

EXHIBIT 5

*Second Declaration of Robert Phillips,
Executive Director of Common Cause
North Carolina, dated January 7, 2025*

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

SHAUNA WILLIAMS, et al.,

Plaintiffs,

v.

REPRESENTATIVE DESTIN HALL, in his
official capacity as Chair of the House Standing
Committee on Redistricting, et al.,

Defendants.

Civil Action No. 23 CV 1057

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

Plaintiffs,

v.

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

Defendants.

Civil Action No. 23 CV 1104

**SECOND DECLARATION OF ROBERT PHILLIPS
EXECUTIVE DIRECTOR OF COMMON CAUSE NORTH CAROLINA**

I, Robert “Bob” Phillips, swear under penalty of perjury that the following information is true to the best of my knowledge and state as follows:

1. I previously provided a declaration on October 2, 2024 in this matter.
2. Since providing that declaration, I am aware that pursuant to a court order my counsel has produced the unredacted voting records for those members of Common Cause who live in the areas we are challenging in this matter and who provide standing for Common Cause to bring its claims in this matter, and that those records were produced with bates numbers NAACPSS_0005538–5639.
3. As of the date of this declaration, I have confirmed the following for every individual within the voting records produced:
 - a. Common Cause received the permission of every individual whose voting records were produced to provide these records on a confidential, non-public basis to counsel for the Defendants and under seal to the court.
 - b. Every individual is a current, active member of Common Cause and has been a current, active member since before we filed the Complaint in this matter on December 19, 2023.
 - c. The current voter record for each of these individuals, as publicly available from the North Carolina State Board (<https://vt.ncsbe.gov/reglkup/>), indicates they are still registered voters residing at the same address as in the produced voting records and that they voted in the 2024 general election; and
 - d. Each individual identifies as Black or African American, as indicated by their self-designation in their registration file with the North Carolina State Board or (in the case of the individual whose records are at NAACPSS_00005614) as Common Cause has confirmed directly through contact with that individual.
4. Common Cause identified these individuals as members utilizing the database of members maintained by Common Cause staff, kept confidential and under password protection. The database contains the name, street address, donation history, and, if provided, the phone number and email address of each member. The donation history of members is recorded jointly by Common Cause North Carolina and Common Cause National when donations are made. Additional information about any actions a member has taken with Common Cause is also included, and can be updated by Common Cause staff when local organizers

report information, such as attendance at a meeting, or by staff when they are directly organizing an event.

5. In order to be an active member of Common Cause, an individual must have donated financially to the organization and/or taken an action with Common Cause in the last two years. Actions can include, but are not limited to, participating in a community event with Common Cause, volunteering with Common Cause, or advocating for a policy in support of Common Cause goals as part of an advocacy campaign. For those individuals in the produced unredacted voting records, I have confirmed that each of them has a history of engagement within the past two years.
6. I also verified that each individual within the voting records produced is still registered to vote at the same address and voted in the 2024 general election from that residence.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Executed on: 1-7-25


Robert Phillips