. They've
14 already lost some of their funding to support refugees
15 students.

16 Q. Now you had expressed concern that the northeast
17 neighborhood knew it's interest would not be as well
18 represented if it's placed in three districts; is that right?

19 A. Correct.

20 Q. And you also said that it would not be well
21 represented if it's placed in districts with predominantly
22 rural areas; is that right?

23 A. And suburban for that matter.

24 Q. The northeast neighborhood is an urban area. It
25 doesn't share interest with rural areas. Is that your view?

1 A. I think we share interests. I think we've been
 2 taught to talk about them differently and to advocate for them
 3 differently. And I think part of the cultural lingo that is
 4 shared particularly in rural areas has a different awareness of
 5 what they need healthcare wise. What they need in general. So
 6 I think it has shaped what kind of policies are supported or
 7 not supported.

8 And sometimes the religious policies get more
 9 emphasized in the rural areas

10 Q. And it's your view that urban area are best served if
 11 there in majority urban districts; is that right?

12 A. Say that question again. I'm sorry.

13 Q. Urban areas and their interest are best represented
 14 in urban communities, and their community interests are best
 15 represented if they're in districts with a majority urban
 16 population; is that right?

17 A. I think if the majority of the urban if there's
 18 enough voices that the representative will actually pay
 19 attention to them because they aren't deluded than yes I think
 20 that's a good plan.

21 Q. Are you aware that in the 2025 plan the majority of
 22 the population in District five resides in urban areas?

23 A. Perhaps we're using the definition of urban a little
 24 bit differently too. I think there's also different wealth in
 25 different parts of the urban area or in an urban area that over

1 a third live below the poverty line in our area. And
 2 71-percent of the households in our area make less than \$50,000
 3 a year. That's not true in every urban area, that's true in
 4 our urban area.

5 Q. But you don't know one way or the other whether a
 6 majority of the population in District five resides in urban
 7 areas say such as defined by the Census Bureau?

8 A. I don't know fully. I do know that the east side of
 9 Kansas City, which is also experiencing similar issues poverty
 10 wise as well the Historic Northeast were all in District five
 11 before and we all had those common concerns.

12 Q. What about District six are you aware that the
 13 majority of the population District six now resides in the
 14 urban areas?

15 A. In District six because it stretches all across the
 16 north part of the state now, right?

17 Q. It takes in all of the Kansas City portion of Clay
 18 County?

19 A. That's a different kind of urban area in Clay County
 20 than the urban area in Jackson County, I would say.

21 Q. And are you aware that in the 2022 plan District four
 22 was actually majority rural?

23 A. I'm not aware.

24 Q. And are you aware that now in the 2025 plan District
 25 four is majority urban like District five and District six?

1 A. I'm not aware of that.

2 MR. GORE: I have no further questions.

3 THE COURT: Does the state have questions?

4 MS. HUNKER: No questions, Your Honor.

5 THE COURT: Additional questions for the plaintiffs?

6 MS. MENG MORRISON: No, Your Honor.

7 THE COURT: You can step down. Thank you.

8 MS. KHANNA: Your Honor, Our next witness is probably

9 going to be in the 30 to 45-minute range.

10 THE COURT: Okay. I won't force that issue. While

11 we're here just a couple of logistic questions about how

12 to handle the depositions that you all have submitted, if

13 we can talk about that for a couple minutes to use our

14 time. We have -- I think you all filed to the case

15 depositions for, I think, there are four election board

16 witnesses. Right. Two from Jackson, and then two from

17 Kansas City.

18 MS. HUNKER: That's correct, Your Honor.

19 THE COURT: Okay. And then there's some

20 designations, counter designations, and then objections on

21 file. I saw there was a subpoena filed for one of those

22 folks. Is one of them going to be testifying live, in

23 addition to the deposition, or in lieu of?

24 MS. HUNKER: Let me take a step back. We are

25 subpoenaing a witness Mr. Sean Kuyper. He will be

1 appearing. I was understanding was in addition.

2 THE COURT: That's fine.

3 MS. HUNKER: I don't know if that was actually
4 discussed between the two sides.

5 MS. KHANNA: That's our understanding as well that it
6 would be in addition to.

7 THE COURT: Okay. So and you all may have already
8 worked some of this out, but I'll tell you kind of my
9 assumption or thoughts about how to deal with that. With
10 the transcripts, I can just go -- if you all agree that
11 you're ready for me to do it, I can just go through them,
12 and then issue an order that has rulings on the objections
13 that are in there. And then we can mark the deposition
14 transcripts as exhibits, and then put them as part of the
15 record. Does that work for everybody?

16 MR. MULJI: Your Honor, that would work for us. One
17 question I had for you, that we were going to raise at
18 some point during the trial, was whether you'd like to see
19 how those deposition transcripts in sum were a
20 consolidated format where we identified the testimony that
21 is subject to an objection, and then if we had testimony
22 that either party has, you know, designated but hasn't
23 been objecting to.

24 THE COURT: I can't say that I would mind you doing
25 that. I kind of work through some of it just, you know,

1 in a summary fashion. But if you all want to do that, I
2 won't complain.

3 MR. MULJI: We imagine it might be helpful for the
4 Court, and we're happy to do it.

5 MS. HUNKER: We do believe that a consolidated
6 document would work. We're happy to talk with plaintiffs
7 who will probably like to propose it at some point during
8 the trial as well.

9 THE COURT: Okay.

10 MS. HUNKER: In terms of the objections, we were
11 going to suggest taking the matter -- taking it with the
12 case. But we leave that before the judge.

13 THE COURT: That's fine. I mean, in a jury trial I
14 just do an order.

15 MR. SULLIVAN: It might save you some work, Your
16 Honor, since it's a bench trial you can just take it with
17 the case then.

18 THE COURT: Fair enough.

19 MR. CHEUNG: That's fine.

20 THE COURT: It will depend on when you get me your
21 consolidated ones, and then we'll take it from there.
22 How's that?

23 MS. HUNKER: Thank you, Your Honor.

24 THE COURT: All right. Anything else you all want to
25 talk about today?

1 MS. HUNKER: The only thing I'll note, Your Honor, on
 2 our side is that we are going to be giving you a binder
 3 probably tomorrow with our exhibits. We didn't have them
 4 ready today since our witnesses are not coming up until
 5 later in the week, but you'll be getting a similar binder
 6 that you got from plaintiffs.

7 THE COURT: Okay. And you can send one
 8 electronically to, if that's easier for your folks. I
 9 don't care, either way I got plenty of screens. So
 10 whatever's easier for you all.

11 MS. HUNKER: Understood, Your Honor.

12 MR. MULJI: Well, Your Honor, in that case we do have
 13 a USB prepared for the plaintiffs.

14 THE COURT: Okay. Yeah. If you give a copy to
 15 Ms. Janney she'll get it uploaded for me.

16 MR. MULJI: I'll do that.

17 THE COURT: I'll take either but, again, if you have
 18 folks that are going to be working on it I'm fine taking
 19 them electronically. Okay. I'll see everybody at 8:30
 20 tomorrow. Thank you, everybody.

21 (Court Proceedings Adjourned.)

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