

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

* * *

SHAUNA WILLIAMS; et al.,
Plaintiffs,

vs. CIVIL ACTION NO. 23-CV-1057

REPRESENTATIVE DESTIN HALL, in
his Official Capacity as Chair
of the House Standing Committee
on Redistricting; et al.,

Defendant.

* * *

NORTH CAROLINA STATE CONFERENCE OF
THE NAACP; et al.,
Plaintiffs,

vs. CIVIL ACTION NO. 23-CV-1104

PHILIP BERGER, in his official
capacity as the President Pro
Tempore of the North Carolina
Senate; et al.,

Defendants.

REMOTE 30(b)(6) DEPOSITION OF BOB PHILLIPS
OCTOBER 18, 2024

* * *

1 Remote 30(b)(6) Deposition of
2 BOB PHILLIPS, a witness herein, called by the
3 Legislative Defendants for examination pursuant
4 to the Rules of Civil Procedure, taken before
5 me, Patti Stachler, RMR, CRR, a Notary Public
6 within and for the State of Ohio, at the office
7 of Southern Coalition for Social Justice,
8 Durham, North Carolina, on October 18, 2024, at
9 9:38 a.m.

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16 * * *

1 Q. How did you verify if the
2 potential standing members had regularly voted
3 in the past?

4 A. You go to the voter file and see,
5 you know, if they cast a ballot.

6 Q. And when Common Cause spoke to
7 each of these standing members in December of
8 2023, did they verify that the standing members
9 intend to vote in the future?

10 A. I don't know if that was something
11 that was specifically asked.

12 Q. In the ten phone calls that you
13 made, was that something you asked?

14 A. I was covering more about the
15 lawsuit, so it was not something that I had
16 asked.

17 Q. Okay. Did Common Cause do
18 anything to verify who was the candidate of
19 choice for each of the standing members?

20 A. You mean in terms of a specific
21 candidate or specific name? That was not
22 discussed.

23 Q. Okay. And so in the ten phone
24 calls that you made, you didn't ask that
25 question?

1 A. No, I did not talk candidates or
2 potential -- you know.

3 Q. Okay. In that December 2023
4 outreach, did Common Cause verify if the
5 standing members were willing to have their
6 names and addresses disclosed in this lawsuit?

7 A. We did. But that was where, as I
8 state in my affidavit, about how
9 confidentiality is very important to us. So we
10 talked about it in those terms about what that
11 might mean.

12 Q. You had that conversation in
13 December of 2023 before the lawsuit was filed?

14 A. Right.

15 Q. And what exactly did you tell them
16 about confidentiality and whether their names
17 and addresses would be disclosed?

18 A. Well, just that our position would
19 be that we would never release their names or
20 agree to having their names be released
21 publicly.

22 Q. Under any circumstances, they
23 would -- you would never agree to release them?

24 A. Not to the public. It would be a
25 protected seal if we could possibly agree to,

1 the North Carolina State Board of Election
2 voter file was in December 2023; is that right?

3 A. I believe that is right.

4 Q. Does the standing member who
5 resides in Senate District 1 intend to vote in
6 the future?

7 A. That is not, to my knowledge, a
8 question that we asked and talked about in the
9 conversations we had.

10 Q. Who was the candidate of choice of
11 the standing member in Senate District 1 in the
12 2022 Senate election for the North Carolina --
13 I'm sorry -- for the US Senate?

14 A. That is not information that we
15 discussed.

16 Q. Who was the candidate of choice
17 for the standing member in Senate District 1 in
18 the 20200 presidential election?

19 A. Again, nothing that we were
20 questioning anyone on.

21 Q. Okay. Is it fair to say that
22 Common Cause didn't ask about the candidates of
23 choice of any of the standing members in any
24 elections?

25 A. Not specific candidates and their

1 names, no.

2 Q. Where does the standing member who
3 currently resides in Senate District 1 reside
4 in Mr. Fairfax's illustrative Senate plan?

5 A. I'm not aware of that plan, so I
6 do not know.

7 Q. And Common Cause didn't verify
8 where the standing member in Senate District 1
9 resided in Mr. Fairfax's illustrative plans,
10 did it?

11 A. We did not.

12 Q. When did the standing member who
13 resides in Senate District 1 become a member of
14 Common Cause?

15 A. I only know that they are an
16 active member of Common Cause. We did not make
17 a list to say, and this is a member that joined
18 and gave their first donation in 2007.

19 We just -- again, I can tell you
20 that that member in that district is an active
21 member of Common Cause North Carolina.

22 Q. When did the standing member in
23 Senate District 1 last donate financially to
24 Common Cause?

25 A. If there's a donor, and some

1 Q. Who was the candidate of choice of
2 the standing member in House District 7 in the
3 2022 US Senate race in North Carolina?

4 A. Again, that was not a conversation
5 that I had with any of the members that we were
6 contacting.

7 Q. Okay. And who was the candidate
8 of choice of the standing member who resides in
9 House District 7 in the 2020 presidential
10 election?

11 A. Ask me that again. I'm sorry.

12 Q. Who was the candidate of choice of
13 the standing member --

14 A. Oh.

15 Q. -- who resides in House District 7
16 in the 2020 presidential election?

17 A. Again, I don't know.

18 Q. Okay. And if I asked you the same
19 questions about the other Common Cause members
20 in House District 7, would you give me the same
21 answers?

22 A. I would.

23 Q. Okay. And if I asked you about
24 the standing members in House District 8, would
25 you give me the same answers?

1 A. Yes.

2 Q. How many members has Common Cause
3 identified in Congressional District 5?

4 A. I don't know the number.

5 Q. And what is the name of one of the
6 standing members who resides in Congressional
7 District 5?

8 A. I'm not at liberty to share any
9 names of any of the --

10 Q. And what's the -- what's the basis
11 for your refusal to answer that question?

12 A. First Amendment.

13 Q. Okay. And so you're not willing
14 to provide that name of the Common Cause member
15 who resides in Congressional District 5 based
16 on the First Amendment?

17 A. That's correct.

18 Q. Do you recall the name of that
19 standing member in Congressional District 5?

20 A. Not here, but I have confirmed
21 that we have an active Common Cause North -- or
22 we had active Common Cause North Carolina
23 members who are part of the standing members
24 in this complaint living in Congressional
25 District 1 -- or did you ask Congressional