IN THE SUPREME COURT OF OHIO

LEAGUE OF WOMEN VOTERS OF OHIO, *et al.*, *Relators*, *v.* OHIO REDISTRICTING COMMISSION, *et al.*, *Respondents*.	Case No. 2021-1193
BRIA BENNETT, *et al.*, *Relators*, *v.* OHIO REDISTRICTING COMMISSION, *et al.*, *Respondents*.	Case No. 2021-1198
THE OHIO ORGANIZING COLLABORATIVE, *et al.*, *Relators*, *v.* OHIO REDISTRICTING COMMISSION, *et al.*, *Respondents*.	Case No. 2021-1210

PRESENTATION OF EVIDENCE BY RESPONDENTS HUFFMAN AND CUPP

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PRESENTATION OF EVIDENCE BY RESPONDENTS HUFFMAN AND CUPP

VOLUME II

Respondents, Speaker of the Ohio House of Representatives Robert Cupp, and Senate President Matthew Huffman submit the following evidence in this matter[1]:

Exhibit	Item Description	Page no.
1	Senate President Huffman's Responses to Bennett Relators' Discovery Requests	HC_0001-HC_0013
2	Senate President Huffman's Responses to Ohio Organizing Collaborative Relators' Interrogatories	HC_0014-HC_0024
3	Senate President Huffman's Responses to League of Women Voters of Ohio Relators' Discovery Requests	HC_0025-HC_0045
4	Speaker Cupp's Responses to Bennett Relators' Discovery Requests	HC_0046-HC_0058
5	Speaker Cupp's Responses to Ohio Organizing Collaborative Relators' Interrogatories	HC_0059-HC_0068
6	Speaker Cupp's Responses to League of Women Voters of Ohio Relators' Discovery Requests	HC_0069-HC_0088
7	Ohio Redistricting Commission's Combined Responses to Interrogatories and Document Requests	HC_0089-HC_0111
8	Auditor Faber's Responses to Bennett Relators' Discovery Requests	HC_0112-HC_0129
9	Auditor Faber's Responses to Ohio Organizing Collaborative Relators' Interrogatories	HC_0130-HC_0142
10	Auditor Faber's Responses to League of Women Voters of Ohio Relators' Discovery Requests	HC_0143-HC_0187
11	Governor DeWine's Responses to Bennett Relators' Discovery Requests	HC_0188-HC_0208
12	Governor DeWine's Responses to Ohio Organizing Collaborative Relators' Interrogatories	HC_0209-HC_0223
13	Governor DeWine's Responses to League of Women Voters of Ohio Relators' Discovery Requests	HC_0224-HC_0266
VOLUME II		
14	Secretary of State LaRose's Responses to Bennett Relators' Discovery Requests	HC_0267-HC_0285
15	Secretary of State LaRose's Responses to Ohio Organizing Collaborative Relators' Interrogatories	HC_0286-HC_0297

[1] Respondents Huffman and Cupp also reserve the right to rely on any evidence presented in this matter by stipulation or presented by any other party.

16	Secretary of State LaRose's Responses to League of Women Voters of Ohio Relators' Discovery Requests	HC_0298-HC_0340
17	Senator Sykes' Responses to Respondents Huffman and Cupp's Discovery Requests	HC_0341-HC_0360
18	Senator Sykes' Responses to Ohio Organizing Collaborative Relators' Interrogatory Responses	HC_0361-HC_0372
19	Senator Sykes' Responses to League of Women Voters of Ohio Relators' Discovery Requests	HC_0373-HC_0392
20	Leader Sykes' Responses to Respondents Huffman and Cupp's Discovery Requests	HC_0393-HC_0413
21	Leader Sykes' Responses to Ohio Organizing Collaborative Relators' Interrogatory Responses	HC_0414-HC_0424
22	Leader Sykes' Responses to League of Women Voters of Ohio Relators' Discovery Requests	HC_0425-HC_0446
23	ESYKES_0000237-ESYKES 0000247, Email Dated July 21, 2021 from Alex Aryeh, Subject "Final Agenda Joint Caucus Redistricting Retreat.pdf"	HC_0427-HC_0458
24	ESYKES_0000385-ESYKES0000386, Email Dated June 9, 2021 from Samantha Herd, Subject "FW: Draft Sykes/Yuko Letter Governor"	HC_0459-HC_0461
25	ESYKES_0007076-ESYKES0007082, Email Dated September 10, 2021 from Emiliana Morales, Subject "OLBC Redistricting Meeting follow up" and attachment	HC_0462-HC_0469
26	ESYKES_0009394-ESYKES0009397, Email Dated January 19, 2021 from Samantha Herd, Subject "Fwd: Memo for Legislator Roundtable Event w AG Holder" and attachment	HC_0470-HC_0474
27	ESYKES_0007247-ESYKES0007250, Email Dated August 20, 2021 from Samantha Herd, Subject "RE: Invoice and Purchase Letter: Consulting" and attachment	HC_0475-HC_0479
28	ESYKES_0000655-ESYKES_0000685, Email Dated January 22, 2020 from Katy Shanahan, subject "Final Review of Redistricting Guide" and attachment	HC_0480-HC_0511
29	Glassburn000024-Glassburn000031, Signed Contract with Project Govern	HC_0512-HC_0520
30	VYSKES_0013942-VSYKES_0013943, Email Dated August 12, 2021 from George Boas, Subject "Supplemental Allocation of Funds-8.11.2021" and attachment	HC_0521-HC_0523
31	VSYKES_0001113-VSYKES_0001114, Email Dated September 3, 2019 from Keary McCarthy, Subject "Re: Convening Ohio's Redistricting Experts"	HC_0524-HC_0526
32	VSYKES_0004365-VSYKES_0004367, Email From George Boas, October 13, 2021, Subject "George-23"	HC_0527-HC_0530
33	VSYKES_0008968-VSYKES_8970, Email Dated October 13, 2021 from Mike Rowe, Subject "Fwd: Background info for Monday Morning's conference call" and attachment	HC_0531-HC_0534

34	VSYKES_11348, Text Messages between Senator Sykes and Senate President Huffman	HC_0535-HC_0536
Volume III		
35	Affidavit and Expert Report of Dr. Michael Barber	
37	Affidavit and Expert Report of Dr. M.V. Hood III	
Volume IV		
36	Affidavit and Expert Report of Sean Trende	
38	Affidavit of Raymond DiRossi	

Respectfully submitted this the 22nd day of October, 2021

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Exhibit 14

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IN THE SUPREME COURT OF OHIO

Bria Bennett, *et al.*, **Relators,** **v.** **Ohio Redistricting Commission, *et al.*,** **Respondents.**	**Case No. 2021-1198** Original Action Filed Pursuant to Ohio Constitution, Article XI, Section 9(A) *[Apportionment Case Pursuant to S. Ct. Prac. R. 14.03]*

RESPONDENT SECRETARY OF STATE FRANK LAROSE'S RESPONSES TO RELATORS' REQUESTS FOR PRODUCTION OF DOCUMENTS.

Respondent Secretary of State Frank LaRose, in his official capacity as a Member of the Ohio Redistricting Commission responds to Relators' requests for production.

GENERAL OBJECTIONS

1. Respondent objects to the Requests to the extent they do not describe with reasonable particularity each item or category of items to be inspected as required by Rule 34 of the Ohio Rules of Civil Procedure.

2. Respondent objects to the Requests to the extent they are overly broad, unduly burdensome, vague, duplicative, not reasonably calculated to lead to the discovery of admissible evidence, and not proportional to the needs of the case.

3. Respondent objects to the Requests to the extent they seek information protected by the attorney-client privilege or work-product doctrine.

4. Respondent objects to the Requests to the extent they seek information protected by the deliberative process privilege.

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5. Respondent objects to these Requests to the extent that they seek information not in Respondent's possession, custody, or control.

6. Respondent objects to the Requests to the extent that they seek information that is publicly available, already in Relators' possession, or in the possession or control of third parties.

7. Respondent objects to the Requests as confusing, ambiguous, or vague.

8. Respondent expressly reserves all objections as to competency, relevancy, materiality, and admissibility of the answers contained herein and any objections to future discovery Requests.

9. Respondent expressly reserves the right to alter, amend, revise, and/or supplement these responses. No response shall be construed as a waiver of any further objection.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. All documents and communications related to the Section 8(C)(2) statement, including (without limitation) time-stamped drafts of the document.

   ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

2. All documents and communications containing or relating to instructions given to the map drawer(s) with respect to creating the 9/9 and 9/16 plans.

   ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

3. All documents and communications concerning the 9/9 and 9/16 plans, including (as specified in the definition above) any drafts thereof.

   ANSWER: Respondent incorporates all General Objections as if set forth herein.

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Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

4. All documents and communications concerning information or data viewed by the map drawer(s) regarding the 9/9 or 9/16 plans prior to the presentation of such maps to the Commission.

ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

VERIFICATION OF PRODUCTION ANSWERS

David M. Grodhaus
Signed on 2021/10/12 14:24:36 -8:00

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On behalf of Respondent Secretary of State LaRose

Sworn to before me and subscribed in my presence this 12th day of October, 2021.

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Respectfully submitted,

AS TO OBJECTIONS

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IN THE SUPREME COURT OF OHIO

Bria Bennett, *et al.*, **Relators,** **v.** **Ohio Redistricting Commission, *et al.*,** **Respondents.**	**Case No. 2021-1198** Original Action Filed Pursuant to Ohio Constitution, Article XI, Section 9(A) *[Apportionment Case Pursuant to S. Ct. Prac. R. 14.03]*

RESPONDENT SECRETARY OF STATE FRANK LAROSE'S RESPONSES TO RELATORS' FIRST SET OF INTERROGATORIES

Pursuant to Rules 26, 33, and 34 of the Ohio Rules of Civil Procedure, Respondent Secretary of State Frank LaRose, in his official capacity as a Member of the Ohio Redistricting Commission responds to Relators' interrogatories:

DEFINITIONS AND INSTRUCTIONS

A. The following terms shall have the meanings indicated below:

(1) The terms "Respondents," "you," and "your" shall mean: House Speaker Bob Cupp, Governor Mike DeWine, Secretary of State Frank LaRose, Auditor Keith Faber, and Senate President Matt Huffman individually, as a member of the Ohio Redistricting Commission, and in your capacities as House Speaker, Governor, Secretary of State, Auditor, and Senate President, respectively, as well as your present and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, attorneys, and other persons or entities acting or purporting to act on your behalf.

(2) The term "Commission" shall mean the Ohio Redistricting Commission.

(3) The term "9/9 plan" shall mean the General Assembly maps presented by Senate President Matt Huffman to the Ohio Redistricting Commission on September 9, 2021, or any drafts thereof.

(4) The term "9/16 plan" shall mean the General Assembly maps proposed by Senate President Matt Huffman to the Ohio Redistricting Commission on September 15, 2021, and approved on September 16, 2021, or any drafts thereof.

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(5) The term "map drawer" shall mean anyone who assisted in the creation of the 9/9 or 9/16 plans, regardless of whether or not they were compensated for their services.

(6) The term "Section 8(C)(2) statement" shall mean the statement, disseminated to the public by the Commission on September 16, 2021, purporting to explain (as required under Article XI Section 8(C)(2) of the Ohio Constitution for maps approved by a simple majority) "what the commission determined to be the statewide preferences of the voters of Ohio and the manner in which the statewide proportion of districts in the plan whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party corresponds closely to those preferences, as described in division (B) of Section 6 of [Article XI]."

(7) The term "Describe" shall mean to set forth fully and unambiguously every fact that relates to the answer called for by the Interrogatory of which you have knowledge and to identify each individual or entity with knowledge or information that relates to your answer, and when used in reference to a factual or legal contention, to describe the full factual and legal basis for the contention, and to identify any and all persons that you believe have knowledge about each such fact or document.

(8) The term "person" shall mean and include natural persons, governmental entities, proprietorships, corporations, partnerships, joint ventures, and each other form of organization, entity, or association.

(9) The term "identify" shall mean, with respect to any natural person, to state his or her full name, present or last known residential address, present or last known business address, and telephone number(s).

(10) The term "identify" shall mean, with respect to any business organization, corporation or other legal entity, to state its full name, present or last known address, principal place of business, and telephone number.

(11) The term "identify" shall mean, with respect to any document, to state the date of the document and the type of the document (e.g., letter, memorandum, telegram, chart, photograph, sound reproduction, etc.), to identify the person(s) who prepared the document, to identify any person(s) who signed the document, to identify any person(s) to whom the document was sent, to identify the present location and custodian of the document, and to describe the contents of the document.

(12) The term "document" is used in the broadest possible sense and shall mean, without limitation, any kind of written, printed, recorded or graphic matter, however produced or reproduced, of any kind or description, whether sent or received or neither, including originals, copies and drafts and both sides of originals, copies and drafts, and including but not limited to papers, books, letters, correspondence, telegrams, cables, telex messages, electronic messages or electronic mail (whether or not stored or recorded on-line or off-line in archive storage), financial statements, memoranda,

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notes, notations, work papers, transcripts, minutes, reports and recordings of telephone conversations or other conversations, or of interviews, or of conferences or other meetings, affidavits, statements, summaries, opinions, reports, studies, analyses, evaluations, contracts, agreements, journals, statistical records, desk calendars, appointment books, diaries, expense account records, lists, tabulations, summaries, sound recordings, videotapes, word processing disks and/or memory or archive systems, computer disks and/or memory or archive systems, computer printouts, data processing input and output, magnetic tapes, magnetic disks, microfilms, all other records kept by electronic, magnetic, photographic, optical or mechanical means, and things similar to any of the foregoing, however denominated.

(13) The term "communication" shall mean the transmission of any verbal or nonverbal, written or non-written message, information, sign, symbol, or behavior, and shall include the process by which such transmission occurs.

(14) The terms "relating to" and "concerning" shall mean referring to, related to, regarding, consisting of, pertaining to, reflecting, evidencing, describing, constituting, or being in any way logically or factually connected with the matter discussed, including any connection, direct or indirect, whatsoever with the requested topic, without limitation, unless otherwise specified in the Request.

B. All interrogatories should be answered based on the knowledge of Respondents and/or any of Respondents' attorneys, agents, and representatives.

C. Where an interrogatory calls for the answer in more than one part, each part shall be separately answered so as to be fully understandable. If you object to any part of an interrogatory, answer all parts of such interrogatory as to which you do not object, and as to each part to which you do object, set forth the basis for the objection.

D. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular interrogatory may make appropriate.

E. These interrogatories are continuing so as to require further and supplemental responses if Respondents receive or discover additional information between the time of original response and the time of any hearing, trial, or other presentation of evidence in this matter.

F. If you deem any request for documents to call for the production of privileged or otherwise nondisclosable materials and you assert such claim, furnish a list at the time of production identifying each document so withheld together with the following information:

(1) the reason for withholding each such document or material, stated with sufficient particularity so as to permit the Court to adjudicate the validity of the claimed privilege;

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(2) a statement of the facts constituting the basis for any claim of privilege or other ground of non-disclosure; and

(3) a brief description of each such document or other material, including:

(a) the date of the document;

(b) the name of its author(s) or preparer(s) and an identification by employment and title of each such person(s);

(c) the name of each person to whom the document or other material was sent or who has had access to, or custody of, the document or other material, together with an identification of each such person(s);

(d) the paragraph of this request to which the document or other material is responsive; and

(e) in the case of any document or other material that relates in any way to a meeting or conversation, identification of such meeting or conversation and the persons attending or participating in such meeting or conversation.

G. With respect to each document request, Relators request that Respondents identify and produce all documents that are known to Respondents or that Respondents can locate or discover that are in Respondents' possession, custody or control, from whatever source derived, which, directly or indirectly, relate, refer or pertain to the subject matter of the request made, including, without limitation, all such documents in the files (whether they be denominated personal, business or any other files) in the possession, custody or control of Respondents or, as applicable, of Respondents' employees, agents, representatives or other persons acting on Respondents' behalf or under Respondents' control.

H. Relators request that Respondents produce all responsive documents and other materials in an orderly manner (and with appropriate markings or other identification) so that Relators will be able to identify the source of the document or other material, the file in which the document or other material was maintained, the person to whom such file belongs, and the specific request to which the document or other material is responsive.

I. These requests shall be deemed to be continuing so as to require further and supplemental production if Respondents receive or discover additional documents or other material between the time of original production and the time of any hearing, trial, or other presentation of evidence in this matter.

J. All documents are to be produced in electronic form. Documents produced electronically should be produced in native format with all metadata intact. For any election or voter data file, please produce in CSV format if available. If this is not available, please produce in PDF format. For other documents, to the extent documents can be accurately represented in black and white, they should be produced in single-page Tagged Image File Format ("TIFF"),

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together with any related field-delimited load files (e.g., Concordance DAT, CSV, OPT, LOG). Each TIFF document shall be produced with an image load file in standard Opticon (*.log) format that reflects the parent / child relationship and also includes the beginning Bates number; ending Bates number; beginning Attachment Bates number; ending Attaching Bates number; custodian; date sent (for email messages); date modified (for email and non-email messages) where information is available; author (for email and non-email messages); and subject (for email messages). The TIFF images shall also be accompanied by extracted text or, for those files that do not have extracted text upon being processed (such as hard copy documents), optical character recognition ("OCR") text data; such extracted text or OCR text data shall be provided in document level form and named after the TIFF image. Documents that contain redactions shall be OCR'd after the redaction is applied to the image, and the OCR will be produced in place of extracted text at the document level. Notwithstanding the foregoing, the parties may negotiate a separate production format (including native format) for any documents not reasonably producible or readable as standard image files, such as audio files or large spreadsheets.

K. For documents produced in TIFF format that originated in electronic form, metadata shall be included with the data load files described above and shall include (at a minimum) the following information: file name (including extension); original file path; page count; creation date and time; last saved date and time; last modified date and time; author; custodian of the document (that is, the custodian from whom the document was collected or, if collected from a shared drive or server, the name of the shared drive or server); and MD5 hash value. In addition, for email documents, the data load files shall also include the following metadata: sent date; sent time; received date; received time; "to" name(s) and address(es); "from" name and address; "cc" name(s) and address(es); "bcc" name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

L. If a responsive Communication, Document, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate Communication, Document, or tangible thing and shall be produced.

M. Produce any password-protected documents with any applicable passwords.

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INTERROGATORIES

INTERROGATORY #1 Identify and describe any persons who received compensation for services rendered in the creation of any Ohio General Assembly map that the Commission considered and/or adopted.

OBJECTION: Interrogatory #1 does not describe with reasonable particularity the meaning of "for services rendered." Further, Interrogatory #1 is vague and not reasonably calculated to lead to the discovery of admissible evidence. Finally, Interrogatory #1 seeks information not in the Secretary of State's possession, custody, or control.

ANSWER: Without waiving the above referenced objections, the Secretary of State did not provide any compensation to non-Secretary of State employees "for services rendered in the creation of any Ohio General Assembly map that the Commission considered and/or adopted." The Secretary of State does not possess any information responsive to Interrogatory No. 1. By way of further answer, the Secretary of State was not involved in the creation of any Ohio General Assembly map that the Commission considered and/or adopted.

INTERROGATORY #2 Identify all individuals with whom you and/or the Commission communicated about the 9/9 or 9/16 plan.

OBJECTION: Interrogatory #2 is overly broad, unduly burdensome, vague, duplicative, not reasonably calculated to lead to the discovery of admissible evidence, and not proportional to the needs of the case. Further, Interrogatory #2 seeks information not in the Secretary of State's possession, custody, or control.

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ANSWER: Without waiving the above referenced objections, the Secretary of State communicated with the other Commission members and certain members of his own staff throughout the process in the week leading up to September 15, 2021, that led to the Commission's adoption on the night of September 15, 2021 of the Commission-approved general assembly district plan. The Secretary of State cannot possibly identify every individual that he has communicated with about the 9/9 or 9/16 plan. By way of further answer, information related to communications by the Ohio Redistricting Commission are in the possession of the Ohio Redistricting Commission.

INTERROGATORY #3 Identify all data and information about potential or actual Ohio General Assembly districts to which the map drawer(s) had access during the process of drawing the Commission's proposed or adopted maps, including but not limited to data or information showing partisan performance, incumbent addresses, and racial demographics.

ANSWER: The Secretary of State possesses no information responsive to Interrogatory #3. By way of further answer, the Secretary of State was not involved in the process of drawing the Commission's proposed or adopted maps.

INTERROGATORY #4 Identify all measures through which the map drawer(s) filtered data while drawing the Commission's proposed or adopted maps, including but not limited to partisan performance indices, voting age population by race, and incumbent addresses.

ANSWER: The Secretary of State possesses no information responsive to Interrogatory #4. By way of further answer, the Secretary of State was not involved in the process of drawing the Commission's proposed or adopted maps.

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INTERROGATORY #5 Identify and describe all dates, times, places, and attendees of any meeting at which state legislative redistricting was discussed with the knowledge of at least one Commission member.

OBJECTION: Interrogatory #5 is overly broad, vague, not reasonably calculated to lead to the discovery of admissible evidence, and not proportional to the needs of the case. In particular, the use of the term "meeting" in Interrogatory #5 is vague without further definition. Further, Interrogatory #5 seeks information not in the Secretary of State's possession, custody, or control. Finally, the Secretary of State objects to the extent that an answer requires the Secretary of State to speculate as to the knowledge of other Commission members.

ANSWER: Without waiving the above referenced objections, the Secretary of State attended several impromptu meetings with the knowledge of at least one Commission member in the first two weeks of September to discuss state legislative redistricting including attempting to obtain the votes needed for ten year general assembly district maps. The SOS did not record or otherwise take note of the specific dates, times, places and attendees of these impromptu meetings. By way of further answer, the Secretary of State attended the formal meetings held by the Commission.

INTERROGATORY #6 Identify and describe any persons whom you consulted in drafting the Section 8(C)(2) statement.

ANSWER: The Secretary of State possesses no information responsive to Interrogatory #6. By way of further answer, the Secretary of State was not involved in the drafting of the Section 8(C)(2) statement.

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INTERROGATORY #7 Identify and describe the timeline by which you drafted the Section 8(C)(2) statement, including (without limitation), when the first draft of the statement was started and when a draft of the statement was circulated to other members on the Commission. If you did not participate in drafting the Section 8(C)(2) statement, please identify the date and time at which you first reviewed the statement.

ANSWER: The Secretary of State possesses no information responsive to Interrogatory #6. By way of further answer, the Secretary of State was not involved in the drafting of the Section 8(C)(2) statement. The Secretary of State's Chief Counsel received the "Section 8(C)(2) statement" via email from the Senate Majority Caucus Counsel on September 15, 2021, at 7:57 pm. Because the Secretary of State was at the Statehouse the entire evening of September 15, 2021, the Secretary did not see the statement himself until Senator Huffman introduced the statement to the Commission after 11:30 pm.

VERIFICATION OF INTERROGATORY ANSWERS

David M. Grodhaus
Signed on 2021/10/12 14:44:32 -8:00

Michael Grodhaus
On behalf of Respondent Secretary of State LaRose

Sworn to before me and subscribed in my presence this 12th day of October, 2021.

MacKenzie S. Clayton
Signed on 2021/10/12 14:44:32 -8:00

Notary Public

MacKenzie Storm Clayton
Commission # 2018-RE-707238
Electronic Notary Public
State of Ohio
My Comm Exp. Feb 22, 2023
Notary Stamp 2021/10/12 14:44:32 PST 74313EED196C

Respectfully submitted,

AS TO OBJECTIONS

DAVE YOST
OHIO ATTORNEY GENERAL

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/s/ Julie M. Pfeiffer

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Counsel for Respondents DeWine, LaRose, Faber

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was sent via email this 12th day of October, 2021 to the following:

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E-Signature Summary

E-Signature 1: David M. Grodhaus (DMG)
October 12, 2021 14:44:32 -8:00 [58A231EA8C67] [156.63.71.253]
mgrodhaus@ohiosos.gov (Principal) (Personally Known)

E-Signature Notary: MacKenzie S. Clayton (msc)
October 12, 2021 14:44:32 -8:00 [74313EED196C] [98.102.110.129]
MacKenzie.Clayton@OhioAGO.gov
I, MacKenzie S. Clayton, did witness the participants named above electronically sign this document.

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Exhibit 15

IN THE SUPREME COURT OF OHIO

THE OHIO ORGANIZING COLLABORATIVE, *et al.*, *Relators,* *v.* OHIO REDISTRICTING COMMISSION, *et al.*, *Respondents.*	:	**APPORTIONMENT CASE** Filed pursuant to S.Ct.Prac.R. 14.03(A) and section 9 of Article XI of the Ohio Constitution to challenge a plan of apportionment promulgated pursuant to Article XI.

RESPONDENT OHIO SECRETARY OF STATE FRANK LAROSE'S RESPONSES TO RELATORS' FIRST SET OF INTERROGATORIES

Pursuant to Rule 26 and 33 of the Ohio Rules of Civil Procedure, Respondent Ohio Secretary of State Frank LaRose, in his official capacity as Member of the Ohio Redistricting Commission, hereby responds to each of the interrogatories below.

DEFINITIONS

1. Notwithstanding any definition set forth below, each word, term, or phrase used in these Interrogatories is intended to have the broadest meaning permitted under the Ohio Rules of Civil Procedure.

2. Words or terms not specifically defined herein have the meaning commonly understood, and no definition is intended as exclusive.

3. Words or terms used herein, and all Definitions and Instructions pertinent thereto, have the same intent and meaning regardless of whether the word(s) or term(s) are depicted in lowercase or uppercase letters.

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4. The term "relating to" means referring to, related to, relating to, regarding, consisting of, pertaining to, reflecting, evidencing, describing, constituting, or being in any way logically or factually connected with the matter discussed, including any connection, direct or indirect, whatsoever with the requested topic, without limitation, unless otherwise specified in the Interrogatory.

5. The term "Describe" means to set forth fully and unambiguously every fact that relates to the answer called for by the Interrogatory of which you have knowledge and to identify each individual or entity with knowledge or information that relates to your answer, and when used in reference to a factual or legal contention, to describe the full factual and legal basis for the contention, and to identify any and all persons that you believe have knowledge about each such fact or document.

6. The term "Identify" (a) when used in reference to a natural person, means that person's full name, last known address, home and business telephone numbers, present occupation or business affiliation, and present or last known place of employment, and job title or role; (b) when used in reference to a person other than a natural person, means that person's full name, a description of the nature of the person, and the person's last known address, telephone number, and principal place of business; and (c) when used in reference to a document, requires you either (1) to state (i) the date of the document; (ii) title; (iii) author(s), addressee(s), and recipient(s); (iv) present location and custodian of the document; (v) Bates numbers (if any); (vi) type of document (*e.g.*, letter, memorandum, or chart); and (vii) general subject matter, (2) or to attach an accurate copy of the document to your answer, appropriately labeled to correspond to the respective Interrogatory.

7. The terms "You" and "Your" mean Secretary of State Frank LaRose.

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8. The term "Proposed Plan" means the proposed general assembly district plan that the Commission introduced pursuant to Article XI, Section 8(A)(1) of the Ohio Constitution.

9. The term "Enacted Plan" means the general assembly district plan adopted by the Ohio Redistricting Commission on or about September 16, 2021.

10. The following rules of construction apply to all Interrogatories:

a. The terms "all" and "any" shall each be construed as encompassing any and all;

b. All uses of the word "each" include "every" (and *vice versa*);

c. The connective terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the Interrogatories all responses that might otherwise be construed to be outside of its scope;

d. Use of the singular form of any word includes the plural (and *vice versa*);

e. The term "including" shall be construed without limitation;

f. The use of a verb in any tense encompasses the use of the verb in all tenses;

g. References to employees, staff, members, officers, directors, agents, or representatives include both current and former employees, staff, members, officers, directors, agents, or representatives; and

h. References to any entity include all of that entity's employees, staff, members, officers, directors, agents, or representatives.

INSTRUCTIONS

1. Each Interrogatory shall be construed according to its most inclusive meaning so that if information or a document is responsive to any reasonable interpretation of the Interrogatory, the information or document is responsive.

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2. If You object to any part of an Interrogatory and refuse to answer that part, identify that portion to which You object and answer the remaining portion of the Interrogatory.

3. If You object to the scope or time period of an Interrogatory and refuse to answer for that scope or time period, please state Your objection and answer the request for the scope or time period You believe is appropriate.

4. If You object to any Interrogatory as vague or unclear, assume a reasonable meaning, state what the assumed meaning is, and respond to the Interrogatory according to the assumed meaning.

5. If You object to any Interrogatory as overbroad, provide a response that narrows the Interrogatory in a way that eliminates the purported overbreadth, state the extent to which your response has narrowed the Interrogatory, and respond to the narrowed Interrogatory.

6. If You withhold the answer to any part of any Interrogatory on the claim of privilege, state the specific factual and legal basis for doing so and answer any part of the Interrogatory that is not alleged to be objectionable. Such information should be supplied in sufficient detail to permit the Relators to assess the applicability of the privilege claimed.

7. These Interrogatories are continuing in nature, and You shall revise or supplement Your responses whenever you obtain different or additional relevant knowledge, information, or belief, from the time of your initial response through to the end of trial.

8. If You are unable to respond to any of the Interrogatories fully and completely, after exercising due diligence to obtain the information necessary to provide a full and complete response, so state, and answer each such Interrogatory to the fullest extent possible, specifying the extent of Your knowledge and Your inability to answer the remainder, and setting forth whatever information or knowledge You may have concerning the unanswered portions thereof and efforts

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You made to obtain the requested information. If You have no information responsive to an Interrogatory, then You shall so state.

INTERROGATORIES

INTERROGATORY NO. 1 Identify all persons who drafted or created, or were in any way involved in the drafting or creation of the Proposed Plan and, for each identified person, the date or dates on which he or she drafted it.

OBJECTIONS: Interrogatory No. 1 does not describe with reasonable particularity the meaning of "in any way involved in the drafting or creation of the Proposed Plan" and the meaning of the word "it" as used in the phrase "which he or she drafted it" and therefore it is overbroad, vague and not reasonably calculated to lead to the discovery of admissible evidence.

ANSWER: Without waiving the above referenced objections, other than Mr. Ray DiRossi's public presentation to the Commission of the Senate and House Republican district plan, which became the Proposed Plan, the Secretary of State does not possess any other information responsive to Interrogatory No. 1. By way of further answer, the Secretary of State had no involvement in drafting or creating the Proposed Plan.

INTERROGATORY NO. 2 Identify all persons who submitted maps, data, or plans that You used to draft the Proposed Plan, incorporated into the Proposed Plan, or adopted as part or all of the Proposed Plan.

ANSWER: The Secretary of State does not possess information responsive to Interrogatory No. 2. By way of further answer, the Secretary of State had no involvement in the drafting the Proposed Plan.

INTERROGATORY NO. 3 Identify all persons who evaluated, reviewed, analyzed, were

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shown, or commented on the Proposed Plan or on maps, data, or plans that You used to draft the Proposed Plan, incorporated into the Proposed Plan, or adopted as part or all of the Proposed Plan.

ANSWER: The Ohio Redistricting Commission possesses the information requested in Interrogatory No. 3. Other than persons who evaluated, reviewed, analyzed, were shown, or commented on the Proposed Plan during the Commission's hearings, who can be identified through the Commission's website, the Secretary of State does not possess information responsive to Interrogatory No. 3. By way of further answer, the Secretary of State had no involvement in the drafting of the Proposed Plan.

INTERROGATORY NO. 4 Identify and Describe all instructions provided to individuals who drafted or created, or were in any way involved in the drafting or creation of, the state legislative maps enacted under the Enacted Plan, including but not limited to the map drawers and their staff.

OBJECTIONS: Interrogatory No. 4 does not describe with reasonable particularity the meaning of "in any way involved in the drafting or creation of … the Enacted Plan" and therefore, it is overbroad, vague and not reasonably calculated to lead to the discovery of admissible evidence.

ANSWER: Without waiving the above referenced objections, other than Mr. Ray DiRossi's public presentation to the Commission of the Senate and House Republican district plan, which as amended on September 15, 2021 became the Enacted Plan, the Secretary of State does not possess information responsive to Interrogatory No. 4. By way of further answer, the Secretary of State had no involvement in the drafting or creation of the state legislative maps enacted under the Enacted Plan.

INTERROGATORY NO. 5 State whether You determined if the Proposed Plan or Enacted Plan

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complies with Article I, Section 2 of the Ohio Constitution and, if You determined that the Proposed Plan or Enacted Plan complies with Article I, Section 2 of the Ohio Constitution, then Identify and Describe Your reasons for making that determination.

OBJECTION: The Secretary of State objects to the extent that Interrogatory No. 5 seeks confidential, privileged information that was made during the deliberative process and/or is protected by the attorney client privilege.

ANSWER: Without waiving the above referenced privileges, the Commission approved general assembly district maps comply with all legal requirements under the Ohio Constitution including but not limited to Article I, Section 2.

INTERROGATORY NO. 6 State whether You determined if the Proposed Plan or Enacted Plan complies with Article I, Section 3 of the Ohio Constitution and, if You determined that the Proposed Plan or Enacted Plan complies with Article I, Section 3 of the Ohio Constitution, then Identify and Describe Your reasons for making that determination.

OBJECTION: The Secretary of State objects to the extent that Interrogatory No. 6 seeks confidential, privileged information that was made during the deliberative process and/or is protected by the attorney client privilege.

ANSWER: Without waiving the above referenced privileges, the Commission approved general assembly district maps comply with all legal requirements under the Ohio Constitution including but not limited to Article I, Section 3.

INTERROGATORY NO. 7 State whether You determined if the Proposed Plan or Enacted Plan complies with Article I, Section 11 of the Ohio Constitution and, if You determined that the Proposed Plan or Enacted Plan complies with Article I, Section 11 of the Ohio Constitution, then Identify and Describe Your reasons for making that determination.

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OBJECTION: The Secretary of State objects to the extent that Interrogatory No. 7 seeks confidential, privileged information that was made during the deliberative process and/or is protected by the attorney client privilege.

ANSWER: Without waiving the above referenced privileges, the Commission approved general assembly district maps comply with all legal requirements under the Ohio Constitution including but not limited to Article I, Section 11.

INTERROGATORY NO. 8 State whether You considered or determined if the Proposed Plan or Enacted Plan would favor or disfavor a political party and, if so, what Your determination was, and Describe Your reasons for making that determination.

OBJECTION: The Secretary of State objects to the extent that Interrogatory No. 8 seeks confidential, privileged information that was made during the deliberative process and/or is protected by the attorney client privilege.

ANSWER: Without waiving the above referenced privileges, the Commission approved general assembly district maps comply with all legal requirements for drawing the maps under the Ohio Constitution including but not limited to Article XI, Sections 2, 3, 4, 5, and 7.

INTERROGATORY NO. 9 Identify and Describe any and all attempts that You made to comply with Section 6(A) and Section 6(B) of Article XI of the Ohio Constitution.

OBJECTION: The Secretary of State objects to the extent that Interrogatory No. 9 seeks confidential, privileged information that was made during the deliberative process and/or is protected by the attorney client privilege. The Secretary of State further objects to the extent that Interrogatory No. 9 pre-supposes a legal requirement of specific, extra-Commission actions that are separate and apart from all other constitutional standards as set forth in the Ohio Constitution.

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ANSWER: Without waiving the above referenced privileges and objections, the Commission approved general assembly district maps comply with all legal requirements under the Ohio Constitution including but not limited to Section 6(A) and Section 6(B) of Article XI of the Ohio Constitution. The Secretary of State attempted to find a compromise between the district plan submitted by the Republican legislative leaders and the district plan submitted by Senator Sykes so that the vote required for a ten-year district plan could be reached.

VERIFICATION OF INTERROGAORY ANSWERS

David M. Grodhaus
Signed on 2021/10/12 14:48:30 -8:00

Michael Grodhaus
On behalf of Respondent Secretary of State LaRose

Sworn to before me and subscribed in my presence this 12th day of October, 2021.

NOTARY PUBLIC STATE OF OHIO
MacKenzie Storm Clayton
Commission # 2018-RE-707238
Electronic Notary Public
State of Ohio
My Comm Exp. Feb 22, 2023
Notary Stamp 2021/10/12 14:48:30 PST 4656A414BC15

MacKenzie S. Clayton
Signed on 2021/10/12 14:48:30 -8:00

Notary Public

DAVE YOST
OHIO ATTORNEY GENERAL

AS TO OBJECTIONS

/s/ Julie M. Pfeiffer

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Counsel for Respondents Ohio Governor DeWine, Ohio Secretary of State LaRose, and Ohio Auditor Faber

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CERTIFICATE OF SERVICE

I, Julie M. Pfeiffer, hereby certify that on October 12, 2021, I caused a true and correct copy of the foregoing Respondent Ohio Secretary of State Frank LaRose's Responses to Relators' First Set of Interrogatories to be served by email upon the following:

Alicia L. Bannon (PHV 25409-2021)*
Yurij Rudensky (PHV 25422-2021)*
Michael Li (PHV 25430-2021)*
Ethan Herenstein*
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By: *<u>/s/ Julie M. Pfeiffer</u>*

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October 12, 2021 14:48:30 -8:00 [789FF4C90350] [156.63.71.253]
mgrodhaus@ohiosos.gov (Principal) (Personally Known)

E-Signature Notary: MacKenzie S. Clayton (msc)
October 12, 2021 14:48:30 -8:00 [4656A414BC15] [98.102.110.129]
MacKenzie.Clayton@OhioAGO.gov
I, MacKenzie S. Clayton, did witness the participants named above electronically sign this document.

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Exhibit 16

Grodhaus LWV 1.pdf

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October 12, 2021 14:02:32 -8:00 [7FA33F1C9646] [174.207.5.157]
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E-Signature Notary: MacKenzie S. Clayton (msc)
October 12, 2021 14:02:32 -8:00 [DDCACDF722B0] [98.102.110.129]
MacKenzie.Clayton@OhioAGO.gov
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IN THE SUPREME COURT OF OHIO

League of Women Voters of Ohio, *et al.*, **Relators,** **v.** **Ohio Redistricting Commission, *et al.*,** **Respondents.**	**Case No. 2021-1193** Original Action Filed Pursuant to Ohio Constitution, Article XI, Section 9(A) *[Apportionment Case Pursuant to S. Ct. Prac. R. 14.03]*

RESPONDENT SECRETARY OF STATE FRANK LAROSE'S RESPONSES TO RELATORS' REQUESTS FOR PRODUCTION OF DOCUMENTS.

Respondent Secretary of State Frank LaRose, in his official capacity as a Member of the Ohio Redistricting Commission responds to Relators' requests for production.

GENERAL OBJECTIONS

1. Respondent objects to the Requests to the extent they do not describe with reasonable particularity each item or category of items to be inspected as required by Rule 34 of the Ohio Rules of Civil Procedure.

2. Respondent objects to the Requests to the extent they are overly broad, unduly burdensome, vague, duplicative, not reasonably calculated to lead to the discovery of admissible evidence, and not proportional to the needs of the case.

3. Respondent objects to the Requests to the extent they seek information protected by the attorney-client privilege or work-product doctrine.

4. Respondent objects to the Requests to the extent they seek information protected by the deliberative process privilege.

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5. Respondent objects to these Requests to the extent that they seek information not in Respondent's possession, custody, or control.

6. Respondent objects to the Requests to the extent that they seek information that is publicly available, already in Relators' possession, or in the possession or control of third parties.

7. Respondent objects to the Requests as confusing, ambiguous, or vague.

8. Respondent expressly reserves all objections as to competency, relevancy, materiality, and admissibility of the answers contained herein and any objections to future discovery Requests.

9. Respondent expressly reserves the right to alter, amend, revise, and/or supplement these responses. No response shall be construed as a waiver of any further objection.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. All DOCUMENTS RELATING TO the Ohio Common and Unified Redistricting Database (CURD) by Ohio University Voinovich School of Leadership and Public Affairs (GVS), including, without limitation, the development of the CURD, and any COMMUNICATIONS, and data sets RELATING TO the CURD or the development of the CURD.

   ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

2. All COMMUNICATIONS with employees, consultants or agents of GVS working on the development of the CURD.

   ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

3. All COMMUNICATIONS with GVS employees Michael Finney, G. Jason Jolley, Robert Wiley, Elkan Kim, Jessica Schaudt, Matt Trainer, and Kyong Lim.

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ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

4. All COMMUNICATIONS with employees, consultants or agents of GVS RELATING TO the development of the CURD.

ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

5. All DOCUMENTS RELATING TO meetings—both formal and informal of any Commission members related to the drawing of General Assembly maps—and any other business of the Ohio Redistricting Commission, including, without limitation, testimony, meeting minutes, data sets, maps, notes, and plans submitted to, created by, or otherwise considered by YOU, any other member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff; minutes, agendas, or presentations from Ohio Redistricting Commission hearings and meetings; and any related COMMUNICATIONS, including, but not limited to, those between any Ohio Redistricting Commission member and any representative participating in Ohio Redistricting Commission meetings on behalf of a member.

ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

6. All COMMUNICATIONS regarding redistricting in Ohio, including but not limited to COMMUNICATIONS between YOU and YOUR employees, staff, officers, agents, or representatives.

ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

7. All DOCUMENTS RELATING TO information that was used, or could have been used, to draw state legislative or Congressional district maps for Ohio, including, without limitation: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes, population shifts,

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voter registration, voter affiliation, or changing census block lines (also known as voting district (VTD)) for the 2018 election, 2020 election, and current redistricting cycle.

ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

8. All DOCUMENTS YOU, any other member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff considered, used, could have used, or otherwise relied on to create the General Assembly district maps for Ohio that were adopted by the Commission on September 16, 2021.

ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

9. All DOCUMENTS RELATING TO the creation of the General Assembly district maps for Ohio that were adopted by the Commission on September 16, 2021.

ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

10. All DOCUMENTS RELATING TO consultants, firms, vendors, or other third parties consulted, involved in, or communicated with by YOU, any other member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff, RELATING TO the General Assembly district maps for Ohio that were considered or adopted by the Commission.

ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

11. All COMMUNICATIONS with Wendy Zhan, Emily Wendel, or other staff of the Ohio Legislative Service Commission RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission.

ANSWER: Respondent incorporates all General Objections as if set forth herein.

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Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

12. All COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission, with (1) any current or former member of Ohio's General Assembly, (2) any political action committees affiliated with any current or former member of Ohio's General Assembly, and (3) any current or former staff of any current or former member of Ohio's General Assembly.

ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

13. All COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission with (1) any current or former U.S Representative or U.S. Senator elected from Ohio, (2) any political action committees affiliated with any current or former U.S. Representative or U.S. Senator elected from Ohio, and (3) any current or former staff of any current or former U.S. Representative or U.S. Senator elected from Ohio.

ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

14. All COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission with the Republican National Committee, Ohio Republican Party, National Republican Redistricting Trust, or the National Republican Congressional Committee.

ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

15. All COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission with the Democratic National Committee, Ohio Democratic Party, National Democratic Campaign Committee, or the Democratic Congressional Campaign Committee.

ANSWER: Respondent incorporates all General Objections as if set forth herein.

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Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

16. All DOCUMENTS cited in, discussed in, or RELATING TO any of YOUR responses to any Interrogatory served on YOU by any party in this action.

ANSWER: Respondent incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, non-privileged documents, if any, in Respondent's possession, custody, or control have been produced.

VERIFICATION OF PRODUCTION ANSWERS

David M. Grodhaus
Signed on 2021/10/12 14:02:32 -8:00

Michael Grodhaus
On behalf of Respondent Secretary of State LaRose

Sworn to before me and subscribed in my presence this 12th day of October, 2021.

NOTARY PUBLIC STATE OF OHIO
MacKenzie Storm Clayton
Commission # 2018-RE-707238
Electronic Notary Public
State of Ohio
My Comm Exp. Feb 22, 2023
Notary Stamp 2021/10/12 14:02:32 PST DDCACDF722B0

MacKenzie S. Clayton
Signed on 2021/10/12 14:02:32 -8:00

Notary Public

Respectfully submitted,

AS TO OBJECTIONS

DAVE YOST
OHIO ATTORNEY GENERAL

/s/ Julie M. Pfeiffer

BRIDGET C. COONTZ (0072919)*
**Counsel of Record*
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Julie.Pfeiffer@OhioAGO.gov

Counsel for Respondents DeWine, LaRose, Faber

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was sent via email this 12th day of October, 2021 to the following:

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Donald Brown
Joshua González
Juliana Goldrosen (PHV 25193 - 2021)
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Megan C. Keenan
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Counsel for Relators

/s/ Julie M. Pfeiffer
Julie M. Pfeiffer

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October 12, 2021 14:08:33 -8:00 [AE2BAD09BD50] [156.63.71.253]
mgrodhaus@ohiosos.gov (Principal) (Personally Known)

E-Signature Notary: MacKenzie S. Clayton (msc)
October 12, 2021 14:08:33 -8:00 [E6FA73522907] [98.102.110.129]
MacKenzie.Clayton@OhioAGO.gov
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In The
Ohio Supreme Court

LEAGUE OF WOMEN VOTERS OF OHIO, et al.,	:	
	:	
Relators,	:	**Case No. 2021-1193**
	:	
v.	:	**Original Action Pursuant to Ohio Const., Art. XI**
OHIO REDISTRICTING COMMISSION, et al.,	:	
	:	
***Respondents*.**	:	

RESPONDENT SECRETARY OF STATE FRANK LAROSE'S FIRST SET OF REQUESTS FOR ADMISSION

Respondent Secretary of State Frank LaRose, in his official capacity as Member of the Ohio Redistricting Commission hereby responds to the following First Set of Requests for Admission.

INSTRUCTIONS

1. You shall either admit or specifically deny the requested matter. If you qualify your answer or deny only a part of the requested matter, you shall specify which part is true and qualify or deny the remainder. If you deny in whole or in party any Request, state the reason(s) for each denial. *See* Ohio R. Civ. P. 36(A)(2).

2. If you cannot admit or specifically deny any Request for Admission fully and completely after exercising due diligence to make inquiry and secure the information to do so, please so state and admit or specifically deny each such Request to the fullest extent possible; specify the portion of each Request that you claim to be unable to admit or specifically deny; and state the facts upon which you rely to support your contention that you are unable to admit or specifically deny the specified portion of the requested matter. *See* Ohio R. Civ. P. 36(A)(2).

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3. If you object to any portion of any Request, you shall admit or specifically deny that portion of the Request to which you have no objection, and you shall specify the portion of the Request being objected to and the basis for the objection. *See* Ohio R. Civ. P. 36(A)(2).

4. If you claim that the attorney-client privilege or any other privilege or protection is applicable to any of the requested information, you shall set forth separately at least the following information: the type of information withheld; a detailed description of the subject matter of the information; the name, address, and job title of each person who received or conveyed this information; and the basis for the claim of privilege or protection. Such information should be supplied in sufficient detail to permit Plaintiff to assess the applicability of the privilege claimed.

5. These Requests are directed to you and cover all information in your possession, custody, or control.

6. These Requests are deemed continuing, and supplemental responses should be provided as additional information becomes available, in accordance with Ohio Rule of Civil Procedure 26(e).

7. Requests for Admission No. 8, 9, 13, and 17 reference a transcript of the Ohio Redistricting Commission's meeting convened on September 15, 2021. While the Ohio Redistricting Commission's website contains links to official transcripts of the Commission's meetings, the link is broken for the transcript of the September 15 meeting. Accordingly, due to the press of time, Relators are providing their own transcript of the September 15 meeting, herein attached as Exhibit A. Should the link on the Commission's website be fixed before the deadline for Respondent to respond to Relators' Requests for Admission, Relators would be willing to amend these Requests to instead reference the official transcript posted on the Commission's website.

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REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION NO. 1

Admit that you are a member of the Ohio Redistricting Commission.

Response: Admitted.

REQUEST FOR ADMISSION NO. 2

Admit that you attended the Ohio Redistricting Commission's meeting convened on September 15, 2021.

Response: Admitted.

REQUEST FOR ADMISSION NO. 3

Admit that, during the Ohio Redistricting Commission's meeting convened on September 15, 2021, Senate President Matt Huffman introduced an amendment to the proposed Ohio House and Senate legislative district maps.

Response: Admitted.

REQUEST FOR ADMISSION NO. 4

Admit that, within ten minutes of Senate President Huffman introducing his amendment referenced in Request No. 3, the Ohio Redistricting Commission voted to pass Senate President Huffman's amendment to the proposed Ohio House and Senate legislative district maps.

Response: Secretary LaRose admits that the Ohio Redistricting Commission voted on whether to approve of Senate President Huffman's proposed amendment. However, Secretary LaRose can neither admit nor deny based on the information known or readily obtainable by him as to whether that vote took place within the time period included in this Request for Admission because he did not keep track of what time the amendment was introduced and what time the proposal was put to a vote.

REQUEST FOR ADMISSION NO. 5

Admit that, within an hour of Senate President Huffman introducing his amendment referenced in Request No. 3, the Ohio Redistricting Commission voted to adopt the proposed Ohio House and Senate legislative district maps, as amended, as the General Assembly plan for the next four years.

Response: Secretary LaRose admits that the Ohio Redistricting Commission voted on whether to adopt the proposed Ohio House and Senate legislative district maps. However, Secretary LaRose can neither admit nor deny based on the information known or readily obtainable by him as to whether that vote took place within the time period included in this Request for Admission. On the evening of September 15, 2021, Secretary LaRose was focused on doing his job as a member

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of the Ohio Redistricting Commission, not simply watching the clock. Thus, he did not keep track of the precise time Senate President Huffman's proposed amendment was introduced and what time the proposed maps were put to a vote.

REQUEST FOR ADMISSION NO. 6

Admit that the Ohio Redistricting Commission's vote to adopt the General Assembly plan for the next four years took place just after midnight on September 16, 2021.

Response: The information known or readily obtainable by Secretary LaRose is insufficient to enable him to admit or deny this Request. On the evening of September 15, 2021, Secretary LaRose was focused on doing his job as a member of the Ohio Redistricting Commission, not simply watching the clock. Thus, he did not keep track of the precise time the vote to adopt the General Assembly plan took place.

REQUEST FOR ADMISSION NO. 7

Admit that you voted for the Ohio Redistricting Commission to adopt the Ohio House and Senate legislative district maps as the General Assembly plan for the next four years.

Response: Admitted.

REQUEST FOR ADMISSION NO. 8

Admit that, to the best of your knowledge, the document attached herein as Exhibit A, is a true and accurate transcript of the meeting of the Ohio Redistricting Commission convened on September 15, 2021.

Response: The information known or readily obtainable by Secretary LaRose is insufficient to enable him to admit or deny this Request because although Secretary LaRose is a member of the Ohio Redistricting Commission and attended the September 15, 2021 meeting, he did not independently record the meeting by video, audio, stenographical, or by any other means that would allow him to verify that Exhibit A constitutes a true and accurate transcript of the September 15, 2021 meeting. More importantly, the official transcript of the September 15, 2021 Commission meeting is accessible through the Ohio Redistricting Commission's website.

REQUEST FOR ADMISSION NO. 9

Admit that, on page 10, Exhibit A quotes you as stating: "I'm casting my yes vote with great unease. I fear, I fear we're going to be back in this room very soon. This map has many shortcomings, but they pale in comparison to the shortcomings of this process. It didn't have to be this way. It didn't have to be this way."

Response: Admitted that the quote in Request for Admission No. 9 appears on page 10 of Exhibit A.

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REQUEST FOR ADMISSION NO. 10

Admit that, at the Ohio Redistricting Commission's meeting convened on September 15, 2021, you stated: "I'm casting my yes vote with great unease. I fear, I fear we're going to be back in this room very soon. This map has many shortcomings, but they pale in comparison to the shortcomings of this process. It didn't have to be this way. It didn't have to be this way."

Response: Secretary LaRose admits that he made the above referenced statement at the Commission's September 15, 2021 meeting. Secretary LaRose's words as contained in Request for Admission No. 10 were made within a much larger statement and must be read within the entire context of his full statement as set forth in the Commission's transcript of the September 15, 2021 meeting.

REQUEST FOR ADMISSION NO. 11

Admit that your statement included in Request No. 10 was made in reference to the Ohio House and Senate legislative district maps adopted by the Ohio Redistricting Commission as the General Assembly plan for the next four years.

Response: Admitted in part and denied in part. In the sentence, "I fear, I fear we're going to be back in this room very soon," the Secretary was referring to the likelihood – since proven – that the General Assembly would not pass a redistricting bill for a ten-year *congressional* district plan by September 30, 2021, and thus, under Article XIX of the Ohio Constitution, the Ohio Redistricting Commission would have to take up the task of trying to reach bipartisan agreement on a ten-year congressional district plan.

REQUEST FOR ADMISSION NO. 12

Admit that your statement included in Request No. 10 was made as part of your official duties as a member of the Ohio Redistricting Commission.

Response: Admitted.

REQUEST FOR ADMISSION NO. 13

Admit that, on page 17, Exhibit A quotes you as stating: "I, for one have been asking for the rationale for days, is there a reason why that wasn't shared with us until now?"

Response: Admitted that the quote in Request for Admission No. 13 appears on page 17 of Exhibit A.

REQUEST FOR ADMISSION NO. 14

Admit that, at the Ohio Redistricting Commission's meeting convened on September 15, 2021, you stated: "I, for one have been asking for the rationale for days, is there a reason why that wasn't shared with us until now?"

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Response: Secretary LaRose admits that he made the above referenced statement at the Commission's September 15, 2021 meeting. Secretary LaRose's words as contained in Request for Admission No. 14 were made within a much larger statement and must be read within the entire context of his full statement as set forth in the Commission's transcript of the September 15, 2021 meeting.

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REQUEST FOR ADMISSION NO. 15

Admit that your statement included in Request No. 14 was made in reference to the Ohio House and Senate legislative district maps adopted by the Ohio Redistricting Commission as the General Assembly plan for the next four years.

Response: Admitted.

REQUEST FOR ADMISSION NO. 16

Admit that your statement included in Request No. 14 was made as part of your official duties as a member of the Ohio Redistricting Commission.

Response: Admitted.

REQUEST FOR ADMISSION NO. 17

Admit that, on page 17, Exhibit A quotes you as stating: "So I've been trying to understand, as we've been talking to members of your staff and you yourself, how you believe that you're reaching the representational fairness or proportionality requirement in section six. And so I've been asking, 'How do you calculate those numbers? What do you consider that proportionality?' And I've not gotten an answer until tonight, but I would assume that this has been guiding the map-making process for a long time. Was there a reason for, for not sort of sharing this sooner to sort of guide the conversations as we've been having them?"

Response: Admitted that the quote in Request for Admission No. 17 appears on page 17 of Exhibit A.

REQUEST FOR ADMISSION NO. 18

Admit that, at the Ohio Redistricting Commission's meeting convened on September 15, 2021, you stated: "So I've been trying to understand, as we've been talking to members of your staff and you yourself, how you believe that you're reaching the representational fairness or proportionality requirement in section six. And so I've been asking, 'How do you calculate those numbers? What do you consider that proportionality?' And I've not gotten an answer until tonight, but I would assume that this has been guiding the map-making process for a long time. Was there a reason for, for not sort of sharing this sooner to sort of guide the conversations as we've been having them?"

Response: Secretary LaRose admits that he made the above referenced statement at the

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Commission's September 15, 2021 meeting. Secretary LaRose's words as contained in Request for Admission No. 18 were made within a much larger statement and must be read within the entire context of his full statement as set forth in the Commission's transcript of the September 15, 2021 meeting.

REQUEST FOR ADMISSION NO. 19

Admit that your statement included in Request No. 18 was made in reference to the Ohio House and Senate legislative district maps adopted by the Ohio Redistricting Commission as the General Assembly plan for the next four years.

Response: Admitted.

REQUEST FOR ADMISSION NO. 20

Admit that your statement included in Request No. 18 was made as part of your official duties as a member of the Ohio Redistricting Commission.

Response: Admitted.

REQUEST FOR ADMISSION NO. 21

Admit that the document attached herein as Exhibit B is a true and accurate copy of a statement entitled "Article XI, Section 8(C)(2) Statement".

Response: Admitted that Exhibit B appears to be the Article XI, Section 8(C)(2) Statement that Senator Huffman introduced to the Ohio Redistricting Commission on the evening of September 15, 2021.

REQUEST FOR ADMISSION NO. 22

Admit that, on September 16, 2021, the Ohio Redistricting Commission issued Exhibit B.

Response: Secretary LaRose admits that the Ohio Redistricting Commission issued Exhibit B, but he can neither admit nor deny based on the information known or readily obtainable by him as to whether Exhibit B was issued on September 16, 2021 as Secretary LaRose did not keep track of what time Exhibit B was issued.

REQUEST FOR ADMISSION NO. 23

Admit that, as members of the Ohio Redistricting Commission who voted to adopt the General Assembly plan for the next four years, you and the other Republicans on the Commission authorized the issuance of Exhibit B pursuant to Article XI, Section 8(C)(2) of the Ohio Constitution.

Objection: This Request calls for Secretary LaRose to speculate as to the underlying mental

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thoughts and decisions of other members of the Ohio Redistricting Commission.

Response: Without waiving this objection, Secretary LaRose denies that he authorized the issuance of Exhibit B. Further responding without waiving, Secretary LaRose can neither admit or deny due to lack of knowledge based on the information known or readily obtainable by him as to whether the other Republican members of the Ohio Redistricting Commission authorized the issuance of Exhibit B as he cannot enter the mind of each member to determine what they thought.

REQUEST FOR ADMISSION NO. 24

Admit that the document attached herein as Exhibit C is a true and accurate copy of an opinion article authored by you, entitled "Ohio's historic congressional redistricting reform: Frank LaRose (Opinion)".

Response: Admitted.

REQUEST FOR ADMISSION NO. 25

Admit that each document you have produced or will produce in response to Relators' requests for production of documents and things and Relators' interrogatories is a true and accurate copy of that document.

Objection: Secretary LaRose objects to this Request as it is overly broad, vague, and ambiguous. This Request fails to identify any document with particularity as to allow Secretary LaRose to determine whether he can admit or deny this Request. Moreover, this Request does not relate to any of the Exhibits attached to the Request for Admissions. Secretary LaRose has no ability to know what documents might be produced in the future. Further, responding to this Request would be unduly burdensome as it would require Secretary LaRose to review every single document that he has produced or will produce in the future to determine if it is a true and accurate copy.

Response: Without waiving this objection, Secretary LaRose admits that he has not altered any documents that have been produced.

REQUEST FOR ADMISSION NO. 26

Admit that each document you have produced or will produce in response to Relators' requests for production of documents and things and Relators' interrogatories is kept in the course of regularly conducted business activity.

Objection: Secretary LaRose objects to this Request as it is overly broad, vague, and ambiguous. This Request fails to identify any document with particularity as to allow Secretary LaRose to determine whether he can admit or deny this Request. Moreover, this Request does not relate to any of the Exhibits attached to the Request for Admissions. Secretary LaRose has no ability to know what documents might be produced in the future. Further, responding to this Request would be unduly burdensome as it would require Secretary LaRose to review every single document that he has produced or will produce in the future to determine if it was kept in the course of regularly

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conducted business activity.

REQUEST FOR ADMISSION NO. 27

Admit that each document you or your office have produced or will produce in response to J. Collin Marozzi's public records requests is a true and correct copy of that document.

Objection: Secretary LaRose objects to this Request as it is overly broad, vague, and ambiguous. This Request fails to identify any document with particularity as to allow Secretary LaRose to determine whether he can admit or deny this Request. Moreover, this Request does not relate to any of the Exhibits attached to the Request for Admissions. Secretary LaRose has no ability to know what documents might be produced in the future. Further, responding to this Request would be unduly burdensome as it would require Secretary LaRose to review every single document that he has produced or will produce in the future to determine if it is a true and accurate copy.

Response: Without waiving this objection, Secretary LaRose admits that he has not altered any documents that have been produced.

REQUEST FOR ADMISSION NO. 28

Admit that each document you or your office have produced or will produce in response to J. Collin Marozzi's public records requests is kept in the course of regularly conducted business activity.

Objection: Secretary LaRose objects to this Request as it is overly broad, vague, and ambiguous. This Request fails to identify any document with particularity as to allow Secretary LaRose to determine whether he can admit or deny this Request. Moreover, this Request does not relate to any of the Exhibits attached to the Request for Admissions. Secretary LaRose has no ability to know what documents might be produced in the future. Further, responding to this Request would be unduly burdensome as it would require Secretary LaRose to review every single document that he has produced or will produce in the future to determine if it was kept in the course of regularly conducted business activity.

VERIFICATION OFADMISSIONS ANSWERS

Notarial act performed by audio-visual communication

David M Grodhaus
Signed on 2021/10/12 14:08:33 -8:00

Michael Grodhaus
On behalf of Respondent Secretary of State LaRose

Sworn to before me and subscribed in my presence this 12th day of October, 2021.

NOTARY PUBLIC STATE OF OHIO
MacKenzie Storm Clayton
Commission # 2018-RE-707238
Electronic Notary Public
State of Ohio
My Comm Exp. Feb 22, 2023
Notary Stamp 2021/10/12 14:08:33 PST E6FA73522907

MacKenzie S. Clayton
Signed on 2021/10/12 14:08:33 -8:00

Notary Public

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Respectfully submitted,

DAVE YOST
OHIO ATTORNEY GENERAL

/s/ Julie M. Pfeiffer
BRIDGET C. COONTZ (0072919)*
**Counsel of Record*
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via electronic mail upon the following on October 12, 2021.

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Donald Brown*
Joshua González*
David Denuyl*
Juliana Goldrosen* (PHV 25193 - 2021)
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L. Brady Bender* (PHV 25192 - 2021)
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Counsel for Relators
** Pro Hac Vice Motion Forthcoming*

/s/ Julie M. Pfeiffer

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E-Signature Summary

E-Signature 1: David M. Grodhaus (DMG)
October 12, 2021 14:16:21 -8:00 [450F5A375873] [156.63.71.253]
mgrodhaus@ohiosos.gov (Principal) (Personally Known)

E-Signature Notary: MacKenzie S. Clayton (msc)
October 12, 2021 14:16:21 -8:00 [48ACB1F324F7] [98.102.110.129]
MacKenzie.Clayton@OhioAGO.gov
I, MacKenzie S. Clayton, did witness the participants named above electronically sign this document.

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In The
Ohio Supreme Court

LEAGUE OF WOMEN VOTERS OF OHIO, et al.,	:	
	:	
Relators,	:	**Case No. 2021-1193**
	:	
v.	:	**Original Action Pursuant to Ohio Const., Art. XI**
OHIO REDISTRICTING COMMISSION, et al.,	:	
	:	
***Respondents*.**	:	

Respondent Ohio Secretary of State Frank LaRose's Response to Relators' First Set of Interrogatories

Pursuant to Rules 26 and 33 of the Ohio Rules of Civil Procedure, Respondent Ohio Secretary of State Frank LaRose, in his official capacity as a Member of the Ohio Redistricting Commission responses to each of the following interrogatories:

DEFINITIONS

1. Notwithstanding any definition set forth below, each word, term, or phrase used in these Interrogatories is intended to have the broadest meaning permitted under the Ohio Rules of Civil Procedure.

2. Words or terms not specifically defined herein have the meaning commonly understood, and no definition is intended as exclusive.

3. Words or terms used herein, and all Definitions and Instructions pertinent thereto, have the same intent and meaning regardless of whether the word(s) or term(s) are depicted in lower case or upper case letters.

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4. The term "COMMUNICATION" means transmission of information, including any correspondence, contact, discussion, or written, electronic, or oral exchange between any two or more PERSONS.

5. The term "DESCRIBE" means to set forth fully and unambiguously every fact that relates to the answer called for by the Interrogatory of which YOU have knowledge and to identify each individual or entity with knowledge or information that relates to YOUR answer, and when used in reference to a factual or legal contention, to describe the full factual and legal basis for the contention, and to identify any and all PERSONS that YOU believe have knowledge about each such fact or DOCUMENT.

6. The term "DOCUMENT" means anything that contains information in any form and that is in YOUR possession, custody, or control, including but not limited to e-mails, text messages, papers (whether handwritten, printed, or typed), memoranda, letters and other correspondence, notes, agendas, notebook entries, bulletins, graphs, charts, maps, drawings, surveys, data, summaries, telegrams, calendar entries, diaries, spreadsheets, graphics and presentation documents, photographs, images, text files, transaction logs, reports of any kind, minutes of meetings, estimates, receipts, invoices, checks, bids, proposals, licenses, reports to or COMMUNICATIONS with government entities, financial statements, ledger entries, microfilm, microfiche, computer printouts, computer files, cards, tape recordings, disks, flash drives, and other sources of electronically or magnetically maintained information, regardless of who prepared or created the document. A draft or non-identical copy is a separate document within the meaning of this term.

7. The term "IDENTIFY" (a) when used in reference to a natural person, means that person's full name, last known address, home and business telephone numbers, present occupation

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or business affiliation, and present or last known place of employment, and job title or role; (b) when used in reference to a person other than a natural person, means that person's full name, a description of the nature of the person, and the person's last known address, telephone number, and principal place of business; and (c) when used in reference to a DOCUMENT, requires YOU either (1) to state (i) the date of the DOCUMENT; (ii) title; (iii) author(s), addressee(s), and recipient(s); (iv) present location and custodian of the DOCUMENT; (v) Bates numbers (if any); (vi) type of DOCUMENT (*e.g.*, letter, memorandum, or chart); and (vii) general subject matter, (2) or to attach an accurate copy of the DOCUMENT to YOUR answer, appropriately labeled to correspond to the respective Interrogatory.

8. The term "PERSON" includes an individual, general or limited partnership, joint stock company, unincorporated association or society, municipal or other corporation, incorporated association, limited liability partnership or company, the State of Ohio or an agency or subdivision thereof, a court, and any governmental entity or official in or outside the State of Ohio.

9. The terms "YOU" and "YOUR" mean Respondent, and any employees, staff, officers, agents, or representatives of Respondent, individually and/or in their official capacity as a member of the Ohio Redistricting Commission and/or Secretary of State.

10. The following rules of construction apply to all Interrogatories:

a. The terms "all" and "any" shall each be construed as encompassing any and all;

b. All uses of the word "each" include "every" (and *vice versa*);

c. The connective terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the Interrogatories all responses that might otherwise be construed to be outside of its scope;

d. Use of the singular form of any word includes the plural (and *vice versa*);

e. The term "including" shall be construed without limitation;

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f. The use of a verb in any tense encompasses the use of the verb in all tenses;

g. References to employees, staff, members, officers, directors, agents, or representatives include both current and former employees, staff, members, officers, directors, agents, or representatives; and

h. References to any entity include all of that entity's employees, staff, members, officers, directors, agents, or representatives.

INSTRUCTIONS

1. Each Interrogatory shall be construed according to its most inclusive meaning so that if information or a DOCUMENT is responsive to any reasonable interpretation of the Interrogatory, the information or DOCUMENT is responsive.

2. If YOU object to any part of an Interrogatory and refuse to answer that part, IDENTIFY that portion to which YOU object and answer the remaining portion of the Interrogatory.

3. If YOU object to the scope or time period of an Interrogatory and refuse to answer for that scope or time period, please state YOUR objection and answer the request for the scope or time period YOU believe is appropriate

4. If YOU object to any Interrogatory as vague or unclear, assume a reasonable meaning, state what the assumed meaning is, and respond to the Interrogatory according to the assumed meaning.

5. If YOU object to any Interrogatory as overbroad, provide a response that narrows the Interrogatory in a way that eliminates the purported over-breadth, state the extent to which YOUR response has narrowed the Interrogatory, and respond to the narrowed Interrogatory.

6. If YOU withhold the answer to any part of any Interrogatory on the claim of privilege, state the specific factual and legal basis for doing so and answer any part of the

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Interrogatory that is not alleged to be objectionable. Such information should be supplied in sufficient detail to permit the Relators to assess the applicability of the privilege claimed.

7. These Interrogatories are continuing in nature, and YOU shall revise or supplement YOUR responses whenever YOU obtain different or additional relevant knowledge, information, or belief, from the time of YOUR initial response through to the end of trial.

8. If YOU are unable to respond to any of the Interrogatories fully and completely, after exercising due diligence to obtain the information necessary to provide a full and complete response, so state, and answer each such Interrogatory to the fullest extent possible, specifying the extent of YOUR knowledge and YOUR inability to answer the remainder, and setting forth whatever information or knowledge YOU may have concerning the unanswered portions thereof and efforts YOU made to obtain the requested information. If YOU have no information responsive to an Interrogatory, then YOU shall so state.

INTERROGATORIES

INTERROGATORY NO. 1 IDENTIFY all individuals involved both formally and informally in the drawing of the Challenged Plan, including, but not limited to members of the General Assembly, staff, consultants, and advisors.

OBJECTIONS: Interrogatory No. 1 does not describe with reasonable particularity the meaning of "Challenged Plan" or the term "involved both formally and informally" and therefore it is overbroad, vague and not reasonably calculated to lead to the discovery of admissible evidence.

ANSWER: Without waiving the above referenced objections, and assuming that "Challenged Plan" means the Commission-approved general assembly district maps, other than Mr. Ray DiRossi's public presentation to the Commission of the Senate and House Republican district plan, which as amended on September 15, 2021 became the Commission-approved district plan, the Secretary of State does not possess any other information responsive to Interrogatory No. 1. By way of further answer, the Secretary

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of State was not involved in the drawing of the Commission-approved general assembly district maps.

INTERROGATORY NO. 2 DESCRIBE the role played by any individuals identified in Interrogatory No. 1.

OBJECTIONS: The Secretary of State restates his objections to Interrogatory No. 1 herein.

ANSWER: Without waiving the above referenced objections, and assuming that "Challenged Plan" means the Commission-approved general assembly district maps, please see the Secretary of State's Response to Interrogatory No. 1. Other than knowing that Mr. DiRossi played some role in the drawing of the Senate and House Republican district plan, which as amended on September 15, 2021 became the Commission-approved district plan, the Secretary of State does not possess information responsive to Interrogatory No. 2. By way of further answer, the Secretary of State was not involved in the drawing of the Commission-approved general assembly district maps.

INTERROGATORY NO. 3 IDENTIFY and DESCRIBE all instructions provided to individuals who created, or were in any way involved in the creation of, the state legislative maps enacted under the Challenged Plan, including but not limited to the map drawers, their staff, and any outside consultants or advisors (both paid and unpaid).

OBJECTION: Interrogatory No. 3 does not describe with reasonable particularity the meaning of "Challenged Plan", "were in any way involved in the creation" and therefore it is overbroad, vague and not reasonably calculated to lead to the discovery of admissible evidence.

ANSWER: Without waiving the above referenced objections, and assuming that "Challenged Plan" means the Commission-approved general assembly district maps, the Secretary of State does not possess information responsive to Interrogatory No. 3. By way of further answer, the Secretary of State was not involved in the creation of the Commission-approved general assembly district maps.

INTERROGATORY NO. 4 IDENTIFY and DESCRIBE any and all factors, constraints, influences, or considerations, regardless of whether or not mentioned in Article XI of the Ohio

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Constitution, that were considered, adopted, or otherwise reflected in the creation of any redistricting plans or amendments to redistricting plans that YOU, or any member of the Ohio Redistricting Commission or their representative, introduced to the Ohio Redistricting Commission, including, but not limited to, the Challenged Plan, and describe how YOU and the Ohio Redistricting Commission prioritized these factors, constraints, influences, and considerations.

OBJECTION: Interrogatory No. 4 is overly broad, unduly burdensome, vague, duplicative, not reasonably calculated to lead to the discovery of admissible evidence, and not proportional to the needs of the case. Further, Interrogatory No. 4 does not define with reasonable particularity several critical terms including but not limited to "Challenged Plan," "factors, constraints, influences or considerations" and "otherwise reflected in the creation." Finally, Interrogatory No. 4 seeks information not in the Secretary of State's possession, custody, or control.

ANSWER: Without waiving the above referenced objections, and assuming that "Challenged Plan" means the Commission-approved general assembly district maps, because the Secretary of State was not involved in the "creation of any redistricting plans or amendments to redistricting plans," the Secretary of State possesses no information responsive to Interrogatory No. 4.

INTERROGATORY NO. 5 IDENTIFY and DESCRIBE any and all attempts that were made by YOU and/or the Ohio Redistricting Commission to comply with sections 6(A) and 6(B) of Article XI of the Ohio Constitution in any redistricting plans or amendments to redistricting plans that YOU, or any member of the Ohio Redistricting Commission or their representative, introduced to the Ohio Redistricting Commission, including, but not limited to, the Challenged Plan.

OBJECTION: The Secretary of State objects to the extent that Interrogatory No. 5 seeks confidential, privileged information that was made during the deliberative process and/or is protected by the attorney client privilege. The Secretary of State further objects to the extent that

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Interrogatory No. 5 pre-supposes a legal requirement of specific, extra-Commission actions that are separate and apart from all other constitutional standards as set forth in the Ohio Constitution. Interrogatory No. 5 does not identify or define with reasonable particularity several critical terms including but not limited to "Challenged Plan," "redistricting plans or amendments to redistricting plans" and "introduced to the Ohio Redistricting Commission," and therefore, it is overbroad, vague and not reasonably calculated to lead to the discovery of admissible evidence. Finally, Interrogatory No. 5 seeks information not in the Secretary of State's possession, custody, or control.

ANSWER: Without waiving the above referenced privileges and objections, the Secretary of State did not create or introduce any redistricting plans or amendments to redistricting plans that were filed with the Ohio Redistricting Commission. By way of further answer, the Secretary of State believes that the Commission-approved general assembly district maps comply with all legal standards set forth in the Ohio Constitution. The Secretary of State attempted to find a compromise between the district plan submitted by the Republican legislative leanders and the district plan submitted by Senator Sykes so that the vote required for a ten-year district plan could be reached.

INTERROGATORY NO. 6 IDENTIFY and DESCRIBE YOUR interpretation, as well as the Ohio Redistricting Commission's interpretation, of Sections 6(A) and 6(B) of Article XI of the Ohio Constitution, including but not limited to any obligations, restrictions, or requirements that Sections 6(A) and 6(B) impose on the Ohio Redistricting Commission, and the actions or determinations that the Ohio Redistricting Commission must make in order to comply with Sections 6(A) and 6(B).

OBJECTION: The Secretary of State objects to the extent that Interrogatory No. 6 seeks confidential, privileged information that was made during the deliberative process and/or is protected by the attorney client privilege. The Secretary of State objects to the extent that

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Interrogatory No. 6 pre-supposes a legal requirement of specific, extra-Commission actions that are separate and apart from all other constitutional standards as set forth in the Ohio Constitution. Interrogatory No. 6 seeks information not in the Secretary of State's possession, custody, or control. Finally, Interrogatory No. 6 seeks a legal interpretation which is wholly unrelated to the discovery of admissible evidence, and therefore, it is not reasonably calculated to lead to the discovery of admissible evidence.

INTERROGATORY NO. 7 IDENTIFY whether it was YOUR determination, or the determination of the Ohio Redistricting Commission, at the time that the Challenged Plan was adopted on September 16, 2021, that any General Assembly redistricting plan introduced on or before September 16, 2021 by a member of the Ohio Redistricting Commission, or submitted before that date by a member of the general public, complied fully with the requirements of Article XI of the Ohio Constitution, and DESCRIBE in full the analysis that led YOU to that determination.

OBJECTION: The Secretary of State objects to the extent that Interrogatory No. 7 seeks confidential, privileged information that was made during the deliberative process and/or is protected by the attorney client privilege. Further, Interrogatory No. 7 does not identify with any particularity the "redistricting plan(s)" referenced therein and it does not define "Challenged Plan," and therefore, it is overbroad, vague and not reasonably calculated to lead to the discovery of admissible evidence. Finally, Interrogatory No. 7 seeks information not in the Secretary of State's possession, custody, or control.

ANSWER: Without waiving the above referenced objections, the Commission-approved general assembly district maps comply with all legal standards set forth in the Ohio Constitution.

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VERIFICATION OF INTERROGATORY ANSWERS

David M. Grodhaus
Signed on 2021/10/12 14:16:21 -8:00

Michael Grodhaus
On behalf of Respondent Secretary of State LaRose

Sworn to before me and subscribed in my presence this 12th day of October, 2021.

MacKenzie Storm Clayton
Commission # 2018-RE-707238
Electronic Notary Public
State of Ohio
My Comm Exp. Feb 22, 2023
Notary Stamp 2021/10/12 14:16:21 PST 48ACB1F324F7

MacKenzie S. Clayton
Signed on 2021/10/12 14:16:21 -8:00

Notary Public

Respectfully submitted,

Below signature as to Objections.

DAVE YOST
OHIO ATTORNEY GENERAL

/s/ Julie M. Pfeiffer

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Counsel for Respondent Secretary of State LaRose

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via electronic mail upon counsel of record on October 12, 2021.

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E-Signature 1: David M. Grodhaus (DMG)
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mgrodhaus@ohiosos.gov (Principal) (Personally Known)

E-Signature Notary: MacKenzie S. Clayton (msc)
October 12, 2021 14:20:16 -8:00 [7278A4EA7B20] [98.102.110.129]
MacKenzie.Clayton@OhioAGO.gov
I, MacKenzie S. Clayton, did witness the participants named above electronically sign this document.

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In The
Ohio Supreme Court

LEAGUE OF WOMEN VOTERS OF OHIO, et al.,	:	
	:	
Relators,	:	**Case No. 2021-1193**
	:	
v.	:	**Original Action Pursuant to Ohio Const., Art. XI**
OHIO REDISTRICTING COMMISSION, et al.,	:	
	:	
***Respondents*.**	:	

RESPONDENT SECRETARY OF STATE FRANK LAROSE'S RESPONSES TO RELATORS' SECOND SET OF INTERROGATORIES

Respondent Secretary of State Frank LaRose, in his official capacity as a Member of the Ohio Redistricting Commission, hereby answers the following interrogatories.

DEFINITIONS

1. Notwithstanding any definition set forth below, each word, term, or phrase used in these Interrogatories is intended to have the broadest meaning permitted under the Ohio Rules of Civil Procedure.

2. Words or terms not specifically defined herein have the meaning commonly understood, and no definition is intended as exclusive.

3. Words or terms used herein, and all Definitions and Instructions pertinent thereto, have the same intent and meaning regardless of whether the word(s) or term(s) are depicted in lower case or upper case letters.

4. The term "COMMUNICATION" means transmission of information, including any correspondence, contact, discussion, or written, electronic, or oral exchange between any two or more PERSONS.

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5. The term "DESCRIBE" means to set forth fully and unambiguously every fact that relates to the answer called for by the Interrogatory of which YOU have knowledge and to identify each individual or entity with knowledge or information that relates to YOUR answer, and when used in reference to a factual or legal contention, to describe the full factual and legal basis for the contention, and to identify any and all PERSONS that YOU believe have knowledge about each such fact or DOCUMENT.

6. The term "DOCUMENT" means anything that contains information in any form and that is in YOUR possession, custody, or control, including but not limited to e-mails, text messages, papers (whether handwritten, printed, or typed), memoranda, letters and other correspondence, notes, agendas, notebook entries, bulletins, graphs, charts, maps, drawings, surveys, data, summaries, telegrams, calendar entries, diaries, spreadsheets, graphics and presentation documents, photographs, images, text files, transaction logs, reports of any kind, minutes of meetings, estimates, receipts, invoices, checks, bids, proposals, licenses, reports to or COMMUNICATIONS with government entities, financial statements, ledger entries, microfilm, microfiche, computer printouts, computer files, cards, tape recordings, disks, flash drives, and other sources of electronically or magnetically maintained information, regardless of who prepared or created the document. A draft or non-identical copy is a separate document within the meaning of this term.

7. The term "PERSON" includes an individual, general or limited partnership, joint stock company, unincorporated association or society, municipal or other corporation, incorporated association, limited liability partnership or company, the State of Ohio or an agency or subdivision thereof, a court, and any governmental entity or official in or outside the State of Ohio.

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8. The terms "YOU" and "YOUR" mean Respondent, and any employees, staff, officers, agents, or representatives of Respondent, individually and/or in their official capacity as a member of the Ohio Redistricting Commission and/or Governor.

9. The following rules of construction apply to all Interrogatories:

a. The terms "all" and "any" shall each be construed as encompassing any and all;

b. All uses of the word "each" include "every" (and *vice versa*);

c. The connective terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the Interrogatories all responses that might otherwise be construed to be outside of its scope;

d. Use of the singular form of any word includes the plural (and *vice versa*);

e. The term "including" shall be construed without limitation;

f. The use of a verb in any tense encompasses the use of the verb in all tenses;

g. References to employees, staff, members, officers, directors, agents, or representatives include both current and former employees, staff, members, officers, directors, agents, or representatives; and

h. References to any entity include all of that entity's employees, staff, members, officers, directors, agents, or representatives.

INSTRUCTIONS

1. Each Interrogatory shall be construed according to its most inclusive meaning so that if information or a DOCUMENT is responsive to any reasonable interpretation of the Interrogatory, the information or DOCUMENT is responsive.

2. If YOU object to any part of an Interrogatory and refuse to answer that part, IDENTIFY that portion to which YOU object and answer the remaining portion of the Interrogatory.

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3. If YOU object to the scope or time period of an Interrogatory and refuse to answer for that scope or time period, please state YOUR objection and answer the request for the scope or time period YOU believe is appropriate

4. If YOU object to any Interrogatory as vague or unclear, assume a reasonable meaning, state what the assumed meaning is, and respond to the Interrogatory according to the assumed meaning.

5. If YOU object to any Interrogatory as overbroad, provide a response that narrows the Interrogatory in a way that eliminates the purported over-breadth, state the extent to which YOUR response has narrowed the Interrogatory, and respond to the narrowed Interrogatory.

6. If YOU withhold the answer to any part of any Interrogatory on the claim of privilege, state the specific factual and legal basis for doing so and answer any part of the Interrogatory that is not alleged to be objectionable. Such information should be supplied in sufficient detail to permit the Relators to assess the applicability of the privilege claimed.

7. These Interrogatories are continuing in nature, and YOU shall revise or supplement YOUR responses whenever YOU obtain different or additional relevant knowledge, information, or belief, from the time of YOUR initial response through to the end of trial.

8. If YOU are unable to respond to any of the Interrogatories fully and completely, after exercising due diligence to obtain the information necessary to provide a full and complete response, so state, and answer each such Interrogatory to the fullest extent possible, specifying the extent of YOUR knowledge and YOUR inability to answer the remainder, and setting forth whatever information or knowledge YOU may have concerning the unanswered portions thereof and efforts YOU made to obtain the requested information. If YOU have no information responsive to an Interrogatory, then YOU shall so state.

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INTERROGATORIES

INTERROGATORY NO. 8

If any of YOUR response to Relators' Request for Admission No. 10 is anything other than an unqualified admission, please DESCRIBE the basis for YOUR response.

Objection: Secretary LaRose objects to this interrogatory to the extent it seeks information that is protected by the attorney-client privilege. Further, this interrogatory is duplicative as it seeks to compel Secretary LaRose to provide the reasoning behind qualifying his response to a request for admission, which would have already been provided in the responses to the requests for admissions.

Answer: Without waiving any objection that this request is duplicative in nature, Secretary LaRose was required to qualify his answer because Request for Admission No. 10 highlighted only a portion of Secretary LaRose's entire statement. Secretary LaRose merely provided a fuller answer.

INTERROGATORY NO. 9

If any of YOUR response to Relators' Request for Admission No. 14 is anything other than an unqualified admission, please DESCRIBE the basis for YOUR response.

Objection: Secretary LaRose objects to this interrogatory to the extent it seeks information that is protected by the attorney-client privilege. Further, this interrogatory is duplicative as it seeks to compel Secretary LaRose to provide the reasoning behind qualifying his response to a request for admission, which would have already been provided in the responses to the requests for admissions.

Answer: Without waiving any objection that this request is duplicative in nature, Secretary LaRose was required to qualify his answer because Request for Admission No. 14 highlighted only a portion of Secretary LaRose's entire statement. Secretary LaRose merely provided a fuller answer.

INTERROGATORY NO. 10

If any of YOUR response to Relators' Request for Admission No. 18 is anything other than an unqualified admission, please DESCRIBE the basis for YOUR response.

Objection: Secretary LaRose objects to this interrogatory to the extent it seeks information that is protected by the attorney-client privilege. Further, this interrogatory is duplicative as it seeks to compel Secretary LaRose to provide the reasoning behind qualifying his response to a request for admission, which would have already been provided in the responses to the requests for admissions.

Answer: Without waiving any objection that this request is duplicative in nature, Secretary

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LaRose was required to qualify his answer because Request for Admission No. 18 highlighted only a portion of Secretary LaRose's entire statement. Secretary LaRose merely provided a fuller answer.

INTERROGATORY NO. 11

If any of YOUR response to Relators' Request for Admission No. 23 is anything other than an unqualified admission, please DESCRIBE the basis for YOUR response.

Objection: Secretary LaRose objects to this interrogatory to the extent it seeks information that is protected by the attorney-client privilege. Further, this interrogatory is duplicative as it seeks to compel Secretary LaRose to provide the reasoning behind qualifying his response to a request for admission. Secretary LaRose has already explained why he had to qualify his response to Request for Admission No. 23 and any response to this interrogatory is merely duplicative.

Answer: Without waiving the above-mentioned objections, Secretary LaRose denies that he authorized the issuance of Exhibit B. Further responding without waiving, Secretary LaRose denies due to lack of knowledge based on the information known or readily obtainable by him as to whether the other Republican members of the Ohio Redistricting Commission authorized the issuance of Exhibit B as he cannot enter the mind of each member to determine what they thought.

INTERROGATORY NO. 11

If any of YOUR response to Relators' Request for Admission No. 24 is anything other than an unqualified admission, please DESCRIBE the basis for YOUR response.

Objection: Secretary LaRose objects to this interrogatory to the extent it seeks information that is protected by the attorney-client privilege. Further, this interrogatory is duplicative as it seeks to compel Secretary LaRose to provide the reasoning behind qualifying his response to a request for admission, which would have already been provided in the responses to the requests for admissions.

Answer: Without waiving any objection that this request is duplicative in nature, Secretary LaRose admitted to Relators' Request for Admission No. 24.

INTERROGATORY NO. 12

If any of YOUR responses to Relators' Request for Admissions, other than Requests Nos. 10, 14, 18, 23, and 24, is anything other than an unqualified admission, please DESCRIBE the basis for YOUR response.

Objection: Secretary LaRose objects to this interrogatory to the extent it seeks information that is protected by the attorney-client privilege. Further, this interrogatory is duplicative as it seeks to compel Secretary LaRose to provide the reasoning behind qualifying his response to a request for admission. Secretary LaRose has already provided an explanation as to every request for admission that could not admitted and any further explanation would be duplicative and unduly

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burdensome.

Answer: Without waiving the above-mentioned objections, Secretary LaRose directs Relators to his Responses to the Relators' Request for Admissions wherein each basis is provided.

VERIFICATION OF INTERROGATORY ANSWERS

David M. Grodhaus
Signed on 2021/10/12 14:20:16 -8:00

Michael Grodhaus
On behalf of Respondent Secretary of State LaRose

Sworn to before me and subscribed in my presence this 12th day of October, 2021.

NOTARY PUBLIC STATE OF OHIO
MacKenzie Storm Clayton
Commission # 2018-RE-707238
Electronic Notary Public
State of Ohio
My Comm Exp. Feb 22, 2023
Notary Stamp 2021/10/12 14:20:16 PST 7278A4EA7B20

MacKenzie S. Clayton
Signed on 2021/10/12 14:20:16 -8:00

Notary Public

Respectfully submitted,

Below signature as to Objections.

DAVE YOST
OHIO ATTORNEY GENERAL

/s/ Julie M. Pfeiffer

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via electronic mail upon counsel of record on October 12, 2021.

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Exhibit 17

IN THE SUPREME COURT OF OHIO

League of Women Voters of Ohio, *et al.*,	:	
Bria Bennett, *et al.*	:	**Case Nos. 2021-1193; 2021-1198;**
Ohio Organizing Collaborative, *et. al*,	:	**2021-1210**
Relators,	:	
v.	:	**Original Action Filed Pursuant to Ohio**
	:	**Constitution, Article XI, Section 9(A)**
Ohio Redistricting	:	
Commission, *et al.*,	:	**[Apportionment Case Pursuant to S. Ct.**
	:	**Prac. R. 14.03]**
Respondents.	:	
	:	
	:	

RESPONDENT SENATOR VERNON SYKES' RESPONSE TO RESPONDENTS MATT HUFFMAN AND ROBERT CUPP'S FIRST SET OF INTERROGATORIES AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

Pursuant to Rule 26, 33, and 34 of the Ohio Rules of Civil Procedure, Senator Vernon Sykes ("Senator Sykes"), through counsel, hereby responds to Respondent Matt Huffman and Respondent Robert Cupp's ("Respondents") First Set of Discovery Requests (the "Discovery Requests") as follows:

These responses are made for the sole purpose of discovery in this action, and Senator Sykes does not concede the admissibility of this information at trial. Senator Sykes reserves every objection regarding the subsequent use of any document or discovery material herein.

GENERAL OBJECTIONS

1. Senator Sykes objects to the Discovery Requests to the extent they are inconsistent with or attempt to expand the duties and obligations under the Ohio Rules of Civil Procedure or the Ohio Supreme Court Rules of Practice. Senator Sykes will only respond to the Discovery Requests pursuant to his obligations under the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, or any Supreme Court Order.

2. Senator Sykes objects to, and has disregarded, the "Definitions" and "Instructions" preceding the Discovery Requests to the extent that they are inaccurate, inconsistent, incoherent, and/or impose any additional duties or requirements on Senator Sykes beyond those imposed by the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, and/or any Supreme Court Order. More specifically, and without limitation, Senator Sykes objects to the definition of the terms "you" and "your," which purport to extend the scope of his responses beyond that which he has personal knowledge. Senator Sykes is responding to these Discovery Requests in his individual capacity. Senator Sykes cannot answer for anyone other than himself. To the extent that these Discovery Requests seek information from Senator Sykes' "agents, assigns, employees, partners, successors, predecessors, associates, personnel, attorneys, and other persons or entities acting or purporting to act on [his] behalf," Senator Sykes states that discovery requests are more appropriately directed to those individuals or entities.

3. Senator Sykes has responded based on the information gathered from his diligent search to date. However, discovery is ongoing. Senator Sykes objects that the time frame allowed for these responses was insufficient to conduct the burdensome search for documents and information requested by Respondents. Senator Sykes will amend, revise, clarify, or supplement his responses as necessary in accordance with the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, or any Ohio Supreme Court Order. Senator Sykes reserves his right to raise appropriate objections if any additional documents or discovery material is subsequently located.

4. The Ohio Rules of Civil Procedure prohibit the discovery of privileged matters. Senator Sykes has interpreted each request to call for discoverable matter only. To the extent any response or produced document contains or refers to matters otherwise protected from discovery

by the work product doctrine, the attorney-client privilege, the legislative privilege, or any other privilege, no waiver is intended; nor is any waiver intended as to any other matters that are or may be subject to such protection or otherwise privileged.

5. Senator Sykes objects that none of these discovery requests are limited to a relevant time frame in this action. Since Senator Sykes is sued in his official capacity as a member of the Ohio Redistricting Commission, he will respond to these discovery requests for the time period limited to the 2021 legislative redistricting cycle.

6. Each of the following responses is made subject to any and all objections as to competence, relevance, or other grounds that would require exclusion of such statement if made by a witness present and testifying in court.

INTERROGATORIES

INTERROGATORY NO. 1 Identify the individual or organization responsible for giving Bill Cooper the raw data referenced in footnote 2 of Exhibit A to the Warshaw Affidavit.

ANSWER: Senator Sykes does not have any knowledge about data provided to Bill Cooper.

INTERROGATORY NO. 2 Identify all reasons You did not vote in favor of the Ohio House and Senate Districts that were ultimately passed by the Ohio Redistricting Commission.

ANSWER: Senator Sykes objects to this interrogatory to the extent it seeks information not within the personal knowledge of Senator Sykes and information covered by the attorney-client and legislative privileges, and the work product doctrine. Senator Sykes did not vote in favor of the legislative district plan that was ultimately enacted by the Ohio Redistricting Commission for several reasons.

1. As Senator Sykes identified in his statement at the Commission's September 15, 2021 meeting, he did not vote for the Enacted Plan because it blatantly violates the Ohio Constitution and the will of Ohio voters.
2. Senator Sykes was entirely excluded from the map-drawing process and did not have the opportunity to provide input into the legislative district plan that was ultimately enacted by the Commission. Throughout the entire process the Republican members of the Commission failed to act in good faith or engage either Senator or Leader Sykes in the map-drawing process.
3. The Republican members of the Commission also failed to adhere to deadlines relating to legislative district plans to be considered by or voted on by the Commission. Specifically, the Republican members of the Commission did not produce a final draft map until 11:45 PM on the night of the September 15, 2021 deadline.
4. The Republican members of the Commission also failed to hold the requisite public hearings as required under the Ohio Constitution.
5. Even after the Republican members of the Commission presented their draft map, they did not provide an adequate explanation as to how their proposed map conformed to the technical requirements or political fairness requirements of Article XI.
6. The plan enacted by the Commission violates the clear mandates of Article XI of the Ohio Constitution. Namely, the enacted plan was drawn to favor the Republican Party, and the Republican members of the Commission did not demonstrate any attempt to enact a fairly drawn plan. Moreover, the enacted plan does not

correspond closely to the statewide voter preferences as measured by the statewide partisan general election results over the past ten years.

7. The Republican members of the Commission did not even attempt to meet the requirements of Article XI of the Ohio Constitution.

INTERROGATORY NO. 3 Describe in detail all job duties you have as a member of the Ohio Redistricting Commission, and how you performed those jobs as they relate to the Ohio House and Senate Maps passed by the Ohio Redistricting Commission.

ANSWER: Objection. This Interrogatory is vague and ambiguous because the term "job duties" is not defined. Responding further, Senator Sykes objects to this interrogatory to the extent it seeks information not within the personal knowledge of Senator Sykes and information covered by the attorney-client and legislative privileges, and the work product doctrine. Subject to and without waiving any objection, Senator Sykes responds as follows: The Ohio Redistricting Commission is generally tasked with drawing each of Ohio's ninety-nine House districts and thirty-three Senate districts based on the results of the most recent Census. Article XI of the Ohio Constitution requires that no legislative district map be drawn to favor one political party, and that the enacted legislative district map correspond closely to the statewide voter preferences as measured by the statewide partisan general election results over the past ten years. Accordingly, as a member of the Ohio Redistricting Commission, Senator Sykes has a duty to ensure that the enacted legislative plan (1) does not favor one political party, and (2) corresponds to the statewide preferences of the Ohio voters.

First and foremost, Senator Sykes' duty and responsibility as a Commission member is to participate in all voting and debates to make sure that the 2021 redistricting complied with the Ohio Constitution, federal, and state law.

Second, Senator Sykes must designate staff to maintain the Minutes of each Commission meeting.

Third, Senator Sykes is responsible for noticing and calling meetings in conjunction with Co-Chair Cupp.

Fourth, Senator Sykes is responsible for designating staff to organize public hearings around the State of Ohio to allow public comment and input on the redistricting process. As Co-Chair and member of the Commission, Senator Sykes also has a duty to preside over these public hearings and was one of the only members that attended all hearings. Senator Sykes is also required to attend three Constitutionally mandated hearings on the proposed plan. The Republican members of the Commission, however, failed to hold the requisite number of Constitutionally required hearings so Senator Sykes attended the only hearing that was held.

Fifth, as Co-Chair Senator Sykes should have been responsible for expending funds and hiring specific Commission staff, but he was unable to do so because the Republican members of the Commission showed no interest in staffing the Commission.

Sixth, Senator Sykes, as Co-Chair, may offer amendments on behalf of those persons sponsoring redistricting plans who are not members of the Commission.

In addition, as a member of the Commission, Senator Sykes has a duty to ask questions about the map-drawing process, engage with the public, listen to feedback, and incorporate feedback into a final draft map for consideration by the entire Commission.

Moreover, Senator Sykes has a responsibility to offer maps that actually meet the Article XI requirements. Senator Sykes presented a map on August 31, 2021, within the constitutional deadline of September 1, 2021 and complied with Article XI, Section 6. That map was compact, kept communities of interest within the same district, minimized community splits, and closely matched the voter preferences for candidates as expressed in statewide partisan elections of the past decade. Accounting for constitutionally required parameters, Senator Sykes' August 31, 2021 proposed map would have included forty-four likely Democratic and fifty-five likely Republican seats in the House of Representatives, fourteen likely Democratic, and nineteen likely Republican seats in the Senate. Following the introduction of Senator Sykes proposed map, in an effort to address the feedback from other Commissioners of the Redistricting Commission, he revised the plan to incorporate their input.

In response to the plan presented by the Republican members of the Commission, Senator Sykes submitted revised map plans with various district line configurations in an attempt to more closely follow constitutional guidelines and to capture Secretary LaRose's and Auditor Faber's input and attempt to maintain a proportional vote share reflecting thirteen likely Democratic Senate seats and forty-two likely Democratic House seats. All maps Senator Sykes submitted had projected seat percentages for each party that showed fewer democratic leaning seats than the ten-year average of the preferences of Ohio voters, as provided under Article XI (54% Republican and 46% Democratic). But these proposed maps were ignored by the Republican members of the Commission.

INTERROGATORY NO. 4 Identify all elected officials, individuals, and organizations You received data, information, communications, or draft maps from pertaining to the drawing of

Ohio's House or Senate Districts that were submitted to the Ohio Redistricting Commission's website on behalf of the House and Senate Democratic Caucus.

ANSWER: Objection. This Interrogatory is overly broad and unduly burdensome because it is seeking information that is not in the possession, custody, or control of Senator Sykes and is better obtained from other parties or third parties. Subject to and without waiving any objection, Senator Sykes received data and information from the following individuals and organizations: Ohio University, Randall Routt, Mike Rowe, George Boas, Project Govern, Chris Glassburn, Traevon Leak, All on the Line, Heather Blessing, the Ohio Legislative Services Commission, Ohio Citizens Redistricting Commission, and House and Senate Democratic Caucus members.

INTERROGATORY NO. 5 Identify all elected officials, individuals, and organizations involved in drafting the Ohio House or Senate Districts submitted to the Committee by You and/or Leader Sykes.

ANSWER: Objection. This interrogatory is vague and ambiguous because it does not define what is meant by "involved." Senator Sykes further objects to this interrogatory to the extent it seeks information not within the personal knowledge of Senator Sykes and information covered by the attorney-client and legislative privileges, and the work product doctrine. Responding further, Senator Sykes did not draft the maps he submitted to the Commission. Subject to and without waiving any objection, Senator Sykes identifies the following individuals and organizations that were involved in drafting the Ohio House and Senate Districts that Senator Sykes submitted to the Commission: Randall Routt, Mike Rowe, George Boas, Auditor of State Keith Faber, Secretary of State Frank LaRose, Project Govern, and Chris Glassburn.

VERIFICATION

I, Vernon Sykes, state that I read Relators' Interrogatories and my answers to those Interrogatories are true based on my personal knowledge or information and belief.

Date: 10-16-2021

Senator Vernon Sykes, Respondent

STATE OF OHIO

COUNTY OF Summit :

Before me, a notary public, came Vernon Sykes on this 16th day of October, 2021, and affirmed that the foregoing Answers to Interrogatories are true and correct to the best of his knowledge and belief.

Rebecca K Evans
notary public

NOTARY PUBLIC STATE OF OHIO

REBECCA K EVANS
Notary Public, State of Ohio
My Comm. Expires May 18, 2022
Recorded in Stark County

REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST NO. 1 All documents and communications produced pursuant to the Public Record Requests regarding 2021 general assembly redistricting to You.

RESPONSE: Objection. This Request is overly broad and unduly burdensome because it requests information that is not within Senator Sykes' possession, custody, or control. Subject to and without waiving any objection, Senator Sykes will produce non-privileged documents responsive to this Request and in his possession. Senator Sykes reserves the right to supplement this response.

REQUEST NO. 2 All documents and communications relating to the Ohio Common and Unified Redistricting Database (CURD) by the Ohio University Voinovich School Leadership and Public Affairs (GVS).

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll documents and communications…." Responding further, these documents may be requested from and produced by other parties or third parties. Senator Sykes objects further on the basis that this Request seeks information that is not reasonably calculated to lead to the discovery of admissible evidence because it is not limited to documents and communications germane to the redistricting process at issue in this litigation. Subject to and without waiving any objection, Senator Sykes will produce non-privileged documents responsive to this Request that are in his possession. Senator Sykes reserves the right to supplement this response.

REQUEST NO. 3 All communications with any employees, consultants or agents of GVS for the last two years.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll communications…for the last two years." Senator Sykes objects further on the basis that this Request seeks information that is not reasonably calculated to lead to the discovery of admissible evidence because it is not limited to communications germane to the redistricting process at issue in this litigation. Subject to and without waiving any objection, Senator Sykes will produce relevant, non-privileged documents responsive to this Request that are in his possession. Senator Sykes reserves the right to supplement this response.

REQUEST NO. 4 All documents relating to or communications regarding draft redistricting plans for Ohio House or Senate Districts.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll documents relating to or communications regarding draft redistricting plans…." Senator Sykes objects to this request to the extent it seeks information not within the personal knowledge of Senator Sykes and information covered by the attorney-client and legislative privileges, and the work product doctrine. Senator Sykes further objects because this information may be requested from and produced by other parties or third parties. Subject to and without waiving any objection, Senator Sykes will produce relevant, non-privileged documents responsive to this Request that are in his possession. Senator Sykes reserves the right to supplement this response.

REQUEST NO. 5 All data, including block files or shapefiles, used to create any draft plans for Ohio House or Senate Districts.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll data…used to create any draft plans…." Senator Sykes objects further on the basis that this Request is more properly directed to other parties or third parties. Subject to and without waiving any objection, Senator Sykes will produce relevant, non-privileged documents responsive to this Request that are in his possession. Senator Sykes reserves the right to supplement this response.

REQUEST NO. 6 All communications with members of the Ohio Redistricting Commission or members of the Ohio General Assembly regarding redistricting or draft plans of the Ohio House or Senate Districts.

RESPONSE: Senator Sykes will produce relevant, non-privileged documents responsive to this Request that are in his possession. Senator Sykes reserves the right to supplement this response.

REQUEST NO. 7 All communications between you or your staff and Randall Routt or Chris Glassburn regarding redistricting and Ohio House and Senate Maps.

RESPONSE: Senator Sykes objects to this request to the extent it seeks information not within the personal knowledge of Senator Sykes and information covered by the attorney-client and legislative privileges, and the work product doctrine. Subject to and without waiving any objection, Senator Sykes will produce relevant, non-privileged documents

responsive to this Request that are in his possession. Senator Sykes reserves the right to supplement this response.

REQUEST NO. 8 All communications between you, your staff, the National or Ohio Chapters of the American Civil Liberties Union, the Ohio A. Philip Randolph Institute, the League of Women Voters of Ohio, and any Local Chapters of the League of Women Voters of Ohio, Project Govern or any other organization or elected official regarding the drawing of Ohio House and Senate Districts or redistricting of the General Assembly districts.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll communications" between "any other organization or elected official regarding the drawing" of the maps. Senator Sykes receives numerous communications sent in mass mailings from individuals and organizations. To retrieve all of those communications would be truly unduly burdensome, not proportionate to the benefit of gathering those communications. Subject to and without waiving any objection, Senator Sykes will produce relevant, non-privileged documents of communications between him and/or his staff communicating with the named organizations or entities that are in his possession. Senator Sykes reserves the right to supplement this response.

REQUEST NO. 9 All communications between you, your staff, the ACLU, APRI, Common Cause, Fair Districts or any other organization or elected official regarding population of Ohio House and Senate districts.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll communications" between "any other organization or elected official

regarding the population" of the maps. Senator Sykes receives numerous communications sent in mass mailings from individuals and organizations. To retrieve all of those communications would be truly unduly burdensome, not proportionate to the benefit of gathering those communications. Subject to and without waiving any objection, Senator Sykes will produce relevant, non-privileged documents of communications between him and/or his staff communicating with the named organizations or entities that are in his possession. Senator Sykes reserves the right to supplement this response.

REQUEST NO. 10 All communications with any staff member of the Ohio Legislative Services Commission relating to the drawing of Ohio House or Senate Districts.

RESPONSE: Objection. Senator Sykes objects to this request to the extent it seeks information not within the personal knowledge of Senator Sykes and information covered by the attorney-client and legislative privileges, and the work product doctrine. Subject to and without waiving any objection, Senator Sykes will produce relevant, non-privileged documents responsive to this Request that are in his possession. Senator Sykes reserves the right to supplement this response.

REQUEST NO. 11 All communications regarding the drawing of Ohio House or Senate Districts or the redistricting of Ohio's General Assembly districts with the following entities and their agents or employees:

- Democratic National Committee;
- the Ohio Democratic Party;
- the National Democratic Campaign Committee;

- the National Democratic Redistricting Committee;
- All On the Line;
- Fair Districts Ohio;
- Council on American-Islamic Relations-Ohio
- Fair Vote;
- Cook Political Report;
- DemCast;
- Common Cause Ohio;
- Democratic Legislative Campaign Committee

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll communications regarding the drawing of Ohio House or Senate Districts or the redistricting of Ohio's General Assembly districts…." Senator Sykes receives numerous communications sent in mass mailings from some or all of these organizations. To retrieve all of those communications would be truly unduly burdensome, not proportionate to the benefit of gathering those communications. Subject to and without waiving any objection, Senator Sykes will produce non-privileged documents responsive to this Request that are in his possession. Senator Sykes reserves the right to supplement this response.

REQUEST NO. 12 Any communications or data received by Bill Cooper, Chris Warshaw, or Jonathan Rodden.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ny communications or data ***received by*** Bill Cooper, Chris Warshaw, or

Jonathan Rodden." Responding further, this Request seeks information that can be obtained by other parties or third parties and not likely within Senator Sykes' possession, custody, or control. Subject to and without waiving any objection, Senator Sykes will produce non-privileged documents responsive to this Request that are in his possession. Senator Sykes reserves the right to supplement this response.

REQUEST NO. 13 All materials including talking points or scripts distributed to or by you or relied upon by you during Ohio Redistricting Commission Meetings or Public Hearings.

RESPONSE: Objection. Senator Sykes objects to this request to the extent it seeks information not within the personal knowledge of Senator Sykes and information covered by the attorney-client and legislative privileges, and the work product doctrine. Subject to and without waiving any objection, Senator Sykes will produce relevant, non-privileged documents responsive to this Request that are in his possession. Responding further, Senator Sykes objects on the basis that this Request is overly broad, vague, and unduly burdensome in that it requests "[a]ll materials…." Responding further, this Request seeks information that is protected by the attorney-client privilege. Subject to and without waiving any objection, Senator Sykes will produce non-privileged documents responsive to this Request that are in his possession. Senator Sykes reserves the right to supplement this response.

REQUEST NO. 14 All notes you took during Ohio Redistricting Commission Meetings or Public Hearings.

RESPONSE: Senator Sykes will produce documents responsive to this Request.

Respectfully submitted,

ICE MILLER LLP

/s/ Diane Menashe
Counsel to the Ohio Attorney General

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CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2021, I have served the foregoing Respondent Senator Vernon Sykes' Response to Respondents' Interrogatories and Request for Production by email to the following:

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Counsel for Bria Bennett Relators

/s/ Diane Menashe
Diane Menashe (0070305)

Exhibit 18

IN THE SUPREME COURT OF OHIO

The Ohio Organizing Collaborative, *et al.*,	:	
	:	**Case No. 2021-1210**
Relators,	:	
v.	:	**Original Action Filed Pursuant to Ohio**
	:	**Constitution, Article XI, Section 9(A)**
Ohio Redistricting	:	
Commission, *et al.*,	:	**[Apportionment Case Pursuant to S. Ct.**
	:	**Prac. R. 14.03]**
Respondents.	:	
	:	
	:	

RESPONDENT SENATOR VERNON SYKES' RESPONSE TO RELATORS' FIRST SET OF INTERROGATORIES

Pursuant to Rule 26 and 33 of the Ohio Rules of Civil Procedure, Senator Vernon Sykes ("Senator Sykes"), through counsel, hereby responds to The Ohio Organizing Collaborative; Council on American-Islamic Relations, Ohio; Ohio Environmental Counsel; Pierrette Talley; Samuel Gresham Jr.; Ahmad Aboukar; Mikayla Lee; Prentiss Haney; and Crystal Bryant ("Relators"), First Set of Discovery Requests (the "Discovery Requests") as follows.

These responses are made for the sole purpose of discovery in this action, and Senator Sykes does not concede the admissibility of this information at trial. Senator Sykes reserves every objection regarding the subsequent use of any document or discovery material herein.

GENERAL OBJECTIONS

1. Senator Sykes objects to the Discovery Requests to the extent they are inconsistent with or attempt to expand the duties and obligations under the Ohio Rules of Civil Procedure or the Ohio Supreme Court Rules of Practice. Senator Sykes will only respond to the Discovery Requests pursuant to his obligations under the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, or any Supreme Court Order.

2. Senator Sykes objects to, and has disregarded, the "Definitions" and "Instructions" preceding the Discovery Requests to the extent that they are inaccurate, inconsistent, incoherent, and/or impose any additional duties or requirements on Senator Sykes beyond those imposed by the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, and/or any Supreme Court Order. Specifically, Senator Sykes objects to the definition of the "Proposed Plan" because there was no plan introduced by the Commission, it was introduced by the Republican Commission members.

3. Senator Sykes has responded based on the information gathered from his diligent search to date. However, discovery is ongoing. Senator Sykes objects that the time frame allowed for these responses was insufficient to conduct the burdensome search for documents and information requested by Relators. Senator Sykes will amend, revise, clarify, or supplement his responses as necessary in accordance with the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, or any Ohio Supreme Court Order. Senator Sykes reserves his right to raise appropriate objections if any additional documents or discovery material is subsequently located.

4. The Ohio Rules of Civil Procedure prohibit the discovery of privileged matters. Senator Sykes has interpreted each request to call for discoverable matter only. To the extent any response or produced document contains or refers to matters otherwise protected from discovery by the work product doctrine, the attorney-client privilege, the legislative privilege, or any other privilege, no waiver is intended; nor is any waiver intended as to any other matters that are or may be subject to such protection or otherwise privileged.

5. Senator Sykes objects that none of these discovery requests are limited to a relevant time frame in this action. Since Senator Sykes is sued in his official capacity as a member of the

Ohio Redistricting Commission, he will respond to these discovery requests for the time period limited to the 2021 legislative redistricting cycle.

6. Each of the following responses is made subject to any and all objections as to competence, relevance, or other grounds that would require exclusion of such statement if made by a witness present and testifying in court.

INTERROGATORIES

INTERROGATORY NO. 1

Identify all persons who drafted or created, or were in any way involved in the drafting or creation of the Proposed Plan and, for each identified person, the date or dates on which he or she drafted it.

ANSWER: Senator Sykes, despite being Co-Chair of the Commission, was prevented from participating in the map-drawing process in any way by the Republican members of the Commission, and as such, he cannot identify persons who drafted or created the Proposed Plan or dates on which they were created. Article XI of the Ohio Constitution, Section 1 (C), states, "The Commission shall draft the proposed plan in the manner prescribed in this article." Instead, the Proposed Plan was apparently drafted in secret by the staff of the Republican caucuses of the General Assembly and presented to the other Commissioners at the last minute. Accordingly, he cannot identify persons who were involved in the drawing of the Proposed Plan.

INTERROGATORY NO. 2

Identify all persons who submitted maps, data, or plans that You used to draft the Proposed Plan, incorporated into the Proposed Plan, or adopted as part or all of the Proposed Plan.

ANSWER: See response to Interrogatory No. 1.

INTERROGATORY NO. 3

Identify all persons who evaluated, reviewed, analyzed, were shown, or commented on the Proposed Plan or on maps, data, or plans that You used to draft the Proposed Plan, incorporated into the Proposed Plan, or adopted as part or all of the Proposed Plan.

ANSWER: Because Senator Sykes was excluded from the entire map-drawing process, he cannot identify persons as requested by Interrogatory No. 3.

INTERROGATORY NO. 4

Identify and Describe all instructions provided to individuals who drafted or created, or were in any way involved in the drafting or creation of, the state legislative maps enacted under the Enacted Plan, including but not limited to the map drawers and their staff.

ANSWER: See response to Interrogatory No. 3.

INTERROGATORY NO. 5

State whether You determined if the Proposed Plan or Enacted Plan complies with Article I, Section 2 of the Ohio Constitution and, if You determined that the Proposed Plan or Enacted Plan complies with Article I, Section 2 of the Ohio Constitution, then Identify and Describe Your reasons for making that determination.

ANSWER: Objection. This Interrogatory is overly broad, ambiguous, and improper in that it asks for an interpretation of provisions of the Ohio Constitution. Responding further, Senator Sykes started with Article XI and determined the Proposed Plan did not comply with the provisions of Article XI, Section 6; and thus, he did not make further

considerations as to whether there were other reasons the Proposed Plan could have been unconstitutional.

INTERROGATORY NO. 6

State whether You determined if the Proposed Plan or Enacted Plan complies with Article I, Section 3 of the Ohio Constitution and, if You determined that the Proposed Plan or Enacted Plan complies with Article I, Section 3 of the Ohio Constitution, then Identify and Describe Your reasons for making that determination.

ANSWER: Objection. This Interrogatory is overly broad, ambiguous, and improper in that it asks for an interpretation of provisions of the Ohio Constitution. Responding further, Senator Sykes started with Article XI and determined the Proposed Plan did not comply with the provisions of Article XI, Section 6; and thus, he did not make further considerations as to whether there were other reasons the Proposed Plan could have been unconstitutional.

INTERROGATORY NO. 7

State whether You determined if the Proposed Plan or Enacted Plan complies with Article I, Section 11 of the Ohio Constitution and, if You determined that the Proposed Plan or Enacted Plan complies with Article I, Section 11 of the Ohio Constitution, then Identify and Describe Your reasons for making that determination.

ANSWER: Objection. This Interrogatory is overly broad, ambiguous, and improper in that it asks for an interpretation of provisions of the Ohio Constitution. Responding further, Senator Sykes started with Article XI and determined the Proposed Plan did

not comply with the provisions of Article XI, Section 6; and thus, he did not make further considerations as to whether there were other reasons the Proposed Plan could have been unconstitutional.

INTERROGATORY NO. 8

State whether You considered or determined if the Proposed Plan or Enacted Plan would favor or disfavor a political party and, if so, what Your determination was, and Describe Your reasons for making that determination.

ANSWER: Objection. This Interrogatory is overly broad, ambiguous, and improper in that it asks for an interpretation of provisions of the Ohio Constitution. Responding further, this Interrogatory calls for a narrative response that is better suited for a deposition. Subject to and without waiving any objection, Senator Sykes responds as follows: the Enacted Plan unfairly and disproportionately favors the Republican Party and does not reflect the statewide political preferences of Ohio voters because it creates a higher proportion of Republican districts than the proportion of votes they earn in Ohio.

INTERROGATORY NO. 9

Identify and Describe any and all attempts that You made to comply with Section 6(A) and Section 6(B) of Article XI of the Ohio Constitution.

ANSWER: Subject to and without waiving any objection, Senator Sykes responds as follows: the maps he proposed complied with the constitutional requirements of Article XI. However, the Enacted Plan did not comply in any way with the provisions of Section 6, nor did the Republican commissioners ever attempt in any way to comply with the

proportional fairness goal of Sections 6 but wanted merely to engage in negotiations about the number of safe Republican seats (well below the proportional fairness goal) that the Leader Sykes and Senator Sykes would allow in order to secure their votes for a ten year plan.

VERIFICATION

I, Vernon Sykes, state that I read Relators' Interrogatories and my answers to those Interrogatories are true based on my personal knowledge or information and belief.

Date: 10-16-2021

Senator Vernon Sykes, Respondent

STATE OF OHIO

COUNTY OF Summit:

Before me, a notary public, came Vernon Sykes, on this 16th day of October, 2021, and affirmed that the foregoing Answers to Interrogatories are true and correct to the best of his knowledge and belief.

Rebecca K Evans,
notary public

REBECCA K EVANS
Notary Public, State of Ohio
My Comm. Expires May 18, 2022
Recorded in Stark County

Respectfully submitted,

ICE MILLER LLP

/s/ Diane Menashe
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Counsel for Respondents Senator Vernon Sykes and House Minority Leader Emilia Sykes

CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2021, a copy of the foregoing Respondent Senator Vernon Sykes' Response to Relators' First Set of Interrogatories was sent via email to the following:

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Respectfully submitted,

/s/ Diane Menashe
Diane Menashe (0070305)

Exhibit 19

IN THE SUPREME COURT OF OHIO

League of Women Voters of Ohio, *et al.*,	:	
	:	**Case No. 2021-1193**
Relators,	:	
v.	:	**Original Action Filed Pursuant to Ohio**
	:	**Constitution, Article XI, Section 9(A)**
Ohio Redistricting	:	
Commission, *et al.*,	:	**[Apportionment Case Pursuant to S. Ct.**
	:	**Prac. R. 14.03]**
Respondents.	:	
	:	
	:	

RESPONDENT SENATOR VERNON SYKES' RESPONSES TO RELATORS' FIRST SET OF INTERROGATORIES AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

Pursuant to Rule 26, 33, and 34 of the Ohio Rules of Civil Procedure, Senator Vernon Sykes ("Senator Sykes"), through counsel, hereby responds to League of Women Voters of Ohio; A. Philip Randolph Institute of Ohio; Tom Harry; Tracey Beavers; Valerie Lee; Iris Meltzer; Sherry Rose; and Bonnie Bishop ("Relators"), First Set of Discovery Requests (the "Discovery Requests") as follows:

These responses are made for the sole purpose of discovery in this action, and Senator Sykes does not concede the admissibility of this information at trial or any other hearing. Senator Sykes reserves every objection regarding the subsequent use of any document or discovery material herein.

GENERAL OBJECTIONS

1. Senator Sykes objects to the Discovery Requests to the extent they are inconsistent with or attempt to expand the duties and obligations under the Ohio Rules of Civil Procedure or the Ohio Supreme Court Rules of Practice. Senator Sykes will only respond to the Discovery

Requests pursuant to his obligations under the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, or any Supreme Court Order.

2. Senator Sykes objects to, and has disregarded, the "Definitions" and "Instructions" preceding the Discovery Requests to the extent that they are inaccurate, inconsistent, incoherent, and/or impose any additional duties or requirements on Senator Sykes beyond those imposed by the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, and/or any Supreme Court Order. More specifically, but without limitation:

a) Senator Sykes objects to Definition No. 3 which contradicts subsequent definitions contained in the Discovery Requests.

b) Senator Sykes objects to Definition No. 9 which purports to extend the scope of his responses beyond that which she has personal knowledge. Senator Sykes is responding to these Discovery Requests in his individual capacity. Senator Sykes cannot answer for anyone other than himself. To the extent that these Discovery Requests seek information from Senator Sykes' "employees, staff, officers, agents, or representatives," Senator Sykes states that discovery requests are more appropriately directed to those individuals or entities

c) Senator Sykes objects to Definition No. 10 which purports to impose rules of construction that contradict or change the meaning of words, the rules of grammar, and the Ohio Rules of Civil Procedure.

d) Senator Sykes objects to the definition of the "Proposed Plan" because there was no plan introduced by the Commission.

3. Senator Sykes has responded based on the information gathered from his diligent search to date. However, discovery is ongoing. Senator Sykes will amend, revise, clarify, or

supplement his responses as necessary in accordance with the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, or any Ohio Supreme Court Order. Senator Sykes reserves his right to raise appropriate objections if any additional documents or discovery material is subsequently located.

4. Senator Sykes objects that none of these discovery requests are limited to a relevant time frame in this action. Since Senator Sykes is sued in his official capacity as a member of the Ohio Redistricting Commission, she will respond to these discovery requests for the time period limited to the 2021 legislative redistricting cycle.

5. The Ohio Rules of Civil Procedure prohibit the discovery of privileged matters. Senator Sykes has interpreted each request to call for discoverable matter only. To the extent any response or produced document contains or refers to matters otherwise protected from discovery by the work product doctrine, the attorney-client privilege, the legislative privilege, or any other privilege, no waiver is intended; nor is any waiver intended as to any other matters that are or may be subject to such protection or otherwise privileged.

6. Each of the following responses is made subject to any and all objections as to competence, relevance, or other grounds that would require exclusion of such statement if made by a witness present and testifying in court.

INTERROGATORIES

INTERROGATORY NO. 1

IDENTIFY all individuals involved both formally and informally in the drawing of the Challenged Plan, including, but not limited to members of the General Assembly, staff, consultants, and advisors.

ANSWER: Senator Sykes, despite being a member of the Commission, was prevented from participating in the map-drawing process, as it related to the Challenged Plan, by the

Republican members of the Commission. Accordingly, he cannot identify persons who involved in the drawing of the Challenged Plan.

INTERROGATORY NO. 2

DESCRIBE the role played by any individuals identified in Interrogatory No. 1.

ANSWER: Objection. This Interrogatory is vague and ambiguous because the terms "role" and "played" are undefined. Subject to and without waiving any objection, see response to Interrogatory No. 1.

INTERROGATORY NO. 3

IDENTIFY and DESCRIBE all instructions provided to individuals who created, or were in any way involved in the creation of, the state legislative maps enacted under the Challenged Plan, including but not limited to the map drawers, their staff, and any outside consultants or advisors (both paid and unpaid).

ANSWER: Because Senator Sykes was prevented from participating in the map-drawing process, as it related to the Challenged Plan, he cannot identify or describe instructions as requested by Interrogatory No. 3.

INTERROGATORY NO. 4

IDENTIFY and DESCRIBE any and all factors, constraints, influences, or considerations, regardless of whether or not mentioned in Article XI of the Ohio Constitution, that were considered, adopted, or otherwise reflected in the creation of any redistricting plans or amendments to redistricting plans that YOU, or any member of the Ohio Redistricting Commission or their

representative, introduced to the Ohio Redistricting Commission, including, but not limited to, the Challenged Plan, and describe how YOU and the Ohio Redistricting Commission prioritized these factors, constraints, influences, and considerations.

ANSWER: Objection. This Interrogatory is overly broad in that it asks to describe "any and all factors, constraints, influences, or considerations…that were considered, adopted, or otherwise reflected in the creation of any redistricting plans…." Senator Sykes further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, legislative privileges, and/or the work product doctrine.

Subject to and without waiving any objection, Senator Sykes responds as follows: As stated above, Senator Sykes was prevented from participating in the map-drawing process with respect to the maps that eventually culminated in the adoption of the Challenged Plan. Therefore, he is without information or knowledge as to what factors, constraints, influences, or considerations were reflected in the maps that ultimately became the Challenged Plan. However, Senator Sykes, as Co-Chair of the Ohio Redistricting Commission, introduced legislative district maps that attempted to comply with the requirements of Article XI of the Ohio Constitution. In addition, the Democratic legislative district maps introduced to the Ohio Redistricting Commission considered a multitude of factors, including, but not limited to, fairness, bipartisanship, and the compactness requirements of Article XI of the Ohio Constitution.

INTERROGATORY NO. 5

IDENTIFY and DESCRIBE any and all attempts that were made by YOU (1) and/or the Ohio Redistricting Commission (2) to comply with sections 6(A) and 6(B) of Article XI of the Ohio

Constitution (3) in any redistricting plans or amendments to redistricting plans that YOU (4), or any member of the Ohio Redistricting Commission or their representative, (5) introduced to the Ohio Redistricting Commission, including, but not limited to, the Challenged Plan.

ANSWER: Objection. This Interrogatory is compound, convoluted, ambiguous, and confusing. Subject to and without waiving any objection, Senator Sykes responds by doing his best to sort through various questions posed by this Interrogatory: (1) Senator Sykes and House Minority Leader Emilia Sykes repeatedly requested that the Commission draw the maps, not the partisan political caucuses. They repeatedly tried to engage the other members of the Commission in discussions to finalize a plan that met all of the constitutional and statutory requirements. (2) Senator Sykes did not witness any effort by the majority Commissioners, in word or deed, to attempt to meet the political fairness or proportionality requirements of Article XI of the Ohio Constitution. (3) Senator Sykes, as Co-Chair of the Ohio Redistricting Commission, produced three separate map plans that did not disproportionately favor either party, that did represent the will of voters demonstrated over the previous decade of statewide partisan elections, and met the compactness requirements of Article XI of the Ohio Constitution. Senator Sykes and Leader Sykes were unable to get the majority Commissioners to work with or modify the Sykes maps to account for proportional representation. The Sykes maps incorporated input from Auditor Faber and Secretary LaRose, but their offered suggestions did not address proportionality. The majority Commissioners gave no indication that they were attempting in any way to comply with the requirements of proportionality or political fairness incorporated in Article XI.

INTERROGATORY NO. 6

IDENTIFY and DESCRIBE YOUR interpretation, as well as the Ohio Redistricting Commission's interpretation, of Sections 6(A) and 6(B) of Article XI of the Ohio Constitution, including but not limited to any obligations, restrictions, or requirements that Sections 6(A) and 6(B) impose on the Ohio Redistricting Commission, and the actions or determinations that the Ohio Redistricting Commission must make in order to comply with Sections 6(A) and 6(B).

ANSWER: Objection. This Interrogatory is overly broad and ambiguous in that it asks for an interpretation of provisions of the Ohio Constitution. Senator Sykes further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, legislative privileges, and/or the work product doctrine.

Subject to and without waiving any objection, Senator Sykes responds as follows: Sections 6(A) and 6(B) of Article XI of the Ohio Constitution address the proportional fairness goal of Article XI, namely to eliminate as much as possible the partisan gerrymandering that has plagued the drawing of Ohio's state legislative maps. This concept of proportional fairness was the heart of the constitutional reform that voters overwhelmingly approved in 2015. Section 6(A) prohibits a legislative district plan that is drawn primarily to favor or disfavor a political party. Section 6(B) ensures that there is no favoring or disfavoring of political party by requiring that the legislative district plan reflect the statewide political preferences of Ohio voters over the previous decade of partisan statewide elections, which was 54% Republican and 46% Democratic in the ten-year average of the partisan leaning of the districts. In other words, neither party can draw districts that do not correspond to the preferences of Ohio voters. In fact, Section 6 was so critical to the 2015 reform that if the final adopted plan did not gain the requisite votes of

the minority party, the Commission members who voted for it are required to explain how they addressed representational fairness. Unfortunately, the Challenged Plan conforms to neither of the requirements of Section 6.

INTERROGATORY NO. 7

IDENTIFY whether it was YOUR determination, or the determination of the Ohio Redistricting Commission, at the time that the Challenged Plan was adopted on September 16, 2021, that any General Assembly redistricting plan introduced on or before September 16, 2021 by a member of the Ohio Redistricting Commission, or submitted before that date by a member of the general public, complied fully with the requirements of Article XI of the Ohio Constitution, and DESCRIBE in full the analysis that led YOU to that determination.

ANSWER: Objection. This Interrogatory is unnecessarily convoluted and ambiguous. Senator Sykes will respond to a more clearly drafted interrogatory.

Subject to and without waiving any objection, Senator Sykes responds as follows: The maps proposed by Senator Sykes did conform with the constitutional requirements of Article XI. However, the Challenged Plan did not comply in any way with the requirements of Section 6, nor did the Republican commissioners ever attempt in any way to comply with the proportional fairness goal of Sections 6.

VERIFICATION

I, Vernon Sykes, state that I read Relators' Interrogatories and my answers to those Interrogatories are true based on my personal knowledge or information and belief.

Date: 10-16-2021

Senator Vernon Sykes, Respondent

STATE OF OHIO

COUNTY OF Summit :

Before me, a notary public, came Vernon Sykes on this 16th day of October, 2021, and affirmed that the foregoing Answers to Interrogatories are true and correct to the best of his knowledge and belief.

Rebecca K Evans
notary public

NOTARY PUBLIC STATE OF OHIO

REBECCA K EVANS
Notary Public, State of Ohio
My Comm. Expires May 18, 2022
Recorded in Stark County

REQUEST FOR PRODUCTION OF DOCUMENTS

DOCUMENT REQUEST NO. 1

All DOCUMENTS RELATING TO the Ohio Common and Unified Redistricting Database(CURD) by Ohio University Voinovich School of Leadership and Public Affairs (GVS), including, without limitation, the development of the CURD, and any COMMUNICATIONS, and data sets RELATING TO the CURD or the development of the CURD.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll DOCUMENTS RELATING TO the Ohio Common and Unified Redistricting Database…." Responding further, these documents may be requested from and produced by other parties or third parties. Subject to and without waiving any objection, Senator Sykes will produce responsive, non-privileged emails in his possession relating to his work with Ohio University and the CURD. Senator Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 2

All COMMUNICATIONS with employees, consultants or agents of GVS working on the development of the CURD.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll COMMUNICATIONS with employees, consultants or agents of GVS working on the development of the CURD." Subject to and without waiving any objection, Senator Sykes will produce non-privileged, responsive emails in his possession relating to his work with Ohio University and the CURD. Senator Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 3

All COMMUNICATIONS with GVS employees Michael Finney, G. Jason Jolley, Robert Wiley, Elkan Kim, Jessica Schaudt, Matt Trainer, and Kyong Lim.

RESPONSE: Subject to and without waiving any objection, Senator Sykes will produce non-privileged, responsive emails in his possession relating to his work with Ohio University and the CURD. Senator Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 4

All COMMUNICATIONS with employees, consultants or agents of GVS RELATING TO the development of the CURD.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll COMMUNICATIONS with employees, consultants or agents of GVS RELATING TO the development of the CURD." Subject to and without waiving any objection, Senator Sykes will produce non-privileged, responsive emails in his possession relating to his work with Ohio University and the CURD. Senator Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 5

All DOCUMENTS RELATING TO meetings—both formal and informal of any Commission members related to the drawing of General Assembly maps—and any other business of the Ohio Redistricting Commission, including, without limitation, testimony, meeting minutes, data sets, maps, notes, and plans submitted to, created by, or otherwise considered by YOU, any other member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff; minutes, agendas, or presentations from Ohio Redistricting Commission hearings and

meetings; and any related COMMUNICATIONS, including, but not limited to, those between any Ohio Redistricting Commission member and any representative participating in Ohio Redistricting Commission meetings on behalf of a member.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll DOCUMENTS RELATING TO meetings…and any other business of the Ohio Redistricting Commission…." Subject to and without waiving any objection, Senator Sykes will produce meeting minutes, notes, and transcripts of the August 6, 2021, August 31, 2021, September 9, 2021, and September 15, 2021 meetings of the Ohio Redistricting Commission. Senator Sykes will produce the legislative district maps that he submitted to the Commission. Senator Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 6

All COMMUNICATIONS regarding redistricting in Ohio, including but not limited to COMMUNICATIONS between YOU and YOUR employees, staff, officers, agents, or representatives.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll COMMUNICATIONS regarding redistricting in Ohio…." Subject to and without waiving any objection, Senator Sykes will produce non-privileged, responsive emails between him and his staff regarding redistricting in Ohio. Senator Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 7

All DOCUMENTS RELATING TO information that was used, or could have been used, to draw state legislative or Congressional district maps for Ohio, including, without limitation: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes, population shifts, voter registration, voter affiliation, or changing census block lines (also known as voting district (VTD)) for the 2018 election, 2020 election, and current redistricting cycle.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll DOCUMENTS RELATING TO information that was used, or could have been used, to draw state legislative or Congressional district maps for Ohio …." Subject to and without waiving any objection, Senator Sykes will produce non-privileged, relevant documents relating to Randall Routt and Chris Glassburn of Project Govern, including the contract with Project Govern, invoices, and emails with Chris Glasburn. Senator Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 8

All DOCUMENTS YOU, any other member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff considered, used, could have used, or otherwise relied on to create the General Assembly district maps for Ohio that were adopted by the Commission on September 16, 2021.

RESPONSE: Senator Sykes states that he was shut-out of the map-drawing process that culminated in the enactment of the General Assembly maps on September 16, 2021. As such, he does not possess documents responsive to this Request. Senator Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 9

All DOCUMENTS RELATING TO the creation of the General Assembly district maps for Ohio that were adopted by the Commission on September 16, 2021.

RESPONSE: Senator Sykes states that he was shut-out of the map-drawing process that culminated in the enactment of the General Assembly maps on September 16, 2021. As such, he does not possess documents responsive to this Request. Senator Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 10

All DOCUMENTS RELATING TO consultants, firms, vendors, or other third parties consulted, involved in, or communicated with by YOU, any other member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff, RELATING TO the General Assembly district maps for Ohio that were considered or adopted by the Commission.

RESPONSE: See response to Request No. 7. Senator Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 11

All COMMUNICATIONS with Wendy Zhan, Emily Wendel, or other staff of the Ohio Legislative Service Commission RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission.

RESPONSE: Objection. This Request seeks information that is protected by the Legislative Privilege. Subject to and without waiving any objection, Senator Sykes will produce

the limited number of non-privileged, responsive, and relevant emails in his possession. Senator Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 12

All COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission, with (1) any current or former member of Ohio's General Assembly, (2) any political action committees affiliated with any current or former member of Ohio's General Assembly, and (3) any current or former staff of any current or former member of Ohio's General Assembly.

RESPONSE: Senator Sykes states that he was shut-out of the map-drawing process that culminated in the enactment of the General Assembly maps on September 16, 2021. As such, he does not possess documents responsive to this request. Notwithstanding the above, Senator Sykes possesses and will produce non-privileged, responsive emails relating to scheduling between his office and other Commissioners' offices. Senator Sykes also possesses and will produce non-privileged, responsive emails relating to scheduling between his office and offices of members of the General Assembly. Senator Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 13

All COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission with (1) any current or former U.S Representative or U.S. Senator elected from Ohio, (2) any political action committees affiliated with any current or former U.S. Representative or U.S. Senator elected from Ohio, and (3) any

current or former staff of any current or former U.S. Representative or U.S. Senator elected from Ohio.

RESPONSE: Senator Sykes states that he will produce documents responsive to this request.

DOCUMENT REQUEST NO. 14

All COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission with the Republican National Committee, Ohio Republican Party, National Republican Redistricting Trust, or the National Republican Congressional Committee.

RESPONSE: Senator Sykes states that he is not in possession of documents responsive to this Request. Senator Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 15

All COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission with the Democratic National Committee, Ohio Democratic Party, National Democratic Campaign Committee, or the Democratic Congressional Campaign Committee.

RESPONSE: Senator Sykes possesses and will produce the limited amount of non-privileged, responsive emails in his possession between his office and the Ohio Democratic Party. Senator Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 15

All DOCUMENTS cited in, discussed in, or RELATING TO any of YOUR responses to any Interrogatory served on YOU by any party in this action.

RESPONSE: Objection. This Request is overly broad, unduly burdensome, and improper in that it seeks documents "RELATING TO any of YOUR responses to any Interrogatory…." Subject to and without waiving any objection, Senator Sykes will produce non-privileged, relevant documents that are responsive to this Request and in his possession.

Respectfully submitted as to objections only,

ICE MILLER LLP

/s/ Diane Menashe
Counsel to the Ohio Attorney General

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Counsel for Respondents Senator Vernon Sykes and House Minority Leader Emilia Sykes

CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2021, a copy of the foregoing Respondent Senator Vernon Sykes' Response to Relators' First Set of Interrogatories and Request for Production of Documents was served via email on the following:

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Attorneys for OOC Relators

Respectfully submitted,

/s/ Diane Menashe
Diane Menashe (0070305)

Exhibit 20

IN THE SUPREME COURT OF OHIO

League of Women Voters of Ohio, *et al.*,	:	
	:	
Bria Bennett, *et al.*,	:	
	:	**Case Nos. 2021-1193, 2021-1198,**
Ohio Organizing Collaborative, *et al.*,	:	**2021-1210**
	:	
	:	
Relators,	:	
v.	:	**Original Action Filed Pursuant to Ohio**
	:	**Constitution, Article XI, Section 9(A)**
Ohio Redistricting	:	
Commission, *et al.*,	:	**[Apportionment Case Pursuant to S. Ct.**
	:	**Prac. R. 14.03]**
Respondents.	:	
	:	

RESPONDENT HOUSE MINORITY LEADER EMILIA SYKES' RESPONSES TO RESPONDENTS MATT HUFFMAN AND ROBERT CUPP'S FIRST SET OF INTERROGATORIES AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

Pursuant to Rule 26, 33, and 34 of the Ohio Rules of Civil Procedure, House Minority Leader Emilia Sykes ("Leader Sykes"), through counsel, hereby responds to Respondents Matt Huffman and Respondent Robert Cupp's ("Respondents") First Set of Discovery Requests (the "Discovery Requests") as follows:

These responses are made for the sole purpose of discovery in this action, and Leader Sykes does not concede the admissibility of this information at trial. Leader Sykes reserves every objection regarding the subsequent use of any document or discovery material herein.

GENERAL OBJECTIONS

1. Leader Sykes objects to the Discovery Requests to the extent they are inconsistent with or attempt to expand the duties and obligations under the Ohio Rules of Civil Procedure or the Ohio Supreme Court Rules of Practice. Leader Sykes will only respond to the Discovery

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Requests pursuant to her obligations under the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, or any Supreme Court Order.

2. Leader Sykes objects to, and has disregarded, the "Definitions" and "Instructions" preceding the Discovery Requests to the extent that they are inaccurate, inconsistent, incoherent, and/or impose any additional duties or requirements on Leader Sykes beyond those imposed by the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, and/or any Supreme Court Order. More specifically, and without limitation, Leader Sykes objects to the definition of the terms "you" and "your," which purport to extend the scope of her responses beyond that which she has personal knowledge. Leader Sykes is responding to these Discovery Requests in her individual capacity. Leader Sykes cannot answer for anyone other than herself. To the extent that these Discovery Requests seek information from Leader Sykes' "agents, assigns, employees, partners, successors, predecessors, associates, personnel, attorneys, and other persons or entities acting or purporting to act on [her] behalf," Leader Sykes states that discovery requests are more appropriately directed to those individuals or entities.

3. Leader Sykes has responded based on the information gathered from her diligent search to date. However, discovery is ongoing. Leader Sykes objects on the basis that the time frame allowed for these responses was insufficient to conduct the burdensome search for documents and information requested by Respondents. Leader Sykes will amend, revise, clarify, or supplement her responses as necessary in accordance with the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, and/or any Supreme Court Order. Leader Sykes reserves her right to raise appropriate objections if any additional documents or discovery material is subsequently located.

4. The Ohio Rules of Civil Procedure prohibit the discovery of privileged matters. Leader Sykes has interpreted each request to call for discoverable matter only. To the extent any response or produced document contains or refers to matters otherwise protected from discovery by the work product doctrine, the attorney-client privilege, the legislative privilege, or any other privilege, no waiver is intended; nor is any waiver intended as to any other matters that are, or may be subject to, such protection or otherwise privileged.

5. Leader Sykes objects that none of these Discovery Requests are limited to a relevant time frame in this action. Since Leader Sykes is sued in her official capacity as a member of the Ohio Redistricting Commission, she will respond to these Discovery Requests for the time period limited to the 2021 legislative redistricting cycle.

6. Each of the following responses is made subject to any and all objections as to competence, relevance, or other grounds that would require exclusion of such statement if made by a witness present and testifying in court.

INTERROGATORIES

INTERROGATORY NO. 1 Identify the individual or organization responsible for giving Bill Cooper the raw data referenced in footnote 2 of Exhibit A to the Warshaw Affidavit.

ANSWER: Objection. This Interrogatory is more properly directed to other parties or third parties. Subject to and without waiving any objection, Leader Sykes states that she does not know Bill Cooper. Nor does she know who was responsible for giving Bill Cooper the raw data referenced in footnote 2 of Exhibit A to the Warshaw Affidavit.

INTERROGATORY NO. 2 Identify all reasons You did not vote in favor of the Ohio House and Senate Districts that were ultimately passed by the Ohio Redistricting Commission.

ANSWER: Objection. Leader Sykes objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, legislative privilege, and/or any other privilege. Subject to and without waiving any objection, Leader Sykes states that she did not vote in favor of the legislative district plan that was ultimately enacted by the Ohio Redistricting Commission for several reasons, including the following:

1. The enacted plan's statewide proportions of districts whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party do not correspond closely to the statewide preferences of the voters of Ohio.
2. Even after the Republican members of the Commission presented their draft map on September 9, 2021, and their final map on September 15, 2021, they did not provide an explanation as to how their proposed maps conformed to the proportional fairness provisions of Article XI, Section 6.
3. The plan enacted by the Commission violates the clear mandates of Article XI of the Ohio Constitution. Namely, the enacted plan was drawn to favor the Republican Party out of proportion to Ohio voter preferences, and the Republican members of the Commission did not demonstrate any attempt to enact a fairly drawn plan.
4. The enacted plan violates the will of Ohio voters as expressed by the redistricting reforms that were approved and adopted in 2015 and 2018.
5. Leader Sykes was prevented from participating in the map-drawing process and did not have the opportunity to provide input into the legislative district plan that was ultimately enacted by the Commission. For example, the Republican members of

the Commission did not make any of their map drawers, including Ray DiRossi, available to Leader Sykes or her staff or map drawers at any time.

6. Leader Sykes repeatedly asked that the Commission follow the requirement of Article XI, Section 1(C) of the Ohio Constitution that states, "The Commission shall draft the proposed plan in the manner prescribed in this article." Instead, the legislative district plan enacted by the Commission was apparently drafted in secret by the staff of the Republican caucuses of the General Assembly and presented to the full Commission at the last minute. Leader Sykes did not have the opportunity to provide input on the map that was ultimately enacted by the Commission.
7. The Republican members of the Commission failed to adhere to deadlines relating to legislative district plans to be considered by or voted on by the Commission. Specifically, the Republican members of the Commission did not produce or reveal a map until September 9, 2021, after the deadline had expired. They did not produce or reveal a final map until close to midnight on September 15, 2021.
8. The Republican members of the Commission did not attempt to meet all of the requirements of Article XI of the Ohio Constitution.
9. The Republican Commissioners' constitutionally required statement, purportedly explaining how the enacted plan met all constitutional requirements, was not provided until the final minutes of September 15, 2021, after the majority members of the Commission voted to adopt their plan. Thus, the Republican Commissioners did not explain how the enacted plan met the requirements of Article XI of the Ohio Constitution until it was too late.

INTERROGATORY NO. 3 Describe in detail all job duties you have as a member of the Ohio Redistricting Commission, and how you performed those jobs as they relate to the Ohio House and Senate Maps passed by the Ohio Redistricting Commission.

ANSWER: Objection. This Interrogatory is vague and ambiguous because the term "job duties" is not defined. Leader Sykes further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, legislative privilege, and/or any other privilege. Subject to and without waiving any objection, Leader Sykes responds as follows:

The Ohio Redistricting Commission is generally tasked with drawing each of Ohio's ninety-nine House districts and thirty-three Senate districts based on the results of the most recent Census. Article XI of the Ohio Constitution provides that no legislative district map be drawn to favor one political party, and that the enacted legislative district map correspond closely to the statewide voter preferences as measured by the statewide partisan general election results over the past ten years. Accordingly, as a member of the Ohio Redistricting Commission, Leader Sykes has a duty to ensure that the enacted legislative plan (1) does not favor one political party, and (2) corresponds to the statewide preferences of the Ohio voters.

Leader Sykes also has a duty as a Commission member to participate in all voting and debates to make sure that the 2021 redistricting complied with all applicable provisions of the Ohio Constitution, federal law, and state law.

Article XI, Section 1(C) of the Ohio Constitution that states, "The Commission shall draft the proposed plan in the manner prescribed in this article." Thus, the *Commission*, not any one political party caucus, has a duty to propose maps for

consideration. As a member of the Commission, Leader Sykes had a duty to participate in the process of drawing legislative district boundaries so that the *Commission* can draw the maps. Unfortunately, that is not what happened—the enacted plan was drawn in secret by Republican caucus staff without any input from Leader Sykes.

Leader Sykes also has a duty as a Commission member to hold and attend hearings, ask questions about the map-drawing process, engage with the public, listen to feedback, and incorporate feedback into her decision on a final map to be adopted by the Commission.

To achieve the requirements of the Ohio Constitution, Leader Sykes served as Co-Chair of the Legislative Taskforce on Redistricting, Reapportionment, and Demographic Research (the "Taskforce"). The Taskforce retained researchers from Ohio University to produce the Ohio Common Unified Redistricting Database ("CURD"). The Taskforce prepared CURD data for the Commission, which, among other things, showed that, over the past decade, the Republican Party won 54% of the statewide partisan general election votes, while Democrats won 46%.

Senator Vernon Sykes produced three maps that actually met the Article XI requirements. Leader Sykes joined two of the three draft maps produced by Senator Sykes. Unfortunately, these proposed maps were not considered for adoption by the Republican members of the Commission. These maps produced, respectively, fourteen likely Democratic Senate seats and forty-four likely Democratic House seats, thirteen likely Democratic Senate seats and forty-two likely Democratic House seats, and thirteen likely Democratic Senate seats and forty-two likely Democratic House seats. The latter two maps were offered in response to feedback from Republican members of the Commission and their staff, specifically Secretary of State LaRose and Auditor of State Faber.

Finally, Leader Sykes worked tirelessly to meet the requirements of her oath of office taken on August 6, 2021 to uphold the Ohio Constitution, participate in the map-drawing process, and produce constitutional state legislative district maps.

INTERROGATORY NO. 4 Identify all elected officials, individuals, and organizations You received data, information, communications, or draft maps from pertaining to the drawing of Ohio's House or Senate Districts that were submitted to the Ohio Redistricting Commission's website on behalf of the House and Senate Democratic Caucus.

ANSWER: Objection. This Interrogatory is overly broad and unduly burdensome because it is more properly directed to other parties or third parties. Leader Sykes further objects to this Interrogatory to the extent that it seeks information not within Leader Sykes' personal knowledge and information that is protected by the attorney-client privilege, legislative privilege, and/or any other privilege.

Subject to and without waiving any objection, Leader Sykes states that she received data and information from the following individuals and organizations: Ohio University, Randall Routt, Mike Rowe, George Boas, Scott Stockman, Kristin Rothey, Senate Minority Leader Kenny Yuko, Senator Vernon Sykes, Project Govern, Chris Glassburn, Samantha Herd, Andy Di Palma, Sarah Cherry, Haystaq DNA, Anh Volmer, Ken Strasma, Commissioner/Auditor of State Keith Faber, Emily Redman, Allison Dumski, Alex Bilchak, Commissioner/Secretary of State Frank LaRose, Michael Grodhaus, Merle Madrid, Chris Oliveti, Frank Strigari, Paul DiSantis, Commissioner/Governor Mike DeWine, Matthew Donahue, and all members of the House Democratic Caucus then in office.

INTERROGATORY NO. 5 Identify all elected officials, individuals, and organizations involved in drafting the Ohio House or Senate Districts submitted to the Committee by You and/or Vernon Sykes.

ANSWER: Objection. This Interrogatory is vague and ambiguous because the term "involved" is not defined. Leader Sykes further objects to this Interrogatory to the extent it seeks information not within Leader Sykes' personal knowledge and information that is protected by the attorney-client privilege, legislative privilege, and/or any other privilege. Subject to and without waiving any objection, Leader Sykes identifies each individual and entity identified in Interrogatory No. 4, except for elected officials because no elected officials were involved in actually drafting or drawing legislative maps.

REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST NO. 1 All documents and communications produced pursuant to the Public Record Requests regarding 2021 general assembly redistricting to You.

RESPONSE: Objection. This Request is overly broad and unduly burdensome because it requests information that is not within Leader Sykes' possession, custody, or control. Leader Sykes also objects on the basis that the time period is not specified. Subject to and without waiving any objection, Leader Sykes will produce non-privileged documents responsive to this Request and in her possession. Leader Sykes reserves the right to supplement this response.

REQUEST NO. 2 All documents and communications relating to the Ohio Common and Unified Redistricting Database (CURD) by the Ohio University Voinovich School Leadership and Public Affairs (GVS).

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll documents and communications…." Leader Sykes objects further on the basis that this Request seeks information that is not reasonably calculated to lead to the discovery of admissible evidence because it is not limited to documents and communications germane to the redistricting process at issue in this litigation. Subject to and without waiving any objection, Leader Sykes directs Respondents to documents produced in response to the American Civil Liberties Union's Public Records Requests, the Commission's public website, and relevant, non-privileged documents produced with these responses. Leader Sykes reserves the right to supplement this response.

REQUEST NO. 3 All communications with any employees, consultants or agents of GVS for the last two years.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll communications…for the last two years." Leader Sykes objects further on the basis that this Request seeks information that is not reasonably calculated to lead to the discovery of admissible evidence because it is not limited to communications germane to the redistricting process at issue in this litigation. Subject to and without waiving any objection, Leader Sykes directs Respondents to documents produced in response to the American Civil Liberties Union's Public Records Requests, the Commission's public

website, and relevant, non-privileged documents produced with these responses. Leader Sykes reserves the right to supplement this response.

REQUEST NO. 4 All documents relating to or communications regarding draft redistricting plans for Ohio House or Senate Districts.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll documents relating to or communications regarding draft redistricting plans…." Leader Sykes objects further on the basis that this Request is more properly directed to other parties or third parties. Leader Sykes further objects to this Request on the basis that this Request seeks information that is not within her possession, custody, or control. Leader Sykes further objects to this Request to the extent it seeks information that is protected by the attorney-client privilege, legislative privilege, the work product doctrine, and/or any other privilege. Subject to and without waiving any objection, Leader Sykes will produce relevant, non-privileged documents responsive to this Request that are in her possession. Leader Sykes reserves the right to supplement this response.

REQUEST NO. 5 All data, including block files or shapefiles, used to create any draft plans for Ohio House or Senate Districts.

RESPONSE: Objection. This Request is overly broad, unduly burdensome, and vague in that it requests "[a]ll data…used to create any draft plans…" and that the term "data" is not defined. Leader Sykes objects further on the basis that this Request is more properly directed to other parties or third parties. Leader Sykes objects further on the basis that this Request seeks information that is not within her possession, custody, or control. Subject to

and without waiving any objection, Leader Sykes will produce relevant, non-privileged documents responsive to this Request that are in her possession. Leader Sykes reserves the right to supplement this response.

REQUEST NO. 6 All communications with members of the Ohio Redistricting Commission or members of the Ohio General Assembly regarding redistricting or draft plans of the Ohio House or Senate Districts.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll communications with members of the Ohio Redistricting Commission or members of the Ohio General Assembly…." Leader Sykes further objects to this Request to the extent it seeks information that is protected by the attorney-client privilege, legislative privilege, the work product doctrine, and/or any other privilege. Subject to and without waiving any objection, Leader Sykes will produce relevant, non-privileged documents responsive to this Request that are in her possession. Leader Sykes reserves the right to supplement this response.

REQUEST NO. 7 All communications between you or your staff and Randall Routt or Chris Glassburn regarding redistricting and Ohio House and Senate Maps.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll communications between you or your staff and Randall Routt or Chris Glassburn…." Subject to and without waiving any objection, Leader Sykes will produce relevant, non-privileged documents responsive to this Request that are in her possession. Leader Sykes reserves the right to supplement this response.

REQUEST NO. 8 All communications between you, your staff, the National or Ohio Chapters of the American Civil Liberties Union, the Ohio A. Philip Randolph Institute, the League of Women Voters of Ohio, and any Local Chapters of the League of Women Voters of Ohio, Project Govern or any other organization or elected official regarding the drawing of Ohio House and Senate Districts or redistricting of the General Assembly districts.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll communications between you, your staff" and several other entities and individuals "regarding the drawing of Ohio House and Senate Districts or redistricting of the General Assembly districts." Leader Sykes receives numerous communications sent in mass mailings from these organizations. To retrieve all of those communications would be unduly burdensome and disproportionate to the benefit of gathering those communications. Subject to and without waiving any objection, Leader Sykes will produce relevant, non-privileged documents responsive to this Request that are in her possession. Leader Sykes reserves the right to supplement this response.

REQUEST NO. 9 All communications between you, your staff, the ACLU, APRI, Common Cause, Fair Districts or any other organization or elected official regarding population of Ohio House and Senate districts.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll communications between you, your staff" and several entities and individuals "regarding population of Ohio House and Senate districts." Leader Sykes receives numerous communications sent in mass mailings from these organizations. To

retrieve all of those communications would be unduly burdensome and disproportionate to the benefit of gathering those communications. Subject to and without waiving any objection, Leader Sykes will produce relevant, non-privileged documents responsive to this Request that are in her possession. Leader Sykes reserves the right to supplement this response.

REQUEST NO. 10 All communications with any staff member of the Ohio Legislative Services Commission relating to the drawing of Ohio House or Senate Districts.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll communications with any staff member…." Leader Sykes further objects to this Request to the extent it seeks information that is protected by the attorney-client privilege, legislative privilege, the work product doctrine, and/or any other privilege. Subject to and without waiving any objection, Leader Sykes will produce relevant, non-privileged documents responsive to this Request that are in her possession. Leader Sykes reserves the right to supplement this response.

REQUEST NO. 11 All communications regarding the drawing of Ohio House or Senate Districts or the redistricting of Ohio's General Assembly districts with the following entities and their agents or employees:

- Democratic National Committee;
- the Ohio Democratic Party;
- the National Democratic Campaign Committee;
- the National Democratic Redistricting Committee;

- All On the Line;
- Fair Districts Ohio;
- Council on American-Islamic Relations-Ohio
- Fair Vote;
- Cook Political Report;
- DemCast;
- Common Cause Ohio;
- Democratic Legislative Campaign Committee

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll communications regarding the drawing of Ohio House or Senate Districts or the redistricting of Ohio's General Assembly districts…." Leader Sykes receives numerous communications sent in mass mailings from these organizations. To retrieve all of those communications would be unduly burdensome and disproportionate to the benefit of gathering those communications. Subject to and without waiving any objection, Leader Sykes will produce relevant, non-privileged documents responsive to this Request that are in her possession. Leader Sykes reserves the right to supplement this response.

REQUEST NO. 12 Any communications or data received by Bill Cooper, Chris Warshaw, or Jonathan Rodden.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ny communications or data ***received by*** Bill Cooper, Chris Warshaw, or Jonathan Rodden." Leader Sykes further states that she has no knowledge regarding what

information Mr. Cooper received or from whom he received it. Therefore, information responsive to this Request is outside Leader Sykes' possession, custody, or control.

REQUEST NO. 13 All materials including talking points or scripts distributed to or by you or relied upon by you during Ohio Redistricting Commission Meetings or Public Hearings.

RESPONSE: Objection. This Request is overly broad, vague, and unduly burdensome in that it requests "[a]ll materials…" and that the term "relied upon" is undefined. Leader Sykes further objects to this Request to the extent it seeks information that is protected by the attorney-client privilege, legislative privilege, the work product doctrine, and/or any other privilege. Subject to and without waiving any objection, Leader Sykes will produce relevant, non-privileged documents responsive to this Request that are in her possession. Leader Sykes reserves the right to supplement this response.

REQUEST NO. 14 All notes you took during Ohio Redistricting Commission Meetings or Public Hearings.

RESPONSE: Objection. Leader Sykes objects to this Request to the extent it seeks information that is protected by the attorney-client privilege, legislative privilege, the work product doctrine, and/or any other privilege. Subject to and without waiving any objection, Leader Sykes will produce documents responsive to this Request.

Respectfully submitted as to objections only,

ICE MILLER LLP

/s/ Diane Menashe
Counsel to the Ohio Attorney General

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Counsel for Respondents Senator Vernon Sykes and House Minority Leader Emilia Sykes

VERIFICATION

STATE OF OHIO

COUNTY OF FRANKLIN:

I, Emilia Sykes, state that I have read Respondents Matt Huffman and Robert Cupp's Interrogatories, and my answers to those Interrogatories are true based on my personal knowledge or information and belief.

Date: October 19, 2021

House Minority Leader Emilia Sykes, Respondent

Before me, a notary public, came Emilia Sykes, on this 19th day of October, 2021, and affirmed that the foregoing Answers to Interrogatories are true and correct to the best of her knowledge and belief.

Notary Public

NOTARIAL SEAL STATE OF OHIO

LYDIA M. BARGER
Notary Public, State of Ohio
My Commission Expires 5-28-2022

CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2021, I have served the foregoing document by email on the following:

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/s/ Diane Menashe
Diane Menashe (0070305)

Exhibit 21

IN THE SUPREME COURT OF OHIO

The Ohio Organizing Collaborative, *et al.*,	:	**Case No. 2021-1210**
Relators,	:	
v.	:	**Original Action Filed Pursuant to Ohio Constitution, Article XI, Section 9(A)**
Ohio Redistricting Commission, *et al.*,	:	**[Apportionment Case Pursuant to S. Ct. Prac. R. 14.03]**
Respondents.	:	

RESPONDENT HOUSE MINORITY LEADER EMILIA SYKES' RESPONSE TO RELATORS' FIRST SET OF INTERROGATORIES

Pursuant to Rule 26 and 33 of the Ohio Rules of Civil Procedure, House Minority Leader Emilia Sykes ("Leader Sykes"), through counsel, hereby responds to The Ohio Organizing Collaborative; Council on American-Islamic Relations, Ohio; Ohio Environmental Counsel; Pierrette Talley; Samuel Gresham Jr.; Ahmad Aboukar; Mikayla Lee; Prentiss Haney; and Crystal Bryant ("Relators"), First Set of Discovery Requests (the "Discovery Requests") as follows.

These responses are made for the sole purpose of discovery in this action, and Leader Sykes does not concede the admissibility of this information at trial. Leader Sykes reserves every objection regarding the subsequent use of any document or discovery material herein.

GENERAL OBJECTIONS

1. Leader Sykes objects to the Discovery Requests to the extent they are inconsistent with or attempt to expand the duties and obligations under the Ohio Rules of Civil Procedure or the Ohio Supreme Court Rules of Practice. Leader Sykes will only respond to the Discovery Requests pursuant to her obligations under the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, or any Supreme Court Order.

2. Leader Sykes objects to, and has disregarded, the "Definitions" and "Instructions" preceding the Discovery Requests to the extent that they are inaccurate, inconsistent, incoherent, and/or impose any additional duties or requirements on Leader Sykes beyond those imposed by the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, and/or any Supreme Court Order. Specifically, but without limitation, Leader Sykes objects to the definition of the "Proposed Plan" because there was no plan introduced by the Commission; it was introduced by the Republican Commission members.

3. Leader Sykes has responded based on the information gathered from her diligent search to date. However, discovery is ongoing. Leader Sykes objects that the time frame allowed for these responses was insufficient to conduct the burdensome search for documents and information requested by Relators. Leader Sykes will amend, revise, clarify, or supplement her responses as necessary in accordance with the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, or any Ohio Supreme Court Order. Leader Sykes reserves her right to raise appropriate objections if any additional documents or discovery material is subsequently located.

4. The Ohio Rules of Civil Procedure prohibit the discovery of privileged matters. Leader Sykes has interpreted each request to call for discoverable matter only. To the extent any response or produced document contains or refers to matters otherwise protected from discovery by the work product doctrine, the attorney-client privilege, the legislative privilege, or any other privilege, no waiver is intended; nor is any waiver intended as to any other matters that are or may be subject to such protection or otherwise privileged.

5. Leader Sykes objects that none of these discovery requests are limited to a relevant time frame in this action. Since Leader Sykes is sued in her official capacity as a member of the

Ohio Redistricting Commission, she will respond to these discovery requests for the time period limited to the 2021 legislative redistricting cycle.

6. Each of the following responses is made subject to every objection as to competence, relevance, or other grounds that would require exclusion of such statement if made by a witness present and testifying in court.

INTERROGATORIES

INTERROGATORY NO. 1

Identify all persons who drafted or created, or were in any way involved in the drafting or creation of the Proposed Plan and, for each identified person, the date or dates on which he or she drafted it.

ANSWER: Leader Sykes, despite being a member of the Commission, was prevented from participating in the map-drawing process, as it related to the Proposed Plan, by the Republican members of the Commission. Leader Sykes repeatedly asked that the Commission to follow the requirement of Article XI of the Ohio Constitution, Section 1(C), that states, "The Commission shall draft the proposed plan in the manner prescribed in this article." Instead, the Proposed Plan was apparently drafted in secret by the staff of the Republican caucuses of the General Assembly and presented to the other Commissioners at the last minute. Accordingly, Leader Sykes cannot identify persons who were involved in the drafting or creation of the Proposed Plan.

INTERROGATORY NO. 2

Identify all persons who submitted maps, data, or plans that You used to draft the Proposed Plan, incorporated into the Proposed Plan, or adopted as part or all of the Proposed Plan.

ANSWER: See response to Interrogatory No. 1.

INTERROGATORY NO. 3

Identify all persons who evaluated, reviewed, analyzed, were shown, or commented on the Proposed Plan or on maps, data, or plans that You used to draft the Proposed Plan, incorporated into the Proposed Plan, or adopted as part or all of the Proposed Plan.

ANSWER: Because Leader Sykes was prevented from participating in the map-drawing process, she cannot identify persons as requested by Interrogatory No. 3.

INTERROGATORY NO. 4

Identify and Describe all instructions provided to individuals who drafted or created, or were in any way involved in the drafting or creation of, the state legislative maps enacted under the Enacted Plan, including but not limited to the map drawers and their staff.

ANSWER: See response to Interrogatory No. 3.

INTERROGATORY NO. 5

State whether You determined if the Proposed Plan or Enacted Plan complies with Article I, Section 2 of the Ohio Constitution and, if You determined that the Proposed Plan or Enacted Plan complies with Article I, Section 2 of the Ohio Constitution, then Identify and Describe Your reasons for making that determination.

ANSWER: Objection. This Interrogatory is overly broad, ambiguous, and improper in that it asks for an interpretation of provisions of the Ohio Constitution. Leader Sykes further objects to this Interrogatory to the extent that it seeks information that is protected by the

attorney-client privilege, legislative privilege, and/or any other privilege. Subject to and without waiving any objection, Leader Sykes states that she took an oath to uphold the Ohio Constitution and that she conducted herself accordingly. Leader Sykes approaches public service always keeping in mind that all political power is inherent in the people.

INTERROGATORY NO. 6

State whether You determined if the Proposed Plan or Enacted Plan complies with Article I, Section 3 of the Ohio Constitution and, if You determined that the Proposed Plan or Enacted Plan complies with Article I, Section 3 of the Ohio Constitution, then Identify and Describe Your reasons for making that determination.

ANSWER: Objection. This Interrogatory is overly broad, ambiguous, and improper in that it asks for an interpretation of provisions of the Ohio Constitution. Leader Sykes further objects to this Interrogatory to the extent that it seeks information that is protected by the attorney-client privilege, legislative privilege, and/or any other privilege. Subject to and without waiving any objection, Leader Sykes states that the Enacted Plan disfavors voters who tend to vote for Democratic candidates by interfering with these voters' abilities to gather with like-minded individuals.

INTERROGATORY NO. 7

State whether You determined if the Proposed Plan or Enacted Plan complies with Article I, Section 11 of the Ohio Constitution and, if You determined that the Proposed Plan or Enacted Plan complies with Article I, Section 11 of the Ohio Constitution, then Identify and Describe Your reasons for making that determination.

ANSWER: Objection. This Interrogatory is overly broad, ambiguous, and improper in that it asks for an interpretation of provisions of the Ohio Constitution. Leader Sykes further objects to this Interrogatory to the extent that it seeks information that is protected by the attorney-client privilege, legislative privilege, and/or any other privilege. Subject to and without waiving any objection, Leader Sykes states that the Enacted Plan disfavors voters who tend to vote for Democratic candidates by discriminating based on their political viewpoints, thereby infringing on these voters' abilities to freely speak on political issues.

INTERROGATORY NO. 8

State whether You considered or determined if the Proposed Plan or Enacted Plan would favor or disfavor a political party and, if so, what Your determination was, and Describe Your reasons for making that determination.

ANSWER: Objection. Leader Sykes objects to this Interrogatory to the extent that it seeks information that is protected by the attorney-client privilege, the legislative privilege, and/or any other privilege. Subject to and without waiving any objection, Leader Sykes states that the Enacted Plan unfairly and disproportionately favors the Republican Party and does not reflect the statewide political preferences of Ohio voters because it creates a higher proportion of Republican districts than the proportion of votes they earn in Ohio.

INTERROGATORY NO. 9

Identify and Describe any and all attempts that You made to comply with Section 6(A) and Section 6(B) of Article XI of the Ohio Constitution.

ANSWER: Subject to and without waiving any objection, Leader Sykes responds as follows: the maps proposed by Senator Sykes and Leader Sykes conformed with the constitutional provisions of Article XI. However, the Enacted Plan did not comply with the proportional fairness provisions of Section 6(A) and 6(B), nor did the Republican commissioners ever attempt in any way to comply with the proportional fairness provisions of Section 6 but wanted merely to engage in negotiations about the number of safe Republican seats (well above the proportional fairness provisions) that the Sykeses would accept in order to secure their votes for a ten year plan.

Respectfully submitted as to objections only,

ICE MILLER LLP

/s/ Diane Menashe
Counsel to the Ohio Attorney General

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Counsel for Respondents Senator Vernon Sykes and House Minority Leader Emilia Sykes

VERIFICATION

STATE OF OHIO

COUNTY OF FRANKLIN:

I, Emilia Sykes, state that I have read Relators' Interrogatories, and my answers to those Interrogatories are true based on my personal knowledge or information and belief.

Date: October 19, 2021

House Minority Leader Emilia Sykes, Respondent

Before me, a notary public, came Emilia Sykes, on this 19th day of October, 2021, and affirmed that the foregoing Answers to Interrogatories are true and correct to the best of her knowledge and belief.

Lydia M. Barger

Notary Public

LYDIA M. BARGER
Notary Public, State of Ohio
My Commission Expires 5-28-2022

CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2021, I have served the foregoing document by email on the following:

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/s/ Diane Menashe
Diane Menashe (0070305)

Exhibit 22

IN THE SUPREME COURT OF OHIO

League of Women Voters of Ohio, *et al.*,	:	
	:	**Case No. 2021-1193**
Relators,	:	
v.	:	**Original Action Filed Pursuant to Ohio Constitution, Article XI, Section 9(A)**
	:	
Ohio Redistricting Commission, *et al.*,	:	**[Apportionment Case Pursuant to S. Ct. Prac. R. 14.03]**
Respondents.	:	

RESPONDENT HOUSE MINORITY LEADER EMILIA SYKES' RESPONSE TO RELATORS' FIRST SET OF INTERROGATORIES AND FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

Pursuant to Rule 26, 33, and 34 of the Ohio Rules of Civil Procedure, House Minority Leader Emilia Sykes ("Leader Sykes"), through counsel, hereby responds to League of Women Voters of Ohio; A. Philip Randolph Institute of Ohio; Tom Harry; Tracey Beavers; Valerie Lee; Iris Meltzer; Sherry Rose; and Bonnie Bishop ("Relators"), First Set of Discovery Requests (the "Discovery Requests") as follows:

These responses are made for the sole purpose of discovery in this action, and Leader Sykes does not concede the admissibility of this information at trial or any other hearing. Leader Sykes reserves every objection regarding the subsequent use of any document or discovery material herein.

GENERAL OBJECTIONS

1. Leader Sykes objects to the Discovery Requests to the extent they are inconsistent with or attempt to expand the duties and obligations under the Ohio Rules of Civil Procedure or the Ohio Supreme Court Rules of Practice. Leader Sykes will only respond to the Discovery

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Requests pursuant to her obligations under the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, and/or any Supreme Court Order.

2. Leader Sykes objects to, and has disregarded, the "Definitions" and "Instructions" preceding the Discovery Requests to the extent that they are inaccurate, inconsistent, incoherent, and/or impose any additional duties or requirements on Leader Sykes beyond those imposed by the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, and/or any Supreme Court Order. More specifically, but without limitation:

a) Leader Sykes objects to Definition No. 3 which contradicts subsequent definitions contained in the Discovery Requests.

b) Leader Sykes objects to Definition No. 9 which purports to extend the scope of her responses beyond that which she has personal knowledge. Leader Sykes is responding to these Discovery Requests in her individual capacity. Leader Sykes cannot answer for anyone other than herself. To the extent that these Discovery Requests seek information from Leader Sykes' "employees, staff, officers, agents, or representatives," Leader Sykes states that discovery requests are more appropriately directed to those individuals or entities.

c) Leader Sykes objects to Definition No. 10 which purports to impose rules of construction that contradict or change the meaning of words, the rules of grammar, and the Ohio Rules of Civil Procedure.

d) Leader Sykes objects to the definition of the "Proposed Plan" because there was no plan introduced by the Commission.

3. Leader Sykes has responded based on the information gathered from her diligent search to date. However, discovery is ongoing. Leader Sykes objects on the basis that the time

frame allowed for these responses was insufficient to conduct the burdensome search for documents and information requested by Relators. Leader Sykes will amend, revise, clarify, or supplement her responses as necessary in accordance with the Ohio Rules of Civil Procedure, the Ohio Supreme Court Rules of Practice, and/or any Ohio Supreme Court Order. Leader Sykes reserves her right to raise appropriate objections if any additional documents or discovery material is subsequently located.

4. The Ohio Rules of Civil Procedure prohibit the discovery of privileged matters. Leader Sykes has interpreted each request to call for discoverable matter only. To the extent any response or produced document contains or refers to matters otherwise protected from discovery by the work product doctrine, the attorney-client privilege, legislative privilege, or any other privilege, no waiver is intended; nor is any waiver intended as to any other matters that are or may be subject to such protection or otherwise privileged.

5. Leader Sykes objects that none of these discovery requests are limited to a relevant time frame in this action. Since Leader Sykes is sued in her official capacity as a member of the Ohio Redistricting Commission, she will respond to these discovery requests for the time period limited to the 2021 legislative redistricting cycle.

6. Each of the following responses is made subject to any and all objections as to competence, relevance, or other grounds that would require exclusion of such statement if made by a witness present and testifying in court.

INTERROGATORIES

INTERROGATORY NO. 1

IDENTIFY all individuals involved both formally and informally in the drawing of the Challenged Plan, including, but not limited to members of the General Assembly, staff, consultants, and advisors.

ANSWER: Leader Sykes, despite being a member of the Commission, was prevented from participating in the map-drawing process, as it related to the Challenged Plan, by the Republican members of the Commission. Leader Sykes repeatedly asked that the Commission follow the requirement of Article XI of the Ohio Constitution, Section 1(C), that states, "The Commission shall draft the proposed plan in the manner prescribed in this article." Instead, the Challenged Plan was drafted in secret by the staff of the Republican caucuses of the General Assembly and presented to the other Commissioners at the last minute. Accordingly, she cannot identify persons who were involved in the drawing of the Challenged Plan.

INTERROGATORY NO. 2

DESCRIBE the role played by any individuals identified in Interrogatory No. 1.

ANSWER: Objection. This Interrogatory is vague and ambiguous because the terms "role" and "played" are undefined. Subject to and without waiving any objection, see response to Interrogatory No. 1.

INTERROGATORY NO. 3

IDENTIFY and DESCRIBE all instructions provided to individuals who created, or were in any way involved in the creation of, the state legislative maps enacted under the Challenged Plan,

including but not limited to the map drawers, their staff, and any outside consultants or advisors (both paid and unpaid).

ANSWER: Because Leader Sykes was prevented from participating in the map-drawing process map-drawing process, as it related to the Challenged Plan, she cannot identify or describe instructions as requested by Interrogatory No. 3.

INTERROGATORY NO. 4

IDENTIFY and DESCRIBE any and all factors, constraints, influences, or considerations, regardless of whether or not mentioned in Article XI of the Ohio Constitution, that were considered, adopted, or otherwise reflected in the creation of any redistricting plans or amendments to redistricting plans that YOU, or any member of the Ohio Redistricting Commission or their representative, introduced to the Ohio Redistricting Commission, including, but not limited to, the Challenged Plan, and describe how YOU and the Ohio Redistricting Commission prioritized these factors, constraints, influences, and considerations.

ANSWER: Objection. This Interrogatory is overly broad in that it asks to describe "any and all factors, constraints, influences, or considerations…that were considered, adopted, or otherwise reflected in the creation of any redistricting plans…." Leader Sykes further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, legislative privilege, and/or the any other privilege.

Subject to and without waiving any objection, Leader Sykes responds as follows: As stated above, Leader Sykes was prevented from participating in the map-drawing process with respect to the maps that eventually culminated in the adoption of the Challenged Plan. Therefore, she is without information or knowledge as to what factors,

constraints, influences, or considerations were reflected in the maps that ultimately became the Challenged Plan. However, Senator Sykes, Co-Chair of the Ohio Redistricting Commission, introduced legislative district maps that did, in fact, follow the requirements of Article XI of the Ohio Constitution. Leader Sykes joined Senator Sykes on two of the three maps proposed by Senator Sykes. In addition, the Democratic legislative district maps introduced to the Commission considered a multitude of factors, including fairness, bipartisanship, and the compactness requirements of Article XI of the Ohio Constitution.

INTERROGATORY NO. 5

IDENTIFY and DESCRIBE any and all attempts that were made by YOU (1) and/or the Ohio Redistricting Commission (2) to comply with sections 6(A) and 6(B) of Article XI of the Ohio Constitution (3) in any redistricting plans or amendments to redistricting plans that YOU (4), or any member of the Ohio Redistricting Commission or their representative, (5) introduced to the Ohio Redistricting Commission, including, but not limited to, the Challenged Plan.

ANSWER: Objection. This Interrogatory is compound, convoluted, ambiguous, and confusing. Subject to and without waiving any objection, Leader Sykes responds by doing her best to sort through various questions posed by this Interrogatory: (1) Leader Sykes repeatedly requested that the Commission draw the maps, not the partisan political caucuses. She repeatedly tried to engage the other members of the Commission in discussions to finalize a plan that met all of the constitutional and statutory requirements. She was unable to get the majority members of the Commission to focus on how they were going to comply with Section 6(A) and (B). (2) Leader Sykes did not witness any effort by the majority Commissioners, in word or deed, to attempt to meet the political fairness

or proportionality provisions of Article XI of the Ohio Constitution. (3) Leader Sykes did not offer any plan or maps on her own because she believed that Article XI requires the Redistricting Commission to draw the maps, not the partisan political caucuses of the General Assembly. (3) Senator Sykes, Co-Chair of the Ohio Redistricting Commission, produced three separate map plans that did not disproportionately favor either party, that did represent the will of voters demonstrated over the previous decade of statewide partisan elections, and met the compactness requirements of Article XI of the Ohio Constitution. Leader Sykes joined Senator Sykes on two of the three maps that he proposed. Senator Sykes and Leader Sykes were unable to get the majority Commissioners to meaningfully work with or modify the Sykes maps. The majority Commissioners gave no indication that they were attempting in any way to comply with the proportionality or political fairness provisions incorporated in Article XI.

INTERROGATORY NO. 6

IDENTIFY and DESCRIBE YOUR interpretation, as well as the Ohio Redistricting Commission's interpretation, of Sections 6(A) and 6(B) of Article XI of the Ohio Constitution, including but not limited to any obligations, restrictions, or requirements that Sections 6(A) and 6(B) impose on the Ohio Redistricting Commission, and the actions or determinations that the Ohio Redistricting Commission must make in order to comply with Sections 6(A) and 6(B).

ANSWER: Objection. This Interrogatory is overly broad, ambiguous, and improper in that it asks for an interpretation of provisions of the Ohio Constitution. Leader Sykes further objects to this Interrogatory to the extent it seeks information protected by the attorney-client privilege, legislative privilege, and/or any other privilege.

Subject to and without waiving any objection, Leader Sykes responds as follows: Sections 6(A) and 6(B) of Article XI of the Ohio Constitution address proportional fairness, namely, to eliminate as much as possible the partisan gerrymandering that has plagued the drawing of Ohio's state legislative maps. Section 6(A) prohibits a legislative district plan that is drawn primarily to favor or disfavor a political party. Section 6(B) provides that the legislative district plan reflect the statewide political preferences of Ohio voters over the previous decade of partisan statewide elections, which was 54% Republican and 46% Democratic. Unfortunately, the Challenged Plan conforms to neither requirement.

INTERROGATORY NO. 7

IDENTIFY whether it was YOUR determination, or the determination of the Ohio Redistricting Commission, at the time that the Challenged Plan was adopted on September 16, 2021, that any General Assembly redistricting plan introduced on or before September 16, 2021 by a member of the Ohio Redistricting Commission, or submitted before that date by a member of the general public, complied fully with the requirements of Article XI of the Ohio Constitution, and DESCRIBE in full the analysis that led YOU to that determination.

ANSWER: Objection. This Interrogatory is unnecessarily convoluted and ambiguous. Leader Sykes will respond to a more clearly drafted interrogatory.

Subject to and without waiving any objection, Leader Sykes responds as follows: The maps proposed by Senator Sykes, two of which Leader Sykes joined, did conform with the constitutional requirements of Article XI. However, the Challenged Plan did not comply in any way with the requirements of Section 6, nor did the Republican commissioners ever attempt in any way to comply with the proportional fairness provisions

of Section 6, but they wanted merely to talk about the number of safe Republican seats (well above the proportional fairness goal) that the Sykeses would allow in order to secure their votes for a ten year plan.

REQUEST FOR PRODUCTION OF DOCUMENTS

DOCUMENT REQUEST NO. 1

All DOCUMENTS RELATING TO the Ohio Common and Unified Redistricting Database (CURD) by Ohio University Voinovich School of Leadership and Public Affairs (GVS), including, without limitation, the development of the CURD, and any COMMUNICATIONS, and data sets RELATING TO the CURD or the development of the CURD.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll DOCUMENTS RELATING TO the Ohio Common and Unified Redistricting Database…." Leader Sykes objects further on the basis that this Request seeks information that is not reasonably calculated to lead to the discovery of admissible evidence because it is not limited to documents and communications germane to the redistricting process at issue in this litigation. Moreover, these documents may be requested from and produced by other parties or third parties. Subject to and without waiving any objection, Leader Sykes directs Relators to documents produced in response to the American Civil Liberties Union's Public Records Requests, the Commission's public website, and relevant, non-privileged documents produced with these responses. Leader Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 2

All COMMUNICATIONS with employees, consultants or agents of GVS working on the development of the CURD.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll COMMUNICATIONS with employees, consultants or agents of GVS working on the development of the CURD." Leader Sykes objects further on the basis that this Request seeks information that is not reasonably calculated to lead to the discovery of admissible evidence because it is not limited to documents and communications germane to the redistricting process at issue in this litigation. Subject to and without waiving any objection, Leader Sykes directs Relators to documents produced in response to the American Civil Liberties Union's Public Records Requests, the Commission's public website, and relevant, non-privileged documents produced with these responses. Leader Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 3

All COMMUNICATIONS with GVS employees Michael Finney, G. Jason Jolley, Robert Wiley, Elkan Kim, Jessica Schaudt, Matt Trainer, and Kyong Lim.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll COMMUNICATIONS with GVS employees...." Leader Sykes objects further on the basis that this Request seeks information that is not reasonably calculated to lead to the discovery of admissible evidence because it is not limited to documents and communications germane to the redistricting process at issue in this litigation. Subject to and without waiving any objection, Leader Sykes directs Relators to documents produced in response to the American Civil Liberties Union's Public Records Requests, the Commission's public website, and relevant, non-privileged documents produced with these responses. Leader Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 4

All COMMUNICATIONS with employees, consultants or agents of GVS RELATING TO the development of the CURD.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll COMMUNICATIONS with employees, consultants or agents of GVS RELATING TO the development of the CURD." Leader Sykes objects further on the basis that this Request seeks information that is not reasonably calculated to lead to the discovery of admissible evidence because it is not limited to documents and communications germane to the redistricting process at issue in this litigation. Subject to and without waiving any objection, Leader Sykes directs Respondents to documents produced in response to the American Civil Liberties Union's Public Records Requests, the Commission's public website, and relevant, non-privileged documents produced with these responses. Leader Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 5

All DOCUMENTS RELATING TO meetings—both formal and informal of any Commission members related to the drawing of General Assembly maps—and any other business of the Ohio Redistricting Commission, including, without limitation, testimony, meeting minutes, data sets, maps, notes, and plans submitted to, created by, or otherwise considered by YOU, any other member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff; minutes, agendas, or presentations from Ohio Redistricting Commission hearings and meetings; and any related COMMUNICATIONS, including, but not limited to, those between any

Ohio Redistricting Commission member and any representative participating in Ohio Redistricting Commission meetings on behalf of a member.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll DOCUMENTS RELATING TO meetings…and any other business of the Ohio Redistricting Commission…." Leader Sykes further objects because this Request seeks information that is not within her possession, custody, or control. Subject to and without waiving any objection, Leader Sykes directs Relators to the Commission's public website and relevant, non-privileged documents produced with these responses. Leader Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 6

All COMMUNICATIONS regarding redistricting in Ohio, including but not limited to COMMUNICATIONS between YOU and YOUR employees, staff, officers, agents, or representatives.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll COMMUNICATIONS regarding redistricting in Ohio…." Leader Sykes further objects because the timeframe is unlimited, and this Request seeks information that is not reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiving any objection, Leader Sykes will produce relevant, non-privileged communications between her and her staff regarding the 2021 redistricting process. Leader Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 7

All DOCUMENTS RELATING TO information that was used, or could have been used, to draw state legislative or Congressional district maps for Ohio, including, without limitation: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes, population shifts, voter registration, voter affiliation, or changing census block lines (also known as voting district (VTD)) for the 2018 election, 2020 election, and current redistricting cycle.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll DOCUMENTS RELATING TO information that was used, or could have been used, to draw state legislative or Congressional district maps for Ohio ...." Leader Sykes further objects because this Request seeks information that is not within her possession, custody, or control. Subject to and without waiving any objection, Leader Sykes will produce relevant, non-privileged documents responsive to this Request. Leader Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 8

All DOCUMENTS YOU, any other member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff considered, used, could have used, or otherwise relied on to create the General Assembly district maps for Ohio that were adopted by the Commission on September 16, 2021.

RESPONSE: Leader Sykes states that she was excluded from participating in the map-drawing process that culminated in the enactment of the General Assembly maps. As such, she does not possess documents responsive to this request. Leader Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 9

All DOCUMENTS RELATING TO the creation of the General Assembly district maps for Ohio that were adopted by the Commission on September 16, 2021.

RESPONSE: Leader Sykes states that she was prevented from participating in the map-drawing process that culminated in the enactment of the General Assembly maps. As such, she does not possess documents responsive to this request. Leader Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 10

All DOCUMENTS RELATING TO consultants, firms, vendors, or other third parties consulted, involved in, or communicated with by YOU, any other member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff, RELATING TO the General Assembly district maps for Ohio that were considered or adopted by the Commission.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll DOCUMENTS RELATING TO consultants, firms, vendors, or other third parties consulted…RELATING TO the General Assembly district maps…." Subject to and without waiving any objection, Leader Sykes will produce relevant, non-privileged documents responsive to this Request. Leader Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 11

All COMMUNICATIONS with Wendy Zhan, Emily Wendel, or other staff of the Ohio Legislative Service Commission RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission.

RESPONSE: Objection. Leader Sykes objects to this Request to the extent that it seeks information protected by the attorney-client privilege, legislative privilege, work product doctrine, and/or any other privilege. Subject to and without waiving any objection, Leader Sykes will produce relevant, non-privileged documents that are responsive and in her possession. Leader Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 12

All COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission, with (1) any current or former member of Ohio's General Assembly, (2) any political action committees affiliated with any current or former member of Ohio's General Assembly, and (3) any current or former staff of any current or former member of Ohio's General Assembly.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission…." Leader Sykes further objects to this Request to the extent that it seeks information protected by the attorney-client privilege, legislative privilege, work product doctrine, and/or any other privilege. As such, she does not possess documents responsive to this request. Notwithstanding the above, Leader Sykes possesses and will produce non-privileged, responsive emails relating to scheduling between her office and other Commissioners'

offices. Leader Sykes also possesses and will produce non-privileged, responsive emails relating to scheduling between her office and offices of members of the General Assembly. Leader Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 13

All COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission with (1) any current or former U.S Representative or U.S. Senator elected from Ohio, (2) any political action committees affiliated with any current or former U.S. Representative or U.S. Senator elected from Ohio, and (3) any current or former staff of any current or former U.S. Representative or U.S. Senator elected from Ohio.

RESPONSE: Leader Sykes states that she is not in possession of documents responsive to this Request. Leader Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 14

All COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission with the Republican National Committee, Ohio Republican Party, National Republican Redistricting Trust, or the National Republican Congressional Committee.

RESPONSE: Leader Sykes states that she is not in possession of documents responsive to this Request. Leader Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 15

All COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission with the Democratic National Committee, Ohio Democratic Party, National Democratic Campaign Committee, or the Democratic Congressional Campaign Committee.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it requests "[a]ll COMMUNICATIONS RELATING TO drawing the General Assembly district maps…." Leader Sykes possesses and will produce the limited amount of non-privileged, responsive emails in her possession between her office and the Ohio Democratic Party. Leader Sykes reserves the right to supplement this response.

DOCUMENT REQUEST NO. 15

All DOCUMENTS cited in, discussed in, or RELATING TO any of YOUR responses to any Interrogatory served on YOU by any party in this action.

RESPONSE: Objection. This Request is overly broad and unduly burdensome in that it seeks documents "RELATING TO any of YOUR responses to any Interrogatory…." Subject to and without waiving any objection, Leader Sykes will produce non-privileged, responsive documents in her possession.

Respectfully submitted as to objections only,

ICE MILLER LLP

/s/ Diane Menashe
Counsel to the Ohio Attorney General

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Counsel for Respondents Senator Vernon Sykes and House Minority Leader Emilia Sykes

VERIFICATION

STATE OF OHIO

COUNTY OF FRANKLIN:

I, Emilia Sykes, state that I have read Relators' Interrogatories, and my answers to those Interrogatories are true based on my personal knowledge or information and belief.

Date: October 19, 2021

House Minority Leader Emilia Sykes, Respondent

Before me, a notary public, came Emilia Sykes, on this 19th day of October, 2021, and affirmed that the foregoing Answers to Interrogatories are true and correct to the best of her knowledge and belief.

Notary Public

NOTARIAL SEAL STATE OF OHIO

LYDIA M. BARGER
Notary Public, State of Ohio
My Commission Expires 5-28-2022

CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2021, I have served the foregoing document by email on the following:

Freda Levenson
flevenson@acluohio.org
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jepstein@aclu.org

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James Hovard
Alexander Thomson

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Counsel for Bria Bennett Relators

Brad Funari
Michael Li
Natalie R. Stewart

Attorneys for OOC Relators

/s/ Diane Menashe
Diane Menashe (0070305)

Exhibit 23

Subject: Re: Final Agenda: Joint Caucus Redistricting Retreat.pdf
From: Aryeh Alex <aalex@ohiodems.org>
To: Emilia Sykes <emiliassykes@gmail.com>
Cc: Samantha Herd <SamHerd@gmail.com>
Date Sent: Wednesday, July 21, 2021 9:41:52 AM GMT-04:00
Date Received: Wednesday, July 21, 2021 9:42:03 AM GMT-04:00

Got it. I'm going to flag this for Malik and just send a reminder email with the start times to members. I'm sorry that ODP can't get it together.

On Wed, Jul 21, 2021 at 9:31 AM Emilia Sykes <emiliassykes@gmail.com> wrote:

> For one: on Friday there is a "caucus breakout session #2". There is no previous caucus breakout session, unless I missed something.
>
> Two: I just found out Kenny is not participating in day two. He is on the agenda for the wrap up.
>
> Three: I talked to Kathleen Clyde yesterday and she had no idea she was facilitating two conversations.
>
> So that's what I mean when I say its not correct. But sure go ahead and send it to the members. Maybe there are adjustments I don't know about. A reminder with start and end times are good but this is not the final version, even if they think it it.
>
> > On Jul 21, 2021, at 9:18 AM, Aryeh Alex <aalex@ohiodems.org> wrote:
> >
> > I talked with Malik this morning and asked him to send me the final version. This is what he sent. What do you think is wrong? I can follow up and get a corrected.
> >
> > On Wed, Jul 21, 2021 at 9:17 AM Emilia Sykes <emiliassykes@gmail.com> wrote:
> >
> > > Sure but I don't think this is correct.
> > >
> > > Sent from my iPhone
> > >
> > > > On Jul 21, 2021, at 9:03 AM, Aryeh Alex <aalex@ohiodems.org> wrote:
> > > >
> > > > Am I good to send this to all members with a reminder?
> > > >
> > > > ---------- Forwarded message ---------
> > > > From: **Malik Hubbard** <mhubbard@ohiodems.org>
> > > > Date: Wed, Jul 21, 2021 at 9:02 AM
> > > > Subject: Final Agenda: Joint Caucus Redistricting Retreat.pdf
> > > > To: Aryeh Alex <aalex@ohiodems.org>, Joe Rettof <joe@rtadvisorsllc.com>
> > > >
> > > > Hey Aryeh and Joe,
> > > >
> > > > The agenda for the retreat is attached.
> > > >
> > > > Malik Hubbard
> > > > Executive Director
> > > > Ohio Democratic Party
> > > > 614-349-6482
> > > > --
> > > > **Aryeh Alex** (he/him)
> > > > *Executive Director, Ohio House Democratic Caucus*
> > > > 513.478.5928 / mobile
> > > > Schedule a meeting

--
Aryeh Alex (he/him)
Executive Director, Ohio House Democratic Caucus
513.478.5928 / mobile
Schedule a meeting

--
Aryeh Alex (he/him)
Executive Director, Ohio House Democratic Caucus
513.478.5928 / mobile
Schedule a meeting

Subject: Re: Final Agenda: Joint Caucus Redistricting Retreat.pdf
From: Emilia Sykes <emiliassykes@gmail.com>
To: Aryeh Alex <aalex@ohiodems.org>
Cc: Samantha Herd <SamHerd@gmail.com>
Date Sent: Wednesday, July 21, 2021 9:31:49 AM GMT-04:00
Date Received: Wednesday, July 21, 2021 9:31:50 AM GMT-04:00

For one: on Friday there is a "caucus breakout session #2". There is no previous caucus breakout session, unless I missed something.

Two: I just found out Kenny is not participating in day two. He is on the agenda for the wrap up.

Three: I talked to Kathleen Clyde yesterday and she had no idea she was facilitating two conversations.

So that's what I mean when I say its not correct. But sure go ahead and send it to the members. Maybe there are adjustments I don't know about. A reminder with start and end times are good but this is not the final version, even if they think it it.

> On Jul 21, 2021, at 9:18 AM, Aryeh Alex <aalex@ohiodems.org> wrote:
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>
> --
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> *Executive Director, Ohio House Democratic Caucus*
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> Schedule a meeting

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From: Aryeh Alex <aalex@ohiodems.org>
To: Emilia Sykes <emiliassykes@gmail.com>
Cc: Samantha Herd <SamHerd@gmail.com>
Date Sent: Wednesday, July 21, 2021 9:18:46 AM GMT-04:00
Date Received: Wednesday, July 21, 2021 9:18:57 AM GMT-04:00

I talked with Malik this morning and asked him to send me the final version. This is what he sent. What do you think is wrong? I can follow up and get a corrected.

On Wed, Jul 21, 2021 at 9:17 AM Emilia Sykes <emiliassykes@gmail.com> wrote:

> Sure but I don't think this is correct.
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> Sent from my iPhone
>
>> On Jul 21, 2021, at 9:03 AM, Aryeh Alex <aalex@ohiodems.org> wrote:
>>
>> Am I good to send this to all members with a reminder?
>>
>> ---------- Forwarded message ---------
>> From: **Malik Hubbard** <mhubbard@ohiodems.org>
>> Date: Wed, Jul 21, 2021 at 9:02 AM
>> Subject: Final Agenda: Joint Caucus Redistricting Retreat.pdf
>> To: Aryeh Alex <aalex@ohiodems.org>, Joe Rettof <joe@rtadvisorsllc.com>
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>> Hey Aryeh and Joe,
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>> The agenda for the retreat is attached.
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>> Malik Hubbard
>> Executive Director
>> Ohio Democratic Party
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>>
>> --
>> **Aryeh Alex** (he/him)
>> *Executive Director, Ohio House Democratic Caucus*
>> 513.478.5928 / mobile
>> Schedule a meeting

--
Aryeh Alex (he/him)
Executive Director, Ohio House Democratic Caucus
513.478.5928 / mobile
Schedule a meeting

Subject: Re: Final Agenda: Joint Caucus Redistricting Retreat.pdf
From: Emilia Sykes <emiliassykes@gmail.com>
To: Aryeh Alex <aalex@ohiodems.org>
Cc: Samantha Herd <SamHerd@gmail.com>
Date Sent: Wednesday, July 21, 2021 9:17:21 AM GMT-04:00
Date Received: Wednesday, July 21, 2021 9:17:24 AM GMT-04:00
Attachments: Final Agenda: Joint Caucus Redistricting Retreat.pdf

---

Sure but I don't think this is correct.

Sent from my iPhone

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> To: Aryeh Alex <aalex@ohiodems.org>, Joe Rettof <joe@rtadvisorsllc.com>
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> Hey Aryeh and Joe,
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> 614-349-6482
> --
> **Aryeh Alex** (he/him)
> *Executive Director, Ohio House Democratic Caucus*
> 513.478.5928 / mobile
> Schedule a meeting

Joint Caucus Redistricting Retreat
July 21 - 22, 2021

Location: Hilton Polaris, 8700 Lyra Drive, Columbus, OH

Thursday, Jul 22, 2021

10:00am - Welcome
Speakers: Leader Sykes, Leader Yuko, Chair Walters

10:30am - Redistricting Overview
Speakers: Garret Arwah, Katy Shanahan, National Democratic Redistricting Coalition

12:00pm - Break

12:30pm - Lunch Panel - Past Redistricting Experience
Speakers: Senator Sykes, Keary McCarthy, Randy Weston
Facilitator: Kathleen Clyde

2:00pm - Ohio Democratic Congressional Delegation

3:00pm - Break

3:30pm - What's Possible for Ohio
Speakers: Kathleen Clyde, Katy Shanahan, Garret Arwah
Facilitator: Kathleen Clyde

5:00pm - Wrap session

5:30pm - Reception

Friday, Jul 23, 2021

8:00am - Breakfast Service Begins

8:30am - Morning Panel - External Partners and their role
Speakers: Misha Barnes (Ohio Progressive Collaborative, Equal Districts Coalition/Ohio Organizing Collaborative (Jeniece Brock), Innovation Ohio (Desiree Tims), All on the Line (Katy Shanahan), Labor (TBD)
Facilitator: Liz Walters

9:30am - Break

9:45am - What's Next
Speakers: Leaders Sykes and Yuko, Malik Hubbard

11:00am - Caucus Breakout Session #2

12:30pm - Finish

Subject: Fwd: Final Agenda: Joint Caucus Redistricting Retreat.pdf
From: Aryeh Alex <aalex@ohiodems.org>
To: Emilia Sykes <emiliassykes@gmail.com>,Samantha Herd <samherd@gmail.com>
Date Sent: Wednesday, July 21, 2021 9:03:38 AM GMT-04:00
Date Received: Wednesday, July 21, 2021 9:03:52 AM GMT-04:00
Attachments: Final Agenda: Joint Caucus Redistricting Retreat.pdf

---

Am I good to send this to all members with a reminder?

---------- Forwarded message ---------
From: **Malik Hubbard** <mhubbard@ohiodems.org>
Date: Wed, Jul 21, 2021 at 9:02 AM
Subject: Final Agenda: Joint Caucus Redistricting Retreat.pdf
To: Aryeh Alex <aalex@ohiodems.org>, Joe Rettof <joe@rtadvisorsllc.com>

Hey Aryeh and Joe,

The agenda for the retreat is attached.

Malik Hubbard
Executive Director
Ohio Democratic Party
614-349-6482
--
Aryeh Alex (he/him)
Executive Director, Ohio House Democratic Caucus
513.478.5928 / mobile
Schedule a meeting

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Facilitator: Liz Walters

9:30am - Break

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Speakers: Leaders Sykes and Yuko, Malik Hubbard

11:00am - Caucus Breakout Session #2

12:30pm - Finish

CONFIDENTIAL

Exhibit 24

Date:	Wed, 9 Jun 2021 10:40:00 AM -0400
Subject:	FW: Draft Sykes/Yuko Letter Governor
From:	Herd, Samantha
To:	Spain, Mindy <Mindy.Spain@ohiohouse.gov >;
Attachments:	Dem Leaders Letter DeWine RC - SC edits2.docx

Good morning,

We want to send the attached letter to Governor DeWine from both Leader Sykes and Yuko. Are you able to put on letterhead with both seals?

From: Cherry, Sarah <Sarah.Cherry@ohiohouse.gov >
Sent: Wednesday, June 9, 2021 10:34 AM
To: Herd, Samantha <Samantha.Herd@ohiohouse.gov >; Sykes, Emilia <Emilia.Sykes@ohiohouse.gov >
Subject: RE: Draft Sykes/Yuko Letter Governor

Very good. I checked the Supreme Court writing manual and made a minor change. I also added in that legislative leaders must also appoint the co-chairs of the Commission. Thanks!

Sarah A. Cherry
Legal Counsel, Minority Caucus
she/her/hers
Ohio House of Representatives
77 South High Street, 14th Floor
Columbus, OH 43215
office: (614) 466-6040
sarah.cherry@ohiohouse.gov

CONFIDENTIALITY NOTICE
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From: Herd, Samantha <Samantha.Herd@ohiohouse.gov >
Sent: Wednesday, June 09, 2021 10:22 AM
To: Sykes, Emilia <Emilia.Sykes@ohiohouse.gov >
Cc: Cherry, Sarah <Sarah.Cherry@ohiohouse.gov >
Subject: RE: Draft Sykes/Yuko Letter Governor

I added the Article and Section. Sarah, can you just double-check I got it correct?
Thanks!

From: Sykes, Emilia <Emilia.Sykes@ohiohouse.gov >
Sent: Wednesday, June 9, 2021 10:10 AM
To: Herd, Samantha <Samantha.Herd@ohiohouse.gov >
Subject: Re: Draft Sykes/Yuko Letter Governor

Looks good to me. Should we cite to the constitutional provision that requires his cartoon convene? For example:

Per article XX section XX the governor.....

Thanks.

Sent from my iPhone

On Jun 9, 2021, at 9:55 AM, Herd, Samantha <Samantha.Herd@ohiohouse.gov> wrote:

Good morning,

Please see draft letter from you and Leader Yuko to the Governor on convening the Redistricting Commission.

Thanks,

Samantha L. Herd
Chief of Staff, Minority Caucus
Ohio House of Representatives
Office: (614) 466-2185
Cell: (614) 301-7229

Exhibit 25

Date: Fri, 10 Sep 2021 6:01:48 PM -0400

Sent: Fri, 10 Sep 2021 6:01:07 PM -0400

Subject: Re: OLBC Redistricting Meeting follow up

From: Emiliana Morales <emorales@newvisionsgroup.com >

To: Ingram, Catherine <Catherine.Ingram@ohiohouse.gov >; Jarrells, Dontavius <Dontavius.Jarrells@ohiohouse.gov >; Sykes, Emilia <Emilia.Sykes@ohiohouse.gov >; Hearcel Craig <Hearcel.Craig@ohiosenate.gov >; Boyd, Janine <Janine.Boyd@ohiohouse.gov >; Brent, Juanita <Juanita.Brent@ohiohouse.gov >; Spain, Mindy <Mindy.Spain@ohiohouse.gov >; Hicks-Hudson, Paula <Paula.Hicks-Hudson@ohiohouse.gov >; Robinson, Phil <Phil.Robinson@ohiohouse.gov >; Rep06 <Rep06@ohiohouse.gov >; Rep09 <Rep09@ohiohouse.gov >; Rep10 <Rep10@ohiohouse.gov >; Rep12 <Rep12@ohiohouse.gov >; Rep25 <Rep25@ohiohouse.gov >; Rep32 <Rep32@ohiohouse.gov >; Rep33 <Rep33@ohiohouse.gov >; Rep34 <Rep34@ohiohouse.gov >; Rep35 <Rep35@ohiohouse.gov >; Rep39 <Rep39@ohiohouse.gov >; Rep44 <Rep44@ohiohouse.gov >; Tina Maharath (DST) <SD03@ohiosenate.gov >; Cecil Thomas <SD09@ohiosenate.gov >; Hearcel Craig (DST) <SD15@ohiosenate.gov >; Sandra Williams <sd21@ohiosenate.gov>; Vernon Sykes (DST) <SD28@ohiosenate.gov >; Denson, Sedrick <Sedrick.Denson@ohiohouse.gov >; Howse, Stephanie <Stephanie.Howse@ohiohouse.gov >; Galonski, Tavia <Tavia.Galonski@ohiohouse.gov >; Upchurch, Terrence <Terrence.Upchurch@ohiohouse.gov >; West, Thomas <Thomas.West@ohiohouse.gov >; Tina Maharath <Tina.Maharath@ohiosenate.gov >; Vernon Sykes <Vernon.Sykes@ohiosenate.gov >; Blackshear, Willis <Willis.Blackshear@ohiohouse.gov >; sandra.williams@ohiosenate.gov; cecil.thomas@ohiosenate.gov;

CC: Derrick Clay <dclay@newvisionsgroup.com >; McCann, Sean <Sean.McCann@ohiohouse.gov >;

Attachments: Equal Districts State Leg Maps TPs.pdf

Good Evening!
Please see the attached talking points (PDF).
Thank you!
Emiliana

On Fri, Sep 10, 2021 at 5:48 PM Emiliana Morales <emorales@newvisionsgroup.com > wrote:

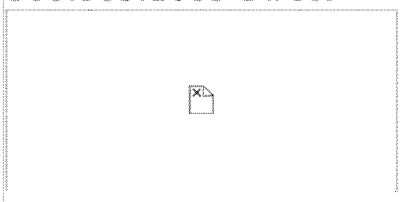
> Good Evening!
>
> I have placed below the follow up links from the meeting earlier this afternoon.
>
> Please let me know if you have any questions or concerns!
>
> Have a wonderful weekend!
>
> Emiliana
>
> ---
>
> **We need as many Ohioans as possible to testify about the problems with these maps.**
>
> Want to testify on the Republicans' Statehouse district maps — but **not sure what to say?**
>
> - **Sign up for one of these testimony trainings** with All On The Line!
>
> **Then sign up to testify:**
>
> - **Sunday (9/12)** at 4:00 pm in Dayton
> - **Monday (9/13)** at 4:00 pm in Cleveland
> - **Tuesday (9/14)** at 10:00 am in Columbus

Can't testify in-person? You can submit written-only testimony.

- Write your testimony and save it as a PDF or Word document.
- **Fill out a witness slip.**
- Email your testimony AND your witness slip to **testimony@redistricting.ohio.gov**

--

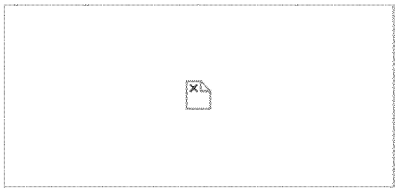
Emiliana Morales
Associate | New Visions Group LLC
614.280.1299 Office
360.305.1685 Direct



Connecting Business to Government

--

Emiliana Morales
Associate | New Visions Group LLC
614.280.1299 Office
360.305.1685 Direct



Connecting Business to Government

EQUAL DISTRICTS
Drawing Our Future

TALKING POINTS - STATE LEGISLATIVE MAPS

General

- In 2015 and 2018, Ohioans overwhelmingly voted for two reform measures that completely overhauled the state's redistricting process
- Ohioans sent a clear message to the map drawers: We want fair maps drawn through a transparent redistricting process with lots of opportunities for people to engage on proposed maps. Ohioans demanded to give voice to the needs of their communities in future maps
- No matter who we are or where we live, all of us deserve a fair shot at real political representation. We all deserve the power to vote politicians out of office when they don't serve us well. Unfortunately, most Ohioans haven't had that power for the last decade, because of our gerrymandered districts.
- Across the last decade, Republicans won just 55% of the statewide vote, but walked away with supermajorities in both state legislative chambers. They hold a shocking 75% of Ohio Senate seats. That's not fair or reasonable.
- Ohio needs district maps that reflect how Ohioans actually vote.

Process

- Ohio's Constitution requires the Commission to propose state legislative maps and to hold at least 3 public hearings by September 1. It has failed to do so, in violation of the Constitution
- One week after our initial deadline, we got news from the Commission that they would be hosting additional hearings to hear from Ohioans. Unfortunately that announcement came just 24 hours before the first hearing.
- The Commission has also still not officially proposed a map, though we've heard that this will come tomorrow - just 6 days before our final map deadline.
- Additional public hearings to get input on the proposed maps will likely start just 3 days before the final map deadline.
- Other hearings held around the state were hosted on weekdays, during business hours, and in-person, making them inaccessible to too many Ohioans, particularly for working families.
- To date, our redistricting process has failed to live up to the promise of and demands of our reform measure. We are not getting the transparent, people-powered process

Ohioans overwhelmingly supported in 2015 when we went to the ballot to demand change in how our maps were drawn.

Ohio GOP Map

- The GOP-proposed state legislative maps, voted for consideration on a partisan 5-2 basis, fails to uphold even the most basic tenets of a fair map:
    - They crack communities of interest
    - They dilute the political power of communities of color
    - They are not representative of the state as a whole

- For the past decade, Ohio has lived under some of the most gerrymandered maps in the country. But these proposed maps are even worse.

- These GOP proposed maps do not reflect the state's partisan makeup and would likely give the GOP another decade of supermajorities in both chambers.

- Despite the fact that Republicans have won roughly 55% of the statewide share of votes across the last decade, the GOP-proposed maps would give Republicans 66% of the House and Senate seats.

- The GOP proposed maps crack apart communities of interest, dividing neighborhoods and pulling together parts of the state that don't belong in the same districts with the intention of drowning out Democratic votes.

    - For example, despite their proximity and similar interests, Warren and Youngstown are drawn into separate districts in the senate and house maps.
    - In Franklin County, a suburban Columbus district wraps around Columbus from Lincoln Village to Huber Ridge to keep a western Franklin County district solidly Republican.
    - In Lucas County, House map drawers drew rural northern Hancock County with the northwestern Toledo suburbs such as Sylvania, while also combining neighboring Holland and Maumee with Ottawa county rather than Toledo.

- The GOP proposed maps crack and pack Ohio's communities of color, diluting the power of the vote and denying them adequate representation.
    - For example, Cuyahoga County - a county with a population that is more than 30% Black - would be unlikely to have even one Black state senator
    - Additionally, the state senate map draws the Black communities in and around Dayton together with white, rural Preble, Drake and Miami counties rather than connecting them with similar communities in Jefferson Township, Montgomery County.

- Ohio voters overwhelmingly voted to pass reform measures after the 2010 redistricting cycle, demanding a fair process and responsive elected officials. These maps -- and the process to date -- fail to meet the promise of the reform measures and ignore our state Constitution -- which are the absolute floor of fairness. The GOP maps are failing to deliver what Ohio voters demanded.

- ON GOP NOT ENGAGING IN VRA COMPLIANCE ANALYSIS:
  - Ohio's map drawers must ensure that communities of color have adequate and real pathways to political representation -- yet it appears that the Republicans on the Commission are not even going to try to meet this obligation.
  - For the GOP leadership to have directed their map drawers to ignore something as fundamentally essential, never mind constitutionally required, as ensuring that Ohio's communities of color get the political representation they deserve is appalling.
  - Fair redistricting does not require us to be colorblind. Fair redistricting is in the identification and acknowledgement of how diverse communities need and want to be represented, and it is part of the work by these commissions to develop district maps that are both responsive to and reflective of communities across Ohio.

Defining a Fair Map

- In 2021, map drawers should be drawing new districts that are not only representative of Ohio, but are also responsive to the will of Ohio voters. That means we shouldn't see maps that have anything close to the current lopsided partisan nature of our current ones.

- FAIR MAPS TOPLINE MESSAGES:
  - <u>Keep our communities together</u> as much as possible
    - Uncrack and unpack especially major metro areas
    - Add in additional information about YOUR community - you know your community best, so speak to what yours needs to be better represented in the next decade

  - <u>Reflect the partisan makeup</u> of our state, which means:
    - At least 44 Democratic House seats
    - At least 15 Democratic Senate seats

  - <u>Give communities of color with a real pathway to representation</u>
    - Our current districts both pack and crack BIPOC voters into districts, which means their overall political power is diluted and they are denied adequate political representation. This must be corrected under new maps.

        - Add in specific community-based information here if you have it or if it's appropriate.
            - An example of this is the Black voters who live in Trotwood who are cracked apart from other Black communities in Dayton into a different district. A fair map would ensure that those communities are kept together to create a real pathway to real representation.

    - **No packing —** We won't accept maps where voters from one party or community are packed together to create one district where there should be two.

    - **No cracking —** We won't accept maps where voters from one party or community are cracked apart into two unnecessary districts to weaken the power of their votes.

    - Limit county splits across the state to keep our communities strong, whole, and united.

    - Fair state legislative maps will protect our communities against having our voices silenced by gerrymandered districts

    - Ohio's major metropolitan areas — specifically **Columbus, Cleveland, Cincinnati, Akron, Dayton, Toledo** — have been unnecessarily cracked apart AND packed together to minimize political and community representation. A fair map would reverse this trend.

    - A fair map will minimize community splits to maximize community representation.

By The Numbers

- For the past 10 years, Ohio has voted about 55-45 Republican-Democratic. That means Democrats should hold about 45% of government seats.

- A fair map will give Democrats AT LEAST 44 House seats and AT LEAST 14 Senate seats.
    - Any map that does not meet these minimum requirements is unacceptable.

- Our coalition endorsed the citizen-led Ohio Citizens' Redistricting Commission (OCRC) maps, which would create 15 Democratic-leaning seats, because:
    - 1.) our goal is to lift up the voices of real Ohioans. We're thrilled to endorse citizen-led maps based on hundreds of testimonies.
    - 2.) the OCRC maps meet our minimum standard for fairness

- Our coalition is pushing for 15 Senate seats in our public testimonies and messaging, in order to align with our endorsed maps / what Ohioans asked for.
    - But as we've said all along, we will not accept fewer than 44 Democratic House / 14 Democratic Senate seats.

Exhibit 26

Subject: Fwd: Memo for Legislator Roundtable Event w AG Holder
From: Samantha Herd <samherd@gmail.com>
To: Emilia Sykes <emiliassykes@gmail.com>
Date Sent: Tuesday, January 19, 2021 3:24:10 PM GMT-05:00
Date Received: Tuesday, January 19, 2021 3:24:10 PM GMT-05:00
Attachments: 1_21_21 Legislators Roundtable Memo for COS.docx

---

---------- Forwarded message ---------
From: **Katy Shanahan** <shanahan@redistrictingaction.org>
Date: Tue, Jan 19, 2021 at 3:20 PM
Subject: Memo for Legislator Roundtable Event w AG Holder
To: Samantha Herd <samherd@gmail.com>, Mike Rowe <mikerowe100@gmail.com>

Hi Sam and Mike-

Hope you both had a restful long weekend. I've attached a memo for our upcoming legislator roundtable event with AG Holder happening from 2-3pm this Thursday, January 21st. I've allotted some time at the top for AG Holder to give some remarks and 3-4 minutes for both Minority Leaders to give remarks before we open the floor for a discussion with everyone. Please let me know if you have any questions or need anything else from me.

Look forward to connecting with you all for this event on Thursday!

Katy

--
All On The Line
Katy Shanahan (she/her) / Ohio State Director
allontheline.org
Follow us on social: FB // TW // IG

Memorandum to House and Senate Minority Caucus Chiefs of Staff

From: NDRC Team
Date: January 19, 2021
Re: Ohio Legislator Roundtable Event

Event Details
Date: January 21, 2021

Event Time: 2:00 - 3:00pm ET

Link:
https://zoom.us/j/95109968429?pwd=OW8zODkyemd3b3owSit5RkRwNnFyQT09

Staff: Katy Shanahan (614) 579-8349

Event Purpose: The purpose of this event is to bring together key legislators in Ohio to discuss what opportunities exist in the upcoming redistricting process, how best to maximize the power the minority party has in this process, and how to protect communities of interest under new state legislative and congressional maps.

Event Sequence

2:00 - 2:03 pm	Katy will introduce AG Holder
2:03 - 2:10 pm	AG Holder remarks
2:10 - 2:11 pm	Katy introduces Leader Sykes
2:11 - 2:15 pm	House Minority Leader Sykes remarks
2:15 - 2:16 pm	Katy introduces Leader Yuko
2:16 - 2:20 pm	Senate Minority Leader Yuko remarks
2:20 - 3:00 pm	Open discussion

Subject: Memo for Legislator Roundtable Event w AG Holder
From: Katy Shanahan <shanahan@redistrictingaction.org>
To: Samantha Herd <samherd@gmail.com>,Mike Rowe <mikerowe100@gmail.com>
Date Sent: Tuesday, January 19, 2021 3:19:49 PM GMT-05:00
Date Received: Tuesday, January 19, 2021 3:21:08 PM GMT-05:00
Attachments: 1_21_21 Legislators Roundtable Memo for COS.docx

---

Hi Sam and Mike-

Hope you both had a restful long weekend. I've attached a memo for our upcoming legislator roundtable event with AG Holder happening from 2-3pm this Thursday, January 21st. I've allotted some time at the top for AG Holder to give some remarks and 3-4 minutes for both Minority Leaders to give remarks before we open the floor for a discussion with everyone. Please let me know if you have any questions or need anything else from me.

Look forward to connecting with you all for this event on Thursday!

Katy

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2:20 - 3:00 pm	Open discussion

Exhibit 27

Date:	Fri, 20 Aug 2021 12:17:00 AM -0400
Sent:	Fri, 20 Aug 2021 12:17:32 AM -0400
Subject:	RE: Invoice and Purchase Letter: Consulting
From:	Herd, Samantha
To:	Kristin Rhee <Kristin.Rhee@lsc.ohio.gov>; DiPalma, Andy <Andy.DiPalma@ohiohouse.gov>;
CC:	Wendy Zhan <Wendy.Zhan@lsc.ohio.gov>;
Attachments:	OH House Democratic Caucus redistricting proposal - revised.pdf

Please find attached our contract with Haystaq. Thanks.

From: Kristin Rhee <Kristin.Rhee@lsc.ohio.gov>
Sent: Tuesday, August 17, 2021 4:22 PM
To: Herd, Samantha <Samantha.Herd@ohiohouse.gov>; DiPalma, Andy <Andy.DiPalma@ohiohouse.gov>
Cc: Wendy Zhan <Wendy.Zhan@lsc.ohio.gov>
Subject: RE: Invoice and Purchase Letter: Consulting

Hi again – Samantha and Andy, do you guys have any sort of contract with HaystaqDNA? As I'm getting the paperwork together, I notice that it seems to be for professional services/consulting and, usually, those come with contracts. If that's not what HaystaqDNA is for, then please disregard this email.
Thank you!

KRISTIN RHEE, Fiscal Officer
Legislative Service Commission
614/466-3278 (p)
614/995-4965 (f)
Kristin.Rhee@lsc.ohio.gov

From: Herd, Samantha <Samantha.Herd@ohiohouse.gov>
Sent: Monday, August 16, 2021 10:17 AM
To: Kristin Rhee <Kristin.Rhee@lsc.ohio.gov>; DiPalma, Andy <Andy.DiPalma@ohiohouse.gov>
Cc: Wendy Zhan <Wendy.Zhan@lsc.ohio.gov>
Subject: RE: Invoice and Purchase Letter: Consulting

Thanks Kristin, yes please email Andrew, I've let him know you will be contacting him.

From: Kristin Rhee <Kristin.Rhee@lsc.ohio.gov>
Sent: Monday, August 16, 2021 10:13 AM
To: Herd, Samantha <Samantha.Herd@ohiohouse.gov>; DiPalma, Andy <Andy.DiPalma@ohiohouse.gov>
Cc: Wendy Zhan <Wendy.Zhan@lsc.ohio.gov>
Subject: RE: Invoice and Purchase Letter: Consulting

Good Morning Samantha and Andy – I went into OAKS to find HaystaqDNA as a vendor and they are not in the system. Because of this, I can't process the invoice that you sent over.
If it's okay with you, I'm going to email Andrew (the email address on the invoice) and send him the information needed to get them entered into OAKS.
Sorry about that but sometimes vendors haven't been used yet by the State so they aren't vendors yet in the state accounting system. I will CC you all on my email to Andrew.
-Kristin

KRISTIN RHEE, Fiscal Officer
Legislative Service Commission
614/466-3278 (p)
614/995-4965 (f)
Kristin.Rhee@lsc.ohio.gov

From: Wendy Zhan <Wendy.Zhan@lsc.ohio.gov>
Sent: Friday, August 13, 2021 1:01 PM
To: Herd, Samantha <Samantha.Herd@ohiohouse.gov >; DiPalma, Andy <Andy.DiPalma@ohiohouse.gov >
Cc: Kristin Rhee <Kristin.Rhee@lsc.ohio.gov >
Subject: FW: Invoice and Purchase Letter: Consulting

We'll process this the first thing on Monday. Thanks!

From: Herd, Samantha <Samantha.Herd@ohiohouse.gov >
Sent: Friday, August 13, 2021 12:36 PM
To: Wendy Zhan <Wendy.Zhan@lsc.ohio.gov>
Cc: DiPalma, Andy <Andy.DiPalma@ohiohouse.gov >
Subject: Invoice and Purchase Letter: Consulting

Good afternoon Wendy,

Please find the attached signed letter and invoice for redistricting consulting services. Please let me know if you have any questions.

Thanks,

Samantha L. Herd
Chief of Staff, Minority Caucus
Ohio House of Representatives
Office: (614) 466-2185
Cell: (614) 301-7229

HAYSTAQ DNA

TO: Leader Sykes and Samantha Herd

FR: Ken Strasma, Andrew Drechsler

HaystaqDNA

RE: Redistricting support for the OH House Democratic Caucus

DT: 8/9/2021

Background

Again, it was great talking to you this weekend and we would welcome the opportunity to assist with your redistricting efforts. There are a wide range of services with which we can assist; below is an outline of what we would propose based on our conversation. As discussed, the scope has been updated based on our conversation

Proposal

Haystaq will:

- Work with the legislature's mapping software vendors to load new Census geography and data into the mapping program.
- Validate population totals in the mapping software against totals directly from the Census.
- Load election data provided by client that would be used to help determine how competitive proposed districts would be.
- House any external data acquired by the client, and work to convert the data as needed for use with the mapping programs. This may include past election results, voterfile IDs, neighborhood or community boundaries, homes of legislators and potential candidates, and any other data that the client would like to use in drawing and analyzing plans.
- Work with the Caucus leadership and their designees to understand goals and priorities for legislative and congressional districts. This may include a broad range of input from more general things like prioritization of various different criteria to local items such as keeping a certain neighborhood or community of interest in a specific district.
- Draw plans based on the goals and criteria provided by the client.
- Provide analysis of plans drawn by the client.
- Provide analysis of other plans including those proposed by public interest groups, other legislative leaders, individual legislators or members of the public. This analysis would include various measures of compactness, counts of split geography, and other metrics.
- Prepare presentations walking through the plan analysis in a way that is digestible to reporters, legislators and interested members of the public.

- Provide racial block voting analysis in order to assess the ability of minority populations to elect their candidates of choice. While we are not lawyers, we would work with your counsel as to implementation.

- Provide population and voting pattern projections to analyze the likely future impact of plans.

Costs

The total fee will be $120,000, the first month will be $50,000, month two to four will be $23,333.33 per month. Extended as needed.

Redistricting software licenses would be billed to the client at cost. Two licenses would be used by Haystaq for this project which are estimated to be $15,000 plus tax.

Other direct costs, including travel, printing and postage would be billed to the client at cost. No expenses in excess of $500 per month would be incurred without the advance authorization of the client.

Scope

Haystaq staff will be available for up to 30 hours per week for work on the services described above, in addition to any other data analysis and strategic consulting needed by the client. If travel is required for in-person meetings, ½ of travel time and time onsite would count toward the 30 hour a week cap.

Any additional reporting and/or presentations or continued services, beyond those services outlined in above will be charged at our standard hourly consulting rates. We will notify you if we go above and beyond the monthly retainer and would need your approval before charging an hourly rate. Client is not responsible for payment of additional service fees for services which it did not pre-approve. The standard rates are as follows:

Title	Rates
President/CEO	$375
Vice President	$300
Senior Analyst	$200
Junior Analyst	$150

Timeline

August 2021 through November 2021 or through passage of final plans, whichever is later. The consulting agreement can be extended on a month to month basis as needed by the client for litigation support and any other services needed after completion of the official legislative redistricting process.

HC_0479

CONFIDENTIAL ESYKES_0007250

Exhibit 28

Subject: Final Review of Redistricting Guide
From: Katy Shanahan <shanahan@redistrictingaction.org>
To: Keary McCarthy <mccarthy@innovationohio.org>,Catherine Turcer <cturcer@commoncause.org>,Mia Lewis <MLewis@commoncause.org>,Camille Wimbish <camille@ohvoice.org>,Jen Miller <director@lwvohio.org>,Samantha Herd <samherd@gmail.com>,Sarah Cherry <sacherry@gmail.com>,mikerowe100@gmail.com,Scott Stockman <scottstockman1@gmail.com>,"routtrwr@gmail.com" <routtrwr@gmail.com>,Chris Glassburn <c.glassburn@hotmail.com>,dick gunther <gunther.1@osu.edu>,Terra Goodnight <goodnight@innovationohio.org>,"georgeboas@yahoo.com" <georgeboas@yahoo.com>,Janetta King <king@innovationohio.org>
Date Sent: Wednesday, January 22, 2020 4:05:27 PM GMT-05:00
Date Received: Wednesday, January 22, 2020 4:06:56 PM GMT-05:00
Attachments: Ohio Redistricting Guide.docx

Hi everyone-

Thanks again for coming together last week to work through our redistricting guide materials and to offer great feedback on not only the document itself, but on some of the plans we'll need to sort out moving forward.

I've attached another draft version of the redistricting guide that includes some of the edits/notes we discussed last week. There are a couple of outstanding pieces that we talked about that I still need, so listing those below with a request that they be sent over to me to incorporate into the document by **Wednesday, January 29th at 5pm.** They include:

- A paragraph debunking the myth that there are geographical (or other) barriers standing in the way of us getting fair maps. I believe you, Sarah, said you could write this up.
- A copy of the LSC memo (I have it in hard copy, but no longer have it on my computer, so if someone could just forward it to me, that'd be great!)
- The apportionment map and other graphics from Chris

The things I didn't include in this draft are notes that I'm recording for future conversations, but are items I don't think are necessary to include in this guide because they're more strategy or detail-specific pieces of information that are best left to directed conversations with the folks who will ultimately be drawing and voting on the maps. Please let me know if you think any of what I've listed below is fine to include in the guide (while remembering that it's a public-facing document) and I'll be happy to put it in.

<u>Notes to Keep in Mind</u>:

- In Article XI.03 (requirements for drawing Ohio House districts), it's not likely for map drawers to get much past division (E)(1)(a) because the rules were written in a way to decrease how many rule breaks are necessary and, where they are, there are other guidelines for how to manage those districts.
- In Article XIX.02 (requirements for drawing congressional districts), the rules about county splits (that 65 must be kept whole, 18 can be split once, and 5 can be split twice) should not be looked to as a starting premise. The lowest number of *necessary* county splits is 5, so any number higher than that is something Ds and Rs are agreeing to.
- More nuanced talking points regarding where majority-minority districts currently exist and how that fits into a larger conversation about the creation of potential opportunity districts

If you have any edits/comments/questions on the guide, please submit them to me directly by **Wednesday, January 29th at 5pm.** I will then work on incorporating them into the document.

Thanks and hope to chat soon!

Katy

--

All On The Line
Katy Shanahan (she/her/hers) / Ohio State Director
allontheline.org
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ALL ON THE LINE

A Guide to Redistricting in Ohio

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An Introduction

In 2011, Ohio's state legislative and congressional maps were drawn behind closed doors in a private, controlled-access hotel room nicknamed "The Bunker" in downtown Columbus just a few blocks away from the Statehouse. Legislators went around the state and held public hearings, but failed to bring along any maps for the public to look at. Once the maps were unveiled for the public to see, they were voted on swiftly through the legislature without any real opportunity for public or bipartisan input or review.

What emerged from this process were maps that seriously misrepresented the preferences of Ohio's voters: the congressional map, for example, awarded Republican candidates 75% of the seats even though they received only 52% of the seats in the most recent election. Similarly, despite only winning 52% of the state legislative votes, Republicans enjoy supermajorities in both state legislative chambers with 63% of the seats. Holding elected officials accountable is nearly impossible because of safe seats whose average margin of victory in 2016 was a whopping 36%. And representation of communities is made a mockery by Congressional maps that divide seven counties into three or four different districts.

In 2015 and 2018, in a sharp rebuke of the 2011 redistricting process, Ohioans overwhelmingly supported major redistricting reform ballot measures that overhauled both the process by which Ohio redistricts its state legislative and congressional maps and the criteria any future maps must meet.

In 2021, after Census data is released, Ohio's policymakers will again embark on our next redistricting process. But this time, they'll be doing it under a brand-new set of rules of engagement. In order to best prepare for 2021, this guide was written to provide information about the following: what the new redistricting process entails, a review of the new constitutional criteria that maps must meet, and a timeline of when certain redistricting-specific events will occur.

This guide was prepared by staff from All On the Line in partnership with the organizations and their staff who were paramount to the recent redistricting reform and negotiation processes, including Common Cause, Innovation Ohio, the Ohio Environmental Council, Ohio Voice, Professor Emeritus Richard Gunther, and Chris Glassburn.

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Overall Redistricting Timeline

A general timeline for both the state legislative and congressional map-drawing processes in 2021 can be found below. Note that the Ohio constitution only includes dates by which final redistricting plans must be approved by each map-drawing authority – there are no requirements for when either process must start (including when hearings must take place in advance of map approval).

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September 2021

Important Dates for State Legislative Map

September 1

DEADLINE: Redistricting Commission must approve 10-year state leg map with ≥4 members' support (incl both Ds)

OR

INTRODUCTION REQ: If the Commission doesn't approve a map by Sept 1, they must introduce a proposed map on Sept 1.

September 15

DEADLINE: Redistricting Commission must approve final state leg map by Sept 15th - can be either 10-year map w bipartisan support or 4-year map without bipatisan support

Important Date for Congressional Map

September 30

DEADLINE: State leg must approve 10-yr cong map with requisite chamber and bipartisan support

OR

Process moves to Redistricting Commission

October 2021

Important Date for Congressional Map

October 30

The Redistricting Commission has until October 30 to approve a 10-year congressional map by getting ≥ 4 members (including both Dems) to vote in favor of the map.

OR

Process moves back to state legislature

November 2021

Important Date for Congressional Map

November 30

The state legislature has until Nov 30 to approve a 10-year congressional map by getting requisite chamber and bipartisan support

OR

The state legislature can pass a map with a simple chamber majority (without any bipartisan support) that will last for 4 years

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State Legislative Map-Drawing Process

A seven-member Redistricting Commission is in charge of drawing Ohio's state legislative maps. The Commission has the following members: The Ohio Governor, Auditor, Secretary of State, and one nominee from each of the following: Speaker of the House, House Minority Leader, Senate President, and Senate Minority Leader. The nominees of the legislative leaders are not required to be legislators themselves.

Option 1

- **Adopted by SEPTEMBER 1, 2021**
- **Authority:** Redistricting Commission
- **Req'd Support:** ≥4 members, including both Dems
- **Map Duration:** 10 years
- **Public hearings req'd:** ≥3 hearings (AFTER introduction, BEFORE adoption)
- If no plan is adopted by September 1, a proposed plan must be introduced on that same day via a simple majority vote of the Commission and a final map must be adopted by Sept 15 (see Option 2)

Option 2

- **Adopted by SEPTEMBER 15, 2021**
- **Authority:** Redistricting Commission
- **Req'd Support:** ≥4 members, including both Dems
- **Map Duration:** 10 years (if passed with bipartisan support)
- **Public hearing req'd:** 1 (with public testimony and comm'n amendments)

Option 3

- Applies to **ANY adopted map that does not have the requisite bipartisan support** (that is, without *both* Democrats' support)
- **Authority:** Redistricting Commission
- **Req'd Support:** 4 same-party members
- **Map Duration:** 4 years
- For rules on drawing the gap map (that is, the map that lasts the remaining 6 years of the decade), go to Option 3A

Option 3A

- **This option applies ONLY to 4-year maps approved by a simple majority, without bipartisan support**
- **Authority:** Redistricting Commission
- **Req'd Support:** ≥4 members (whether bipartisan or not)
- **Map Duration:** 6 years
- If the Commission adopts a 4-year map (as detailed in Option 3 above), the Commission must reconvene not earlier than **July 1, 2025** to draw a gap 6-year map. The same rules as in Option 1 or 2 will apply here as appropriate.

State Legislative Map Criteria

As part of the 2015 state legislative redistricting reform measure, a new set of criteria exists for all future state legislative redistricting plans. These criteria go into effect on January 1, 2021 and an overview of both sets of maps can be found below.

Article XI.01 Ohio Redistricting Commission

This section details information about the make-up of the Redistricting Commission (largely charged with drawing the state legislative districts), their roles and responsibilities, details about how the Commission makes final decisions to act, and the procedures for map drawing.

(A) The Ohio Redistricting Commission shall be responsible for redrawing the state legislative district plan. The commission must consist of the following seven members:

1) Governor
2) Auditor
3) Secretary of State
4) One person appointed by the Speaker of the House
5) One person appointed by the House Minority Leader
6) One person appointed by the Senate President
7) One person appointed by the Senate Minority Leader

No appointed member of the Commission can be a current member of Congress.

The legislative leaders from both the Ohio House and Senate, acting jointly by political party, must appoint a member of the Commission to serve as a co-chairperson of the commission. That is, there will be one Republican and one Democratic co-chairperson of the Commission.

(B)

1) Unless otherwise provided in either Article XI or Article XIX (regarding congressional reapportionment), a simple majority of the commission members is required for any action by the commission.

2)

a) Except as otherwise provided in division (B)(2)(b) of this section, a majority vote of the Commission, including at least one member of both the Republican and Democratic Parties, is required to do any of the following:

i. Adopt Commission rules
ii. Hire Commission staff

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iii. Expend funds

b) If the Commission cannot agree in a bipartisan manner as described in division (B)(2)(a) of this section on how Commission funds should be expended, each co-chairperson shall have the authority to expend one half of the Commission's appropriated funds.

3) The affirmative vote of four members of the Commission, including at least two Republicans and at least two Democrats, is required to adopt any state legislative district plan. For both the purposes of drawing a state legislative and (if necessary) a congressional district plan (as detailed in Article XIX), a Commission member is considered to represent the political party of the legislative leader who nominated the member. That is, if a Republican legislative leader nominates the Commission member, that member is considered to also be a Republican.

(C) At its first meeting, the Commission must set a schedule for the adoption of procedural rules of operation for the Commission. The Commission must be convened by the Ohio Governor and may only be convened in a year ending in the numeral one except when only a four-year state legislative or congressional district plan has been approved, as provided in Article XI Sections 8-9 and in Article XIX Sections 1 and 3.

The Commission must publicly release a proposed general assembly district plan for both the Ohio House and Senate. The Commission must draft the proposed plan in a manner prescribed in Article XI. The Commission must host at least three public hearings after a district plan has been proposed, but before it is adopted; the hearings must take place across the state to present the proposed plan and to seek public input. All Commission meetings must be open to the public and must be electronically broadcast using a medium readily accessible by the general public.

The Commission must adopt a final general assembly district plan no later than September 1 of a year ending in the numeral one (except as otherwise provided). The Commission must then submit its district plan to the Ohio Secretary of State's office and, upon so filing, the plan will become effective.

Four weeks after the adoption of a general assembly or a congressional district plan, whichever date comes later, the commission is automatically dissolved.

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(D) The general assembly is responsible for appropriating the funds it determines necessary in order for the Commission to perform its duties under both Article XI and XIX.

Article XI.02 Representation

Each Ohio House district is entitled to one representative in each General Assembly. Each Ohio Senate district is similarly entitled to one Senator in each General Assembly.

Article XI.03 Requirements for drawing House of Representatives districts

This section details the criteria that all future Ohio House redistricting plans must meet, including the separate set of requirements for those maps passed without any requisite level of bipartisan support. It also details that Ohio House districts should be drawn and numbered moving from largest to smallest counties and how, if at all, different local entities (like counties, cities, etc.) can be split apart. For more information about the order in which these requirements appear, see Appendix A.

(A) To determine roughly how many people should reside in each state legislative district, the following calculation should be used: **the whole population** of the state divided by the total number of legislative districts for each chamber – that is, the total population should be divided by 99 for the House districts and divided by 33 for the Senate districts. The whole population is determined by the most recent decennial Census (if available).

(B)

1) The population in each House district must be substantially equal to the ratio as laid out in the general parameters above. No district may contain a population of less than 95% nor more than 105% of the applicable ratio.

2) Any House district map adopted by the Redistricting Commission must comply with all applicable provisions of both the Ohio and United State Constitutions.

3) Every House district must be composed of contiguous territory and the boundaries of the district must be a single nonintersecting line.

(C) House districts must be created and numbered in the following order to the extent possible while also remaining consistent with standards listed above:

1) Going in order from the largest to the smallest, each county with a population of more than 105% of the ratio of representation in the Ohio House (as detailed above) must be divided into as many House districts as it has whole ratios of

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representation. Any remaining fraction of the county's population that exceeds a whole ratio must be a part of only one adjoining House district.

2) Every county whose population is between 95 – 105% of the ratio of representation must be designated as a House district.

3) The remaining territory of the state must be divided into House districts by combining those remaining areas of counties, municipal corporations, and townships. Where possible, no county should be split more than once.

(D) (*This division details how, if at all, municipalities can be split)*

1)

a) A county, municipal corporation, or township is considered to be split if any contiguous portion of its territory is not contained entirely within one single House district.

b) If, however, a municipal corporation or township has territory in more than one county, the contiguous portion of that political subdivision that lies in each county must be considered to be a separate political subdivision for purposes of drawing House district maps.

c) If a municipal corporation or township that is located in a county that contains a political subdivision with a population of more than one ratio of representation is split for the purposes of complying with either (E)(1)(a) or (b), detailed below, each portion of that political subdivision must be considered to be a separate subdivision for purposes of drawing Ohio House district maps.

2) Ohio House districts must be drawn so as to split the smallest possible number of political subdivisions whose contiguous portions contain a population that is more than 50 but less than 100% of one Ohio House district.

3) Where the requirements set out in divisions (B), (C), and (D) of this section cannot feasibly be met by forming an Ohio House district from whole municipal corporations and townships, not more than one of those types of political subdivisions may be split per Ohio House District.

(E)

1) If the Redistricting Commission cannot comply with all of the requirements in divisions (B) – (D) of this section (as outlined above) when drawing a particular district, the Commission must take the first action listed below that allows them to draw that district:

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a) Disregarding division (D)(3) of this section, the Commission shall create the district by splitting two municipal corporations or townships both of whose contiguous portions' population is more than 50%, but less than 100%, of one ratio of representation (that is, that would constitute an entire House district)

b) Disregarding division (D)(2) of this section, the Commission shall create the district by splitting one municipal corporation or township whose contiguous portion is more than 50%, but less than 100%, of one ratio of representation.

c) Disregarding Division (C)(2) of this section, the Commission shall create the district by splitting one county whose population is between 95 – 105% of the ration of representation. This county can only be split once.

d) Disregarding (C)(1) of this section, the Commission shall create the district by including into two districts portions of the territory that remains in a county whose population is greater than 105% of the ratio of representation and which has already been divided up into as many whole House districts as it has whole ratios of representation.

2) If the Commission draws a district under division (E)(1) of this section, the Commission must include a statement with their House district plan that explains which action under that division the Commission took and the reasoning behind having taken that action.

3) For purposes of Ohio Supreme Court analysis of the constitutionality of a House district plan, if the Commission complies with divisions (E)(1) and (2) of this section in drawing a district, the Commission shall not be considered to be in violation of (C)(1) – (2) or of (D)(2) – (3) of this section.

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Article XI.04 Requirements for drawing Senate districts

This section details all of the criteria that all future Ohio Senate redistricting plans must meet, including a separate set of requirements for maps adopted without any requisite bipartisan support. Similar to Ohio House districts, Ohio Senate districts must be drawn and numbered moving from the biggest to smallest counties.

(A) Senate districts must be composed of three contiguous Ohio House districts.

(B)

1) A county that has at least one whole Senate ratio of representation (that is, enough population for at least one entire Senate district) must have as many Senate districts wholly within the boundaries of the county as it has whole Senate ratios of representation. Any fraction of the county's population that exceeds a whole ratio must be a part of only one adjoining Senate district.

2) Counties with a population that is less than one Senate ratio of representation (that is with a population that cannot make up one entire Senate district), but that has at least one ratio of representation for a House district must be part of only one Senate district.

3) If it is not possible for the Redistricting Commission to draw Senate districts that comply with all of the requirements in Article XI of the Ohio Constitution and that make it possible for the Commission to comply with all of the requirements in divisions B(1) and (2) of this section, the Commission must draw Senate districts so as to commit the fewest number of violations of these divisions. If the Commission complies with this division, it will not be considered to be in violations of divisions (B)(1) or (2), as applicable, when the Ohio Supreme Court analyzes the constitutionality of any challenged map.

(C) To determine the number of who ratios of representation for a county is determined by dividing the county's population by the ratio of representation in the Senate as determined under Article XI.03(A), detailed above.

(D) Senate districts must be numbered 1 – 33 and as provided in Section 5 of this article, listed below.

XI.05 Changes in boundaries of Senate districts

This division applies to any Ohio Senator whose term spans across the time when any redistricting cycle occurs – that is, the term will expire after *new maps have been drawn with a potentially different district than the district where the Senator ran previously.*

At any time the boundaries of Ohio Senate districts are changed in any general assembly district plan made pursuant to any provision of Article XI, a Ohio Senator whose term will not expire within two years after the plan becomes effective shall represent the portion of the Senate district that contains the largest portion of the population of the district from which the Senator was elected until the term for which the Senator was elected expires. That district must be given the same number of the Senate district from which the Senator was elected. If more than one Senator who would be implicated under this division, the Ohio Senate district plan must designate which Senator shall represent the district and must designate which district the other Senator(s) shall represent for the balance of the term(s).

Article XI.06 Additional district standards

The following are additional criteria that all future Ohio House and Senate redistricting plans must meet. For more information about the criteria for state legislative maps, see Appendix A.

(A) No state legislative district map can be drawn to favor or disfavor a political party

(B) All state legislative district maps must have representational fairness based on the preferences of Ohio's voters from the preceding decade – that is, the statewide proportion of districts whose voters favor each party must "correspond closely" with voters' preferences from the preceding decade based on election data from statewide state and federal partisan general elections.

(C) General Assembly districts must be compact.

(D) Nothing in this section (outlining a prohibition on partisan gerrymandering and requiring representational fairness) permits the Redistricting Commission to violate any of the other sections dictating requirements for state legislative districts.

Article XI.07 Political Subdivision boundaries to be used

This section dictates that the county, township, and municipal boundaries to be used for redistricting plans are those as the exist at the time of the decennial census.

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Even though political subdivision boundaries may change throughout the course of the decade, district boundaries must be created using the boundaries of counties, municipal corporations, and townships as they exist at the time of federal census on which the redistricting is based.

Article XI.08 Impasse Procedure

This section describes what procedures exist if the Commission cannot meet its first required deadline of approving a final redistricting plan by September 1st (as detailed in Option 2 in the flowchart) and for if a four-year map is approved and the Commission must come back in year five of the decade to redraw a map for the remaining years. It also includes information about the map that will be drawn in year five of the decade. These steps are summarized in Options 2 and 3 in the flowchart above.

(G)

2) If the Redistricting Commission fails to adopt a general assembly district plan by September 1, 2021 (as is detailed in Article XI.01) the Commission must introduce a proposed district plan on that date by a simple majority vote of the Commission.

3) After introducing a proposed plan on September 1, 2021 (as detailed above), the Commission must hold a public hearing concerning the proposed plan at which the public may offer testimony and at which the Commission may adopt amendments to the plan. Only a quorum of the Commission members is required to conduct the hearing.

4) After the hearing described in (A)(2) is held, the Commission must adopt a final state legislative district plan no later than September 15, 2021 by either a simple majority including at least two Republican and two Democratic Commission members or by a simple majority of Commission members.

(H) If the Commission adopts a final district plan with at least four Commission members (and including at least two members from each party), the plan will take effect upon filing with the Ohio Secretary of State's office and remain in effect for ten years (unless it is overturned before then).

(I)

2)

a) Except as otherwise provided in division (C)(1)(b), if the Commission adopts a final district plan with a simple majority and without the support of at least two members from each political party, the district

plan will be effective upon filing with the Ohio Secretary of State, but will only remain effective for four years (that is, two general elections for the Ohio House of Representatives).

b) *(This division applies to maps that are being drawn in year five of the decade – that is, after a map was approved in 2021 without the support of at least two members of each party and after two Ohio House general elections have occurred.)*

If the Commission adopts a map under division (A)(3) of this section (that is, by September 15) and not by a vote that includes at least two members of each political party and the plan that is being adopted is replacing a previously-adopted map that has ceased to be effective, the plan adopted under this division will be effective upon filing with the Ohio Secretary of State and will remain effective for the rest of the decade, unless overturned before then.

3) A final General Assembly district plan adopted under either Division (C)(1)(a) or (b) of this section must include a statement including an explanation of how representation fairness, as detailed above in Article XI.06, has been achieved.

(J) After a four-year district plan (as detailed In division (C)(1)(a)) ceases to be effective, the Commission must be reconstituted as provided in Article XI.01 on a date not earlier than July 1 of the year following the year when the plan ceased to be effective. The Commission must convene and adopt a new general assembly plan in accordance with this article and must use the same population and political subdivision boundary data as were used to draw the previous plan adopted under division (C) of this article.

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Congressional Map-Drawing Process

The Ohio legislature is *primarily* responsible for drawing the congressional maps, though the Redistricting Commission is also involved in drawing the map in certain circumstances.

Option 1

- **Adopted by SEPTEMBER 30, 2021**
- **Authority:** Ohio Legislature
- **Req'd Support:** ≥60% in each chamber with ≥50% support of Dems
- **Map Duration:** 10 years
- **Public hearings req'd:** ≥ 2 before map adoption, public submissions allowed

Option 2

- **Adopted by OCTOBER 31, 2021**
- **Authority:** Redistricting Commission
- **Req'd Support:** ≥4 members, including both Dems
- **Map Duration:** 10 years
- **Public hearings req'd:** ≥ 2 before map adoption, public submissions allowed

Option 3

- **Adopted by NOVEMBER 30, 2021**
- **Authority:** Ohio Legislature
- **Req'd Support:** ≥60% in each chamber with ≥1/3 Dems
- **Map duration:** 10 years
- **Public hearings req'd:** ≥ 2 before adoption, public submissions allowed

Option 4

- **Adopted by NOVEMBER 30, 2021**
- **Authority:** Ohio Legislature
- **Req'd Support:** ≥50% of legislature (simple majority required, no bipartisan benchmark)
- **Map duration:** 4 years
- **Public hearings req'd:** ≥ 2 before adoption, public submissions allowed
- **Special rules:**
  - A statement with an explanation of how the proposed map meets the following criteria: no undue partisan favor, no undue community splitting, and must attempt compactness

Option 4A

- **This option applies ONLY to 4-year maps passed with a simple majority without bipartisan support**
- **Authority:** Ohio Legislature
- **Req'd Support:**
- **Map Duration:** 6 years
- **Public hearings req'd:** ≥ 2 before adoption, public submissions allowed
- If the Ohio legislature adopts a 4-year map (as detailed in Option 4), **in 2025**, the Ohio legislature (and Redistricting Commission as needed) will reconvene to engage in the districting process through Options 1 - 4. All the same date deadlines apply (September 30, October 31, and November 30 respectively) and the map, once passed, will remain effective for the remainder of the decade.

Congressional Map Criteria

The 2018 congressional redistricting reform measure created a new process by which future maps are drawn. As detailed in the flow chart above and in Appendix B, there are four ways to adopt a final congressional map:

1) With a 60% vote of both legislative chambers, including at least 50% support from the Democrats (the minority political party).

2) If the legislature fails in Step 1, the Redistricting Commission must then attempt to adopt a map with the support of at least 4 Commissioners, including at least two Democrats and two Republicans.

3) If the Commission fails in Step 2, the Ohio legislature gets another chance to adopt a map. This time, they still need 60% support in both legislative chambers, but only need to get 1/3 of the Democrats to support the map.

4) If the legislature fails in to get bipartisan support in Step 3, it can adopt a map with a simple majority of support in both chambers (and without any requisite level of bipartisan support), but that map will only be in place for four years.

The 2018 redistricting reform measure also created a new set of criteria that all future congressional maps must meet More information about those criteria can be found below.

Article XIX.01 Method of adopting congressional redistricting plan

This division largely details the process by which the legislature and, if needed, the Redistricting Commission will draw congressional district plans. The steps that are outlined in the flowchart on the preceding page are not also copied below, but the remaining relevant provisions in Article XIX.01 are as follows, including information about additional requirements for those plans adopted without requisite bipartisan support.

If a congressional plan is adopted in Step 4 with a simple legislative majority (and no requisite minority party support), divisions (C)(3) and (F)(3) include additional criteria that plans must meet. Division (F)(3) specifically applies in year five of the decade when the initial four-year map ceases to be effective and is identical in language to (C)(3), so is not repasted below.

(C)

3) If the general assembly passes a congressional district plan by a simple majority vote (and without getting at least 1/3 of the minority party to sign onto the map), all of the following criteria shall apply:

a) No map can unduly (dis)favor a political party or incumbents

b) There cannot be undue splitting of political subdivisions with a preference to keeping counties, townships, and municipal corporations (in that order) whole

c) The general assembly must attempt to draw compact congressional districts (note that this is a *requirement* in all other maps)

d) The legislature must include in its congressional district plan an explanation about how it complied with all of the preceding rules

(G) Both the general assembly and the Redistricting Commission must hold at least two public hearings after any congressional district plan has been proposed but before it is adopted.

(H) Both the general assembly and the Redistricting Commission must facilitate and allow for publicly-submitted proposed congressional district plans. The general assembly must provide by law the manner by which members of the public may do so.

(I) For purposes of filing a congressional district plan with either the Ohio Governor or Secretary of State under Article XIX, a congressional district plan must include both a legal description of the boundaries of the congressional districts and all electronic data necessary to create a congressional district map for the purposes of holding congressional elections.

(J) When a congressional district plan ceases to be effective under this article (for example, if it is only a four-year map), the district boundaries described in that plan shall continue to remain in place for the purpose of holding elections until a new congressional district plan takes effect per Article XIX. If a vacancy occurs in a district that was created under the previous (and now ineffective) district plan, the election to fill the vacancy for the remainder of the unexpired term must be held under the previous district plan.

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Article XIX.02 Requirements for drawing congressional districts

This section details all of the criteria that any future congressional redistricting plans – whether drawn by the Ohio General Assembly or the Redistricting Commission – must meet. These are also discussed in Appendix B.

(A)

1) Each congressional district is entitled to a single representative to serve in the US House of Representatives

2) To determine roughly how many people should reside in each congressional district, the following calculation should be used: **the whole population** of the state, as determined by the most recent decennial Census (if available) divided by the total number of congressional districts.

3) Even though the boundaries of counties, municipalities, and townships may change over the decade within a congressional district, maps should be created using the data from the most recent federal Census to determine new district boundaries

(B) Congressional district plans must comply with all of the following requirements:

1) All congressional maps must comply with all relevant provisions in both the US and Ohio Constitutions that protect the voting rights of racial minorities.

2) Every congressional district must be compact

3) Every congressional district's boundaries must be contiguous – that is, the boundaries can be connected in one, non-intersecting continuous line.

4) Except as is otherwise required by federal law, if a county has a population that is larger than can be contained in a single congressional district (i.e. Franklin County), the map-drawing authority must take whichever of the following actions applies to that county first:

a) If there is a municipality or township located inside the county that is larger than can be contained in a single congressional district (i.e. Columbus), the map-drawing authority should attempt to include a significant portion of that municipality or township into a single

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district. The map-drawing authority may include in that district other municipalities or townships who have similar interests to the municipality or township that is too big to be contained in a single district. That is – map-drawing authorities can split apart a city like Columbus (because is too big to fit into a single district) and supplement the district population with other municipalities or township whose populations have similar interests to the people who live in Columbus.

b) If one municipality or township in the county has a population that is more than 100,000 people but less than enough people to populate an entire congressional district, it cannot be split apart. If a county contains two or more of those such municipalities or townships, only the bigger of them cannot be split. Of the cities in Ohio whose population exceed 100,000, only Columbus must be split apart because its population exceeds the number of people who can be included in a single district (as described above) – meaning Cleveland, Cincinnati, Akron, Dayton, and Toledo *cannot* be split apart.

5) The following are rules about how often counties can be split (if at all), but the redistricting authority may choose which of the counties to split:
   - 65 counties must be kept whole
   - 18 counties may be split once
   - 5 counties may be split twice

6) If a congressional district only includes part of a particular county, the district lines in that part of the county must be contiguous.

7) No two districts shall share a portion of the population of more than one county except if one of those two (or more) counties has a population that exceeds 400,000 people. For example, two congressional districts could share portions of both Franklin and Delaware Counties because Franklin County has more than 400,000 people who live in it.

8) The map-drawing authority must attempt to include at least one whole county in each congressional district. This requirement does not apply to a congressional district that is entirely contained within one county or for a district that cannot be drawn in that manner and still comply with federal law. For example, if a county's population exceeds how many people can live in a single district, obviously the entire county cannot be included within a single district.

(C)

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1) Except as provided by the criteria listed immediately preceding this one, for purposes of congressional maps, a county, municipality, or township is considered to be split if, based on Census data used for redistricting purposes, any contiguous portion of its territory is *not* entirely in a single congressional district.

2) If a municipality or township is split between more than one county, the contiguous portions of that municipality or township that lines in each county must be considered to be a separate municipality or township for purposes of this and the immediately preceding criteria.

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Appendix A – Criteria for General Assembly

Criteria for General Assembly District Lines under Article XI

Richard Gunther, Ohio State University

The Hierarchy of Criteria

According to Article XI of the Ohio Constitution effective on January 1, 2021, the rules for splitting counties, municipalities and townships set forth in Section 3 have a higher priority than the Additional District Standards (dealing with representational fairness and compactness) set forth in Section 6 of Article XI.

This was done in the interest of facilitating the enforceability of Article XI according to the rationale set forth by the Ohio Supreme Court in Wilson v. Kasich (2012 Ohio 5367). Charlie Wilson (OSU Law School) had sued the chair of the Apportionment Board (John Kasich) primarily on the grounds that the General Assembly districts drawn in the 2011 reapportionment were unconstitutional insofar as they included an excessive number of splits of counties, municipalities and townships. The Supreme Court rejected this suit arguing that the Ohio Constitution included a number of criteria, some of which were of co-equal status. In particular, minimizing splits of these jurisdictions was of no higher priority than Section 7(D).[1] The Court concluded that "when coequal provisions of Article XI of the Ohio Constitution are irreconcil-able, the apportionment board has the duty to choose he proper course, and this court will not order it to correct one constitutional violation by committing another" (Wilson v. Kasich p. 16).

In the negotiations that drafted what became Issue 1 of 2015, we[2] agreed at the outset that we needed to identify one set of criteria as paramount, in order to avoid the problem of coequal status identified by the Ohio Supreme Court. The splitting rules in Section 3 were so designated.

Representational fairness IS a redistricting criterion for state-legislative redistricting in the Ohio Constitution as of 1/1/21.

Section 6 of the Constitution states: "The Ohio redistricting commission shall attempt to draw a general assembly district plan that meets all of the following standards:

[1] Section 7(D) protects incumbents by stipulating that "In making a new apportionment, district boundaries established by the preceding apportionment shall be adopted to the extent reasonably consistent with the requirements of section 3 of this Article." (More will be said about Section 7(D) later in this memo.)

[2] Representing the Republicans in these negotiations were former Senator Jeff Jacobson and Republican Caucus counsel Mike Lenzo; representing the Democrats were Representative Vernon Sykes and Democratic Caucus counsel Sarah Cherry; Richard Gunther (Ohio State University Political Science professor emeritus) represented the good government groups. The negotiations lasted from November 21 through December 4, 2014.

(A) No general assembly district plan shall be drawn primarily to favor or disfavor a political party.

(B) The statewide proportion of districts whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party shall correspond closely to the statewide preferences of the voters of Ohio."

Section 6 then adds that "Nothing in this section permits the commission to violate the district standards described in Section 2, 3, 4, 5 or 7 of this article."[3]

The splitting rules in Section 3 are paramount, but Section 6 mandates that the commission "shall attempt" to create districts that fairly reflect the preferences of Ohio voters as long as the provisions of the other Sections are not violated. As I (the author of Section 6(B)) interpreted this, even though Section 3 is paramount, the commission is not free to ignore Section 6. When we wrote this part of the amendment, we were making it clear that these "Additional District Standards" would not override the splitting rules in Section 3, not that the representational fairness mandate in Section 6 could be ignored. There is nothing in the Section 3 rules that is fundamentally inconsistent with representational fairness.

Section 9(D)(3)(c) adds that, if a plan is adopted but not supported by at least two members of the minority party, and the Supreme Court "determines that both of the following are true, the court shall order the commission to adopt a new general assembly district plan in accordance with this article:

(i) The plan significantly violates those requirements in a manner that materially affects the ability of the plan to contain districts whose voters favor political parties in an overall proportion that corresponds closely to the statewide political party preferences of the voters of Ohio, as described in division (B) of Section 6 of this article.

(ii) The statewide proportion of districts in the plan whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party does not correspond closely to the statewide preferences of the voters of Ohio."

Finally, Section 8(C)(2) states that "A final general assembly district plan adopted under division (C)(1)(a) or (b) of this section [on the impasse resolution procedure] shall include a statement explaining what the commission determined to be the statewide preferences of the voters of Ohio and the manner in which the statewide proportion of districts in in the plan whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party corresponds closely to those preferences, as described in division (B) of Section 6 of this article."

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[3] This clause was inserted in order to make it clear that the community-preservation ("splitting") rules set forth in Section 3 are paramount, and the representational fairness criteria are "Additional District Standards."

Incumbent protection IS NOT a valid criterion enshrined in the Ohio constitution

This used to be true, but it was eliminated as a state-legislative redistricting criterion with the passage of Issue 1 in 2015. Article 11, Section 7 (D) previously stated, "In making a new apportionment, district boundaries established by the preceding apportionment shall be adopted to the extent reasonably consistent with the requirements of section 3 of this Article." Removal of this criterion was a *sine qua non* for any agreement on state legislative redistricting, since preservation of the previous district boundaries was tantamount to making inevitable the preservation of the previous gerrymander. The five negotiators of 2014 agreed to this constitutional change at the very beginning of our deliberations.

In addition, the emphasis given to this clause by the Ohio Supreme Court majority in *Wilson v. Kasich* (see above) reveals how important it was as a linchpin for the old gerrymandering regime.

It is likely that in the 2021 negotiations both parties will push to protect incumbents. We should not encourage that tendency by allowing Republicans to continue to assert that incumbent protection is a legitimate criterion in the Ohio Constitution. It is not: Section 7 (D) of the Ohio Constitution will cease to exist on January 1, 2021.

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Appendix B – Congressional Redistricting

Congressional Redistricting under Article XIX (effective January 1, 2021)
Richard Gunther, Ohio State University

Four Ways to Adopt a Congressional Map (Article XIX, Section 1)

(1) A 60% vote of both houses of the legislature, with at least 50% of the minority party in each House voting "yes," failing which it goes to the Ohio Redistricting Commission.

(2) At least 4 of the 7 members of the Ohio Redistricting Commission, including at least 2 representatives of the minority party must vote "yes," failing which, back to legislature.

(3) A 60% vote of both houses of the legislature, with at least 33% of the minority party in Each house voting "yes," failing which …

(4) A simple majority of the members of both houses, with no requirement of minority support.

Criteria for Drawing Congressional Maps

There are far fewer constraints against gerrymandering, particularly through procedures 1, 2 or 3 than there are for General Assembly redistricting under Article XI. Elected officials in the legislature have a great deal of freedom to negotiate "deals" that are largely unconstrained by clear, objective or fair criteria.

If a plan is adopted under procedures 1, 2 or 3, the following criteria apply (Section (2)(B):

The districts should be compact and contiguous, and in compliance with state and federal law.

65 counties must remain whole, 18 counties may be split once, and 5 counties may be split twice. Thus, a total of 28 county splits would be permitted under this criterion.

[It should be noted that Rich Exner (Cleveland.com) published a map that required only 10 county splits. Our current congressional map includes 54 county splits.]

The following cities (whose populations range between 100,000 and 770,914—the most likely ratio of representation after the next census) must remain whole: Cleveland (389,521), Cincinnati (298,165), Toledo (281,0312), Akron (197859) and Dayton (141,003).

Columbus (whose population exceeds a ratio of representation) can be split twice.

The following counties (whose populations exceed 400,000) may be divided among three different congressional districts: Cuyahoga (1,259,828), Franklin (1,231,393), Hamilton (806,631), Summit (541,943), Montgomery (553,116), Lucas (435,286).

However, Section 2(B)(8) states that "The authority drawing the districts shall attempt to include at least one whole county in each congressional district." This will constrain the splitting of counties and, among other things, requires that nearly all of Hamilton county must be contained within one congressional district

If a plan is adopted under procedure 4, the following criteria apply [Section 1 (C)(3) and Section 1 (F)(3)]:

"The general assembly shall not pass a plan that unduly favors or disfavors a political party or its incumbents"

"The general assembly shall not unduly split governmental units, giving preference to keeping whole, in the order named, counties, then townships and municipal corporations."

"The general assembly shall attempt to draw districts that are compact."

"The general assembly shall include in the plan an explanation of the plan's compliance…[with these criteria]."

The plan shall remain effective for only two elections.

[It should be pointed out that by that time elections for the general assembly will be conducted in accord with the reforms included in Article XI.]

There are far more constraints on map-drawing under procedure 4 (i.e., without bipartisan support) than there are under procedures 1, 2 or 3.

Other Considerations

Representational Fairness and Congressional Redistricting

The strict requirement of representational fairness (Article 11, Section 6 (B)[4]—which was approved for *state legislative* redistricting by a vote of 28-1 in the Senate and 81-7 in the House, and by 70% of the voters in 2015—was vehemently rejected as a criterion for

[4] Article XI, Section 6(B) states, "The statewide proportion of districts whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party shall correspond closely to the statewide preferences of the voters of Ohio."

congressional redistricting by Republicans in a press conference held on January 16, 2018. Despite efforts by the Democrats and good-government negotiators, it was not included as a congressional map-drawing criterion. However, Article XIX, Section 1 (F)(3)(a) states that "The general assembly shall not pass a plan that unduly favors or disfavors a political party or its incumbents."

I suspect that one reason why Republican negotiators were so adamant in their rejection of the strict representational fairness language is that it not allow for any "wiggle room" in implementation. In addition, it does away with one seemingly inevitable source of Republican advantage: since Democrats tend to live in urban areas (whose geographical concentration makes them easy prey for "packing" strategies), while Republicans are more "efficiently distributed" across rural, ex-urban and some suburban areas, Republicans tend to be overrepresented in single-member constituency systems like ours. Accordingly, the "splitting rules" in both Article XI and Article XIX have a slight Republican bias. Article XI Section 6(B), however, explicitly counters that by requiring adjustments that guarantee representational fairness by setting the overall percentage of favorable districts equal to the percentage of votes cast statewide over the previous decade—i.e., proportional representation.

Nonetheless, Article XIX includes a weaker guarantee of representational fairness through the language of Section 1 (F)(3)(a). That language had been taken from an amendment to the Florida constitution that was proposed by Common Cause and the League of Women Voters and passed by the voters in 2010. One obvious weakness is that it does not include specific indicators concerning what is "fair" and what is "unfair" (that's where the specific language in Article XI Section 6(B) would have been so helpful). Nevertheless, it has been sufficiently effective as to lead the Florida Supreme Court to reject three sets of Republican-gerrymandered maps.

It is important to note that this criterion only comes into effect if a map is adopted without the specified levels of minority-party support (as discussed above). Accordingly, the fourth pathway to drawing congressional district lines may be preferable to the third.

Many maps should be submitted by Ohio citizens for consideration in the congressional redistricting process.

Article XIX, Section 1 (G) stipulates that "The general assembly and the Ohio redistricting commission shall facilitate and allow for the submission of proposed congressional district plans by members of the public." The general public should be strongly encouraged to do so. This is not primarily because it is likely that a plan from an ordinary citizen will be adopted (although that is not impossible), but rather for its strategic importance in the negotiations and, especially, if the courts intervene in the process.

The vagueness of the wording of Section 1 (F)(3)a ("The general assembly shall not pass a plan that unduly favors or disfavors a political party or its incumbents") begs the question, how large a departure from fairness is required in order to demonstrate that a plan "unduly favors or

disfavors a political party?" It would be much easier to reject a gerrymandered Republican plan if it is compared with dozens of maps submitted by citizens that provide for fairer representation.

Districts DO NOT have to be exactly equal in size with a maximum deviation of 1 person per district

This urban legend derives from a misinterpretation of *Reynolds v. Sims* (1964), which established the "one person, one vote" principle. Exact population equality has been constantly asserted by Republicans as a federal requirement for congressional districts (even though the original Reynolds v. Sims opinion only required "substantial equality of population[5]). If exact population equality were strictly enforced as a map-drawing requirement, it would make it impossible to implement other criteria such as representational fairness or minimizing splits of counties.

This interpretation of the "one person, one vote" principle was explicitly rejected by the U.S. Supreme Court in its Sept. 25, 2012 ruling in *Tennant v. Jefferson County Commission* (No. 11-1184). "In an apparently unanimous ruling," SCOTUS "told lower-court judges not to insist on close-to-zero differences in the population of each of a state's districts for choosing members of the U.S. House of Representatives" (quote from scotusblog.com) and upheld as constitutional a West Virginia map whose deviation in population between its largest and smallest districts was 0.79%. It further argued that deviation of this small amount can be fully justified if such population deviation was needed to pursue other valued objectives, such as community preservation. (A copy of the Tennant decision is appended.)

Ohio is not required to create majority-minority congressional districts, but the reforms included in Article XIX should *increase* minority representation

The Voting Rights Act of 1965 has been invaluable in helping to address the serious problem of under-representation of racial and ethnic minorities, especially African-Americans in the great majority of southern states. But it has also been coopted and used by the Republican Party to "pack" minorities into supermajority districts, thereby denying Democratic votes to neighboring areas that might have elected additional Democratic—and racial minority—representatives to Congress. Indeed, this is one of the most commonly used gerrymandering tools, particularly in the 1990s and 2000s

[5] As summarized by the National Conference of State Legislatures, "[M]athematical nicety is not a constitutional requisite" when drawing legislative plans. Id. at 569. All that is necessary is that the maps achieve "substantial equality of population among the various districts." Id. at 579. Deviations from population equality in legislative plans may be justified if they are "based on legitimate considerations incident to the effectuation of a rational state policy," such as maintaining the integrity of political subdivisions and providing for compact districts of contiguous territory. Id. at 578. (http://www.ncsl.org/research/redistricting/redistricting-and-the-supreme-court-the-most-significant-cases.aspx)

In December of 2017, Senator Vernon Sykes asked the Ohio Legislative Service Commission to clarify the Voting Rights Act's stance regarding majority-minority districts in Ohio. The LSC explained that majority-minority districts "generally are created in order to address violations of the federal Voting Rights Act of 1965 (VRA), which prohibits federal, state, or local district plans that dilute minority voting power." Such violations were common in many southern states in previous decades. "However, no judicial decisions currently require Ohio to adopt majority-minority congressional districts. If Ohio did so voluntarily, that action might be challenged as unconstitutional racial gerrymandering.... In applying this law, the courts have, for example, overturned certain district plans that pack minority voters into a limited number of districts, that fracture minority voting strength by dividing minority voters into a large number of districts, or that elect officials on an at-large basis instead of by ward." (See the attached December 11, 2017 opinion from the Ohio Legislative Service Commission in *Appendix C*)

However, keeping the cities of Cleveland, Cincinnati, Toledo, Akron and Dayton whole, and stating that "The authority drawing the districts shall attempt to include at least one whole county in each congressional district" should create additional minority-opportunity districts. In particular, the new congressional district representing all of the city of Cincinnati and almost all of Hamilton County greatly increases the probability of electing an additional minority Representative in Ohio's congressional delegation.

"The whole population of the state" must be used as the basis of drawing both General Assembly and Congressional districts.

As unequivocally stated in Article XI Section 3 and Article XIX(2)(A)(2), districts must be based on "the ***whole population*** of the state." This precludes alternatives such as counting only citizens or adults, as some Republicans have proposed (with the intent of underrepresenting Democrats, as we now know from the Hofeller archives).

DRAFT

Exhibit 29

Project Govern

Ohio Redistricting Contract

Submitted by:
Project Govern Inc
Chris Glassburn, President
August 16th 2021

HC_0513
Glassburn000024

The 2021 redistricting process operates within an extremely limited time frame due to a variety of factors related to the Covid pandemic and United States Census Bureau delays. With extensive redistricting and public relations experience serving clients across the State of Ohio, we pride ourselves on having the unique capabilities to meet the moment

SERVICE PLAN APPROACH TO REDISTRICTING

Scope

Project Govern advises our clients and their staff on all relevant aspects of the redistricting process pursuant to federal and state law. Our team produces mapping products using the latest data from the United State Census Bureau. This includes implementation of the 2021 August Census release and the Ohio Redistricting Task Force official data for use in this process.

Note- 2019 American Community Survey Data can be made available.

All products include relevant maps and data files will be prepared using GIS software, detailed demographic analysis and provision of all necessary products to convey legal descriptions and shape files. Project Govern stands ready to conduct and assist public engagement and community meetings to explain the redistricting process, gather public input and produce maps or alternatives.

Project Govern will remain available to our client, their staff and any designees time permitting for the period of any agreed upon contract.

Latest Data Updates

It appears likely that adjustments to existing districts will be necessary to meet constitutional requirements, balance population and meet commission redistricting criteria. Depending on choices made by the commission, it may be further necessary to conduct "Gingles Tests" concerning racial minority districts. Project Govern is prepared to assist in these matters in an expedited manner.

On August 5th, the United States Census Bureau announced that the projected release date of data necessary for redistricting will now be August 12th. Project Govern anticipates full conversion of data by no later than August 17th.

HC_0514 Glassburn000025

INITIAL GA TIMELINE

On August 6th, the Ohio Redistricting Task Force indicated there would be at least 9 public hearings. The extremely tight timeline for this process will make data and public engagement challenges more difficult and expensive than a traditional lengthier process. The following is not an exhaustive list, but an approximate timeline of services to be provided. This timeline is subject to change by agreement of the parties. Timeline is designed to provide for the most essential processes in the minimal time possible:

- **Monday, August 16th or earlier**
  - Project Govern meets individually with leadership and staff for introductions.

- **Wednesday, August 18th**
  - Determine guidelines for preliminary public testimony and records submissions on mapping. Meet individually with all interested parties necessary to move forward.

- **Thursday, August 19th**
  - Project Govern briefing with client leadership and staff to review new Census data.

- **Friday, August 20th – Monday August 23rd**
  - Project Govern meets individually with interested parties on the Census data.

- **Tuesday, August 24th**
  - Project Govern meets with client leadership and staff to develop parameters for a primary General Assembly map (GA) and alternatives. Identification of any required Gingles Testing must be completed by this date.

- **Wednesday, August 25th**
  - Project Govern produces necessary GA mapping products for client leadership.

- **Thursday, August 26th**

  Public release of a GA primary map(s) package. Submission of package to necessary body.

- **Monday, August 23rd – Monday August 30th**
  - Public engagement and media tour. Interested party meetings as needed.

- **Monday, August 30th – Tuesday, August 31st**
  - Project Govern analyzes any GA majority maps released. Provides necessary modifications to client map and proposes amendments for majority map.

- **Wednesday September 1st**
  - Ohio GA first map deadline.

HC_0515

Glassburn000026

- **Thursday September 2nd – Wednesday, September 15th**
  - (If needed) GA second deadline process.

- **Thursday September 2nd – Wednesday, September 15th**
  - Project Govern provides analysis of any majority GA map(s) or proposals. Provides necessary modifications to client map and proposes amendments for majority map.

CONGRESSIONAL REDISTRICTING

The following is not an exhaustive list, but an approximate timeline of services to be provided. This timeline is subject to change by agreement of the parties.

- **Thursday September 2nd – Monday, September 30th**
  - Stage 1 Congressional redistricting process. (Legislature)

- **Friday, September 3rd – Monday September 6th**
  - Review census data in specific regard to congressional redistricting. Determine preliminary strategy for congressional public testimony and records submissions on mapping. Meet individually with all interested parties necessary to move forward.

- **Tuesday, September 7th**
  - Project Govern meets with client leadership and staff to develop parameters for a primary congressional map and alternatives. Identification of any required Gingles Testing must be completed by this date.

- **Wednesday, September 8th**
  - Project Govern produces necessary congressional mapping products for client leadership.

- **Thursday, September 9th or when directed**
  Public release of a GA primary map(s) package. Submission of package to necessary body.

- **Friday, September 10th – Friday September 17th**
  - Public engagement and media tour. Interested party meetings as needed.

- **Saturday, September 18th – Tuesday, September 21st or upon release**
  - Project Govern analyzes any majority congressional maps released. Provides necessary modifications to client map and proposes amendments for majority map.

- **Tuesday September 21st – Thursday, September 30th or until map selection**

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Glassburn000027

- Project Govern provides analysis of any majority congressional map(s) or proposals. Provides necessary modifications to client map and proposes amendments for majority map.

- **Tuesday October 1st – Saturday, October 30th**
  - (If needed) Stage 2 Congressional redistricting process. (Redistricting Commission)

- **Tuesday, October 1st – Saturday October 5th**
  - Review data and status with Redistricting Commission leadership, staff and interested parties. Determine preliminary strategy for additional public testimony and records submissions on mapping. Meet individually with all interested parties necessary to move forward.

- **Tuesday, October 8th – Wednesday October 9th**
  - Project Govern meets with client leadership and staff to develop parameters for a primary congressional map and alternatives. Identification of any required Gingles Testing must be completed by this date.

- **Thursday, October 10th**
  - Project Govern produces necessary congressional mapping products for client leadership.

- **Thursday, October 10th or when directed**
  - Public release of map(s) package. Submission of package to necessary body.

- **Friday, October 11th – Friday October 18th**
  - Public engagement and media tour. Interested party meetings as needed.

- **Saturday, October 19th – Tuesday, October 22nd or upon release**
  - Project Govern analyzes any majority congressional maps released. Provides necessary modifications to client map and proposes amendments for majority map.

- **Saturday, October 19th – Saturday October 30th or until map selection**
  - Project Govern provides analysis of any majority congressional map(s) or proposals. Provides necessary modifications to client map and proposes amendments for majority map.

- **Sunday October 31st – Saturday, November 30th**
  - (If needed) Stage 3 & 4 Congressional redistricting process.

- **Sunday October 31st – Tuesday, November 2nd**
  - Halloween, Election weekend, Election Day – limited redistricting activity.

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Glassburn000028

- **Wednesday, November 3rd – Friday November 5th**
  - Review status to date with legislative leadership and staff. Determine any further strategy for congressional public testimony and records submissions on mapping. Meet individually with all interested parties necessary to move forward.

- **Monday, November 8th**
  - Project Govern meets with client leadership and staff to develop parameters for a final congressional map and alternatives. Identification of any new required Gingles Testing must be completed by this date.

- **Tuesday, November 9th**
  - Project Govern produces necessary congressional mapping products for client leadership.

- **Wednesday, November 10th or when directed**
  Public release of final map(s) package. Submission of package to necessary body.

- **Wednesday, November 10th – Friday November 19th**
  - Public engagement and media tour. Interested party meetings as needed.

- **Saturday, November 20th or until map selection**
  - Project Govern provides analysis of any majority congressional map(s) or proposals. Provides necessary modifications to client map and proposes amendments for majority map.

HC_0518 Glassburn000029

Organizational Profile

Project Govern

Chris Glassburn, Lead Consultant & Mapmaker

23993 Fairlawn Drive
North Olmsted, OH 44070
440-570-9726
Chris@ProjectGovern.com

Chris Glassburn is the one of the top consultants providing campaign management, public engagement, and electoral data services in Ohio. In 2011, Glassburn served as the redistricting consultant and mapmaker for the Ohio House Democratic Caucus for Congressional Redistricting. Glassburn also served as the Democratic minority consultant and mapmaker for the Ohio Apportionment Board and as the Democratic mapmaker for plaintiffs in Wilson v. Kasich (decided 4-3 against, with current Supreme Court Chief Justice O'Connor dissenting).

A vigorous advocate of fair redistricting practices, Glassburn has spoken on dozens of public panels on redistricting reform. Since 2014, Glassburn has periodically served as a redistricting consultant to the Ohio League of Women Voters in their efforts to end gerrymandering. He was a lead co-author of both Ohio Constitutional Amendments that were overwhelming passed by voters to reform apportionment of the Ohio General Assembly (2015) and redistricting for Congress (2018).

From 2014 to 2016 Glassburn served as the Senior Policy Advisor to Cuyahoga County Executive Armond Budish. In his role for Cuyahoga County Glassburn held responsibility for assisting in the creation and passage of the biennial budget, supervising the agenda and alternate chairing the board of control, policy lead on behalf of the County Executive and lead of appointments to board and commissions.

In January 2017, Glassburn founded the firm Project Govern. Glassburn most recently has served as a consultant to issue campaigns in the May, 2021 Primary Election. In total, Glassburn has served as the lead consultant and/or campaign manager to over 120 individual candidate or issues campaigns with over a 90%-win rate. Some of his non-partisan/candidate clients have included the Sherwin Williams, Innovation Ohio, The Cuyahoga County Port Authority, the County Action Committee (Cuyahoga County HHS Levy), The Cleveland Clergy Coalition, LEAD Ohio and numerous confidential private sector clients.

Glassburn is a lifelong Northeast Ohioan and serves as a City Councilman and Leader of the Democratic Party in North Olmsted, Ohio. He and his wife Megan live in North Olmsted.

HC_0519
Glassburn000030

Scope of Work, Budget and Terms

Activity	Fee	Note
Engagement & Data		
Base Engagement Fee	$50,000	Fixed fee including August monthly service through January, 1, 2022
Software licensing	$3,000	Maptitude
Travel stipend	$2,000	Coverage of travel costs
Total	$55,000	

Additional Terms

- Invoices for service will be submitted. The total of the base engagement fee and other costs shall be due in 4 payments: $16,000 due September 1st, $13,000 October 1st, $13,000 November 1st and $13,000 December 1st for services rendered until Jan 1, 2022.
- Invoices will be submitted for each payment due.
- Project Govern provides consulting services and products consistent with all mapping standards to the best of our ability. However, Project Govern is not a law firm nor offers legal services. Neither party is responsible for any legal fees of the other party that are incurred in litigation regarding legislative or congressional redistricting.

Agreement

Project Govern agrees to provide the above work and services as described above to the Ohio Senate Democratic Caucus, its designee on the Ohio Redistricting Commission and to the OSDC or interested parties as designated for the compensation and terms described effective August 16th, 2021. By signing this agreement, the parties agree to these terms, payment contingent upon the approval of the Democratic Co-Chair of the Ohio Redistricting Task Force and the Director of the Ohio Legislative Service Commission.

Chris Glassburn

8/16/21

Chris Glassburn

President, Project Govern

Kenny Yuko

8/17/2021

Senator Kenny Yuko

Minority Leader, Ohio Senate Democratic Caucus

Exhibit 30

Date: Thu, 12 Aug 2021 10:21:14 AM -0400
Sent: Thu, 12 Aug 2021 10:21:13 AM -0400
Subject: Supplemental Allocation of Funds - 8.11.2021
From: Boas, George
To: Routt, Randall <Randall.Routt@ohiosenate.gov>;
Attachments: Allocation of Funds - 8.11.21.pdf

From: Strigari, Frank <Frank.Strigari@ohiosenate.gov>
Sent: Wednesday, August 11, 2021 5:08 PM
To: Wendy Zhan <Wendy.Zhan@lsc.ohio.gov>
Cc: Herd, Samantha <Samantha.Herd@ohiohouse.gov>
Subject: Supplemental Allocation of Funds - 8.11.2021

Wendy,

See the supplemental allocation signed by Senator McColley and Leader Sykes today.

Let us know if you have any questions.

Frank

FRANK M. STRIGARI
Chief Legal Counsel
Ohio Senate
Statehouse, 1 Capitol Square
Columbus, Ohio 43215
(614) 995-4868
Frank.Strigari@ohiosenate.gov

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The Ohio Senate
Senator Rob McColley
Co-Chair

The Ohio House of Representatives
Minority Leader, Emilia Sykes
Co-Chair

LEGISLATIVE TASK FORCE ON REDISTRICTING, REAPPORTIONMENT
& DEMOGRAPHIC RESEARCH
ALLOCATIONS OF FUNDS
August 11, 2021

Pursuant to ORC 103.51(A), the Co-Chairs of the Legislative Task Force on Redistricting, Reapportionment, and Demographic Research ("Task Force") "may enter into any agreements on behalf of the task force and perform any acts that may be necessary or proper for the task force to carry out its powers and duties under this section." As the Co-Chairs of the Task Force, we hereby authorize and direct the allocation of Task Force funds as follows:

Allocation of Funds

The democrat legislative caucuses in the House and the Senate are jointly allocated an additional $200,000 to purchase, lease or rent hardware, software, physical space and/or supplies, and contract for technical and legal services directly related to the 2021 redistricting processes of this state. This authority is limited to only those expenses incurred after April 23, 2021, but no later than January 1, 2022. The two caucuses may choose to split this additional $200,000 allotment.

The $150,000 allocation on April 23, 2021 to the republican legislative caucuses in the House and the Senate remains unchanged.

No such funds shall be used to pay for any legal services rendered for litigation related to the 2021 redistricting processes of this state. Further, any tangible goods purchased with these funds shall remain the property of the State of Ohio and in the possession of the caucus making the purchase.

Payment of Expenses

Any expense incurred by a caucus pursuant to this Allocation of Funds must be submitted for approval, along with supporting documentation of the expense, to the respective Task Force Co-Chair who is of the same political party as the caucus submitting the expense. The director of the Legislative Service Commission shall facilitate payment of any allowable expense approved by the Task Force Co-Chair to whom the expense was submitted.

The payment of any other expenses not covered in this Allocation of Funds requires documentation of the expense and approval of both Task Force Co-Chairs.

Rob McColley
State Senator, District 1
Co-Chair

Emilia Sykes
Minority Leader, Ohio House of Representatives
Co-Chair

CONFIDENTIAL

Exhibit 31

From: Keary McCarthy <mccarthy@innovationohio.org>
Sent: Tuesday, September 3, 2019 10:45:07 AM
To: samherd@gmail.com <samherd@gmail.com>; mikerowe100@gmail.com <mikerowe100@gmail.com>; Sarah Cherry <sacherry@gmail.com>; routtrwr@gmail.com <routtrwr@gmail.com>; Catherine Turcer <Cturcer@gmail.com>; Camille Wimbish <camille@ohvoice.org>; Jen Miller <director@lwvohio.org>; Chris Glassburn <c.glassburn@hotmail.com>; gunther.1@osu.edu <gunther.1@osu.edu>; Terra Goodnight <goodnight@innovationohio.org>; Aryeh Alex <aalex@theoec.org>; scottstockman1@gmail.com <scottstockman1@gmail.com>
Cc: Katy Shanahan <shanahan@redistrictingaction.org>; Janetta King <king@innovationohio.org>
Subject: Re: Convening Ohio's Redistricting Experts

Just a quick reminder about our redistricting review meeting today...

> We will meet on **Tuesday, Sept. 3 from 3:00 to 5:00 PM** at the Innovation Ohio offices located at **360 S. Third Street, Columbus, Ohio**. We are in the United Way of Central Ohio building on the third floor. You can park in the lot behind the building at any spot that says volunteer. Please check in at the front desk.

A draft meeting agenda is attached. If you cannot make it today, please let me know.
Thanks!

Keary McCarthy
Innovation Ohio Education Fund
614-425-9163 | @KearyMcCarthy
mccarthy@innovationohio.org

> On Aug 26, 2019, at 4:07 PM, Keary McCarthy <mccarthy@innovationohio.org> wrote:
>
> Thanks again for everyone's willingness to come together. I've added Aryeh and Scott to this email chain.
> As noted, we are coming together to review the new redistricting plans for state leg and congressional maps. The purpose is to gather input from the subject matter experts and memorialize that feedback for planning and educational purposes.
> We will meet on **Tuesday, Sept. 3 from 3:00 to 5:00 PM** at the Innovation Ohio offices located at **360 S. Third Street, Columbus, Ohio**. We are in the United Way of Central Ohio building on the third floor. You can park in the lot behind the building at any spot that says volunteer. Please check in at the front desk.
> If you can not make the meeting or if you have any additional questions, please let me know.
> Thank you!
>
> ***Keary McCarthy***
> Innovation Ohio Education Fund
> 614-425-9163 | @KearyMcCarthy
> mccarthy@innovationohio.org
>
> > On Aug 20, 2019, at 4:04 PM, Keary McCarthy <mccarthy@innovationohio.org> wrote:
> >
> > I've heard from all most all of you. It looks like Tuesday, Sept. 3rd from 3:00 to 5:00 PM

works the best.
I'll have more details out soon, but please hold that time on your calendar.
Thanks again!

Keary McCarthy
Innovation Ohio Education Fund
614-425-9163 | @KearyMcCarthy
mccarthy@innovationohio.org

On Aug 15, 2019, at 3:49 PM, Keary McCarthy <mccarthy@innovationohio.org > wrote:

Redistricting Friends,
I hope you're all doing well and enjoying the summer.
While it's only 2019, 2021 will be here before we know it. At which time, we will have a new map-drawing process for both state legislative and congressional district lines.
Over the last few weeks, we've been collaborating with Katy Shanahan of *All on the Line* to think about how we can best prepare for the upcoming redistricting process. We know many of you have been thinking about that too.
One of the things that we would like to do is to collective review the new plans and capture in one place all the knowledge and nuance that each of you have on both of these plans. Our goal is to create a document that will hopefully become an internal resource guide for all of us as we prepare for the upcoming redistricting process in 2021.
If you are willing to join us and share your time, we would like to convene the first of what we think might be multiple meetings to review the plans and capture the collective input of this group. If you would like to participate, please fill out this doodle poll so we can hopefully find a time that works for everyone. If you can't or don't want to participate, please drop me a line and let me know.
Thanks in advance for your time and consideration. If you have any questions or need any additional information, please let me know.

Keary McCarthy
Innovation Ohio Education Fund
614-425-9163 | @KearyMcCarthy
mccarthy@innovationohio.org

Exhibit 32

From: George Boas
To: Boas, George; Michael Charney
Subject: George - 23
Date: Wednesday, October 13, 2021 3:49:34 PM

----- Forwarded Message -----
From: Mike Rowe <mikerowe100@gmail.com>
To: George Boas <georgeboas@yahoo.com>
Sent: Thursday, August 13, 2020, 01:51:18 PM EDT
Subject: Fwd: Chance to Connect

Hi George,

I've asked Randall to do his own figuring and see how the budget listed below compares to what we've done in the past. The Zoom call on September 3 is to discuss resources needed for map drawing.

Mike

Begin forwarded message:

From: Katy Shanahan <shanahan@democraticredistricting.com>
Subject: Re: Chance to Connect
Date: August 12, 2020 at 1:15:23 PM EDT
To: Samantha Herd <samherd@gmail.com>, Mike Rowe <mikerowe100@gmail.com>
Cc: Fred Gifford <gifford@democraticredistricting.com>, Ethan Hudgins <hudgins@democraticredistricting.com>, Garrett Arwa <arwa@democraticredistricting.com>, Nicole DeMont <demont@democraticredistricting.com>

Hi everyone-

We're going to go with **1pm on Thursday, September 3rd**. I will send around a calendar invite with a Zoom link attached for folks to use for this meeting.

For preparation, I'm pasting below a rough sketch of a budget that we sketched up for each caucus to set up a redistricting outfit for the 2021 cycle. This should be helpful in framing what budgeting asks you both put forward to the legislative Redistricting Task Force and we can discuss in further detail on the call. Let me know if you've got any questions - about either the budget or anything else - otherwise, really looking forward to connecting in a couple of weeks!

Thanks!

Rough Budget for Redistricting:

Software Costs:
Maptitude for Redistricting sells for $10,000 for a single-use license. Discounts may apply to multiple licenses depending on the purchaser/client.

The purchase price includes software and data updates as well as basic technical support for one year.

Software Training: up to $3,000 (depending on skills of those being trained based on Maptitude's

web-based training for $250/hour that can accommodate up to 20 participants. Aptitude recommends 2 days of training/6 hours per day. Experienced users may need only a few hours of training.

Hardware:

State legislative computer: provided in kind or $2500-3000 each laptop (for up to three staff). Costs may be higher for work station computers (CPU, keyboards, etc.)

42" Map Printer: such as a HP DesignJet 800 series model or a comparable Canon printer: $2,000-4,000 (old printers may be usable if kept in good shape) (an alternative to large maps would be to consider TV monitors to display 55", 58" or 62" maps if screens are already in caucus offices or can be purchased. Most veteran legislators and staff are used to paper maps).

Staffing:

$155,000 (depends on average salaries for current Ohio Senate and House staff. Currently, several senior staff make over $100,000. The average starting legislative salary appears to be in the $40,000 range).

Program Director $80,000

Mapper $50,000

Clerical $25,000

Total technical: $24,000 (one time purchases)
Total Staff: $155,000 (per year)
Total: $179,000

On Mon, Aug 10, 2020 at 2:23 PM Katy Shanahan <shanahan@democraticredistricting.com> wrote:

> Hi Sam and Mike-
>
> Hope you're both doing well and that things are slightly more slowed down than they were a couple weeks ago! I'd like to find some time for us to connect with you both (and whoever else from your caucus you think it's appropriate to include) to talk about some things we think are important for you all to build for your redistricting work and to have an introduction to the mapping process and what services we can offer to your caucuses.
>
> I think this meeting will take about an hour and I'm putting some dates/times that work on our end and hope that there's some overlap for you all. Let me know if not and I can send over additional times.
>
> Thanks!
>
> Tues, Aug 25: 9 - 11am
> Thurs, Aug 27: 1 - 3pm
> Friday, Aug 28: 12 - 3pm
> Thurs, Sept 3: 1 - 3pm
> Friday, Sept 4: 12 - 3pm
>
> --
> **National Democratic Redistricting Committee**
> Katy Shanahan (she/her) / Ohio State Director, All On the Line Campaign

democraticredistricting.com
Follow us on social: FB // TW // IG

--

All On The Line
Katy Shanahan (she/her) / Ohio State Director
allontheline.org
Follow us on social: FB // TW // IG

Exhibit 33

From:	Mike <mikerowe100@gmail.com>
To:	Mike Rowe <mike.rowe@ohiosenate.gov>
Subject:	Fwd: Background info for Monday morning's conference call
Date:	Wed, 13 Oct 2021 1:53:21 PM -0400
Message-ID:	<AC628D50-B966-466B-80A0-810B0ED83DBA@gmail.com>
Attachments:	Resources for State Legislators.pdf; ATT00001.htm; National Redistricting Principles.pdf; ATT00002.htm

Sent from my iPhone
Begin forwarded message:

From: Mike Rowe <mikerowe100@gmail.com >
Date: June 12, 2020 at 5:05:05 PM EDT
To: kennyyuko@msn.com
Subject: Background info for Monday morning's conference call

Hello Kenny,

Here's some information about redistricting for Monday's call.

Mike

NDRC
NATIONAL DEMOCRATIC REDISTRICTING COMMITTEE

Resources for State Legislators

The National Democratic Redistricting Committee (NDRC) has developed a suite of services to ensure that you are prepared for and have the resources you need for the upcoming redistricting process in your state. With publicly available mapping technology and an increased focus on redistricting among grassroots leaders and stakeholders, the 2021 redistricting process will likely be the most transparent in history. As the redistricting hub for the Democratic Party, NDRC is ready and willing to help support you in all aspects of the redistricting process.

State of the Art Mapping Tools

The National Democratic Redistricting Committee has developed a map-drawing and analysis platform for Democratic state legislators so that you have the best-in-class data and tools to use throughout the redistricting process. In 2011, Democrats were at a technological disadvantage to Republicans, and the results have impeded our ability to win majorities in chambers across the country. That will not happen again. This platform, coupled with our growing team of mapping experts and analysts, will ensure you have the resources and expertise needed to advocate for maps in your state. The platform will enable you to draw and analyze maps using characteristics like county and precinct level splits, mean-median difference, partisan bias, and the efficiency gap.

State-Specific Redistricting Strategy and Guidance

No two states have the same redistricting process. Our team will work with you on a redistricting strategy that is tailored to what is required for the best possible outcome in your state. Our mapping and analytics team will help you understand the distinct communities and demographics in your state. Our legal and policy team will provide guidance for best practices pursuant to your state's unique legal

PAID FOR BY THE NATIONAL DEMOCRATIC REDISTRICTING COMMITTEE

landscape. Our political team will work with you to set up the political operation needed to ensure members and key allies are aligned to push for fair maps and fight gerrymandered ones, in committee, on the floor of your respective chambers, and with the public. Our communications team has conducted a research project on the best ways to effectively communicate with the public on redistricting and will work with you on state-specific messaging that matches up with your redistricting strategy. Throughout the process, we will be your one stop shop for resources and expertise so that together we can create a state-specific strategy that meets your needs.

Grassroots Advocacy

The redistricting process in 2021 will not look like the redistricting process in 2011. The public is now well aware of the secretive process and egregious gerrymandering that Republicans used during the last redistricting cycle, and voters will not stand for that again. Any attempt at gerrymandering in 2021 can and should expect a backlash among grassroots advocates and good government groups that did not exist a decade ago. That means there will be an unprecedented push for transparency throughout the upcoming process that will be important to navigate. Increased public scrutiny can lead to positive outcomes, and we will work with you to ensure that you are maximizing public input and support throughout the process.

Exhibit 34

12:25

6

MH

Matt >

May 7, 2018, 11:09 AM

I will be in town....."WHERE AND WHEN?"

Delivered

Sun, Sep 12, 2:07 PM

Vern,
Would you have time to meet with me tomorrow before the Cleveland hearing? I can come to Akron if that works.
Thanks,
Matt

Mon, Sep 13, 9:34 PM

Vern I think we should Gabalin tomorrow at 10 o'clock and then recess to give us time to meet and discuss the proposals.

Sent with Siri

HC_0536