

SC NAACP, et al v. ALEXANDER, et al

CA No.: 3:21-cv-03302-MBS-TJH-RMG

EXHIBIT E

*Senate Defendants Opposition to
Plaintiffs' Motion to Compel*

Email

Gore, John M.

From: John Cusick <jcusick@naacpldf.org>
Sent: Friday, June 17, 2022 10:19 AM
To: Gore, John M.; Adriel I. Cepeda Derieux
Subject: RE: Deposition -- Ms. Paula Benson

**** External mail ****

Understood and appreciate it.

We will touch base with our team and let you know a date before circulating a notice to all counsel.

Have a good weekend,
John

From: Gore, John M. <jmgore@jonesday.com>
Sent: Friday, June 17, 2022 10:18 AM
To: John Cusick <jcusick@naacpldf.org>; Adriel I. Cepeda Derieux <ACepedaDerieux@aclu.org>
Subject: RE: Deposition -- Ms. Paula Benson

[Caution: EXTERNAL EMAIL]

John:

Thanks for following up.

As you know, we have a pending motion for protective order and motion to quash whose resolution may affect the scope of any depositions of senators or staff members.

Subject to and reserving our rights and position in that motion, including on legislative privilege, we can make Andy Fiffick available on July 1, the week of July 11, or the week of July 18.

Thanks,
John

John M. Gore
Partner

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Washington, D.C. 20001
Office +1.202.879.3930

From: John Cusick <jcusick@naacpldf.org>
Sent: Friday, June 17, 2022 10:13 AM
To: Adriel I. Cepeda Derieux <ACepedaDerieux@aclu.org>; Gore, John M. <jmgore@jonesday.com>
Subject: RE: Deposition -- Ms. Paula Benson

**** External mail ****

Morning John,

I hope you're doing well.

We wanted to follow up on dates for Mr. Fiffick's so that we can begin planning accordingly.

Many thanks,
John

From: Adriel I. Cepeda Derieux <ACepedaDerieux@aclu.org>

Sent: Wednesday, June 15, 2022 9:16 PM

To: Gore, John M. <jmgore@jonesday.com>

Cc: John Cusick <jcusick@naacpldf.org>

Subject: RE: Deposition -- Ms. Paula Benson

[Caution: EXTERNAL EMAIL]

Thanks, John.

From: Gore, John M. <jmgore@jonesday.com>

Sent: Wednesday, June 15, 2022 7:15 PM

To: Adriel I. Cepeda Derieux <ACepedaDerieux@aclu.org>

Cc: John Cusick <jcusick@naacpldf.org>

Subject: RE: Deposition -- Ms. Paula Benson

Mr. Trende just let me know that he has jury duty on July 19. Thanks.

John M. Gore
Partner

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From: Gore, John M. <jmgore@jonesday.com>

Date: Wednesday, Jun 15, 2022, 4:34 PM

To: Adriel I. Cepeda Derieux <ACepedaDerieux@aclu.org>

Cc: John Cusick <jcusick@naacpldf.org>

Subject: RE: Deposition -- Ms. Paula Benson

Adriel:

Thanks for following up.

Mr. Trende is available July 18-21.

I'll get back to you on Mr. Fiffick.

Best,
John

John M. Gore
Partner

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From: Adriel I. Cepeda Derieux <ACepedaDerieux@aclu.org>
Sent: Tuesday, June 14, 2022 10:32 PM
To: Gore, John M. <jmgore@jonesday.com>
Cc: John Cusick <jcusick@naacpldf.org>
Subject: RE: Deposition -- Ms. Paula Benson

**** External mail ****

John: We'll be sending around a notice to depose Ms. Benson on July 13. Thanks again. When can we expect possible dates for Mr. Fiffick?

From: Gore, John M. <jmgore@jonesday.com>
Sent: Friday, June 10, 2022 4:04 PM
To: Adriel I. Cepeda Derieux <ACepedaDerieux@aclu.org>
Cc: John Cusick <jcusick@naacpldf.org>
Subject: RE: Deposition -- Ms. Paula Benson

Adriel:

Sure thing. I'll get back to you on Sean Trende.

John:

It looks like we can make Will Roberts available on June 30.

Thanks, and have a good weekend,
John

John M. Gore
Partner

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From: Adriel I. Cepeda Derieux <ACepedaDerieux@aclu.org>
Sent: Friday, June 10, 2022 2:37 PM
To: Gore, John M. <jmgore@jonesday.com>
Cc: John Cusick <jcusick@naacpldf.org>
Subject: RE: Deposition -- Ms. Paula Benson

**** External mail ****

John: One last one before the weekend. Could you please let us know Mr. Trende's availability to be deposed on the weeks starting July 18th and 25th? Thanks very much.

Have a good weekend,
Adriel

From: John Cusick <jcusick@naacpldf.org>
Sent: Friday, June 10, 2022 9:56 AM
To: Gore, John M. <jmgore@jonesday.com>; Adriel I. Cepeda Derieux <ACepedaDerieux@aclu.org>
Subject: RE: Deposition -- Ms. Paula Benson

Many thanks, John. We'll get back to you soon on the date for Ms. Benson's.

I realize Dr. Bagley's deposition is also on June 29, so I don't think that date will work for me any longer. So if possible, June 27, June 30, or July 1 for Mr. Roberts' deposition would be better to not overlap with Mr. Hauger's. But we can always discuss maybe doing Mr. Roberts' in the afternoon on June 28 if needed.

Appreciate it,
John

From: Gore, John M. <jmgore@jonesday.com>
Sent: Friday, June 10, 2022 9:33 AM
To: John Cusick <jcusick@naacpldf.org>; Adriel I. Cepeda Derieux <ACepedaDerieux@aclu.org>
Subject: RE: Deposition -- Ms. Paula Benson

[Caution: EXTERNAL EMAIL]

Adriel and John:

Thanks for reaching out.

Paula Benson is available July 11-14. She is not available July 15.

I'll get back to you on Will Roberts.

Thanks.

John M. Gore
Partner

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From: John Cusick <jcusick@naacpldf.org>
Sent: Thursday, June 9, 2022 11:56 PM
To: Adriel I. Cepeda Derieux <ACepedaDerieux@aclu.org>; Gore, John M. <jmgore@jonesday.com>
Subject: Re: Deposition -- Ms. Paula Benson

**** External mail ****

Evening John,

I hope you're doing well.

One other scheduling question for us. Do you have any sense the potential date(s) for Will Roberts' deposition during the week of June 27? I'll also be taking Thomas Hauger's, and House Defendants have shared he is available on June 28 or 29. I have flexibility on both these days, as well as June 30 and July 1 if needed.

Many thanks,
John

From: Adriel I. Cepeda Derieux <ACepedaDerieux@aclu.org>
Sent: Wednesday, June 8, 2022 7:08 PM
To: Gore, John M. <jmgore@jonesday.com>
Cc: John Cusick <jcusick@naacpldf.org>
Subject: Re: Deposition -- Ms. Paula Benson

[Caution: EXTERNAL EMAIL]

Thanks, John.

On Jun 8, 2022, at 3:29 PM, Gore, John M. <jmgore@jonesday.com> wrote:

Adriel:

Thanks for reaching out. I'll check and get back to you as soon as I can.

John

John M. Gore
Partner
[JONES DAY® - One Firm Worldwide®](#)
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Washington, D.C. 20001
Office +1.202.879.3930

From: Adriel I. Cepeda Derieux <ACepedaDerieux@aclu.org>
Sent: Wednesday, June 8, 2022 3:28 PM
To: Gore, John M. <jmgore@jonesday.com>
Cc: John Cusick <jcusick@naacpldf.org>
Subject: Deposition -- Ms. Paula Benson

**** External mail ****

John: I believe you were in the process of finding dates on the week of 6/27 for Plaintiffs to depose Ms. Paula Benson. I'll be taking that deposition, and will no longer be able to do so that week. Would Ms. Benson be available any days on the week starting July 11?

Thanks,

Adriel I. Cepeda Derieux

(Pronouns: He/Him/His)

Senior Staff Attorney, Voting Rights Project

American Civil Liberties Union

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