

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

VICKI HALE, EARLE FISHER,)
TELISE TURNER, HEDY WEINBERG,)
STEPHEN COHEN, CHARLES ‘CHAZ’)
MCIVER MOLDER, CHANEY)
MOSLEY, JUSTIN PEARSON, and the)
TENNESSEE DEMOCRATIC PARTY,)

Plaintiffs,)

v.)

CASE NO. 3:26-cv-00603

BILL LEE, Governor,)
TRE HARGETT, Secretary of State;)
MARK GOINS, Tennessee Coordinator)
of Elections; all in their official capacity)
only,)

Defendants.)

DECLARATION OF ROBERT BURGOS

I, Robert Burgos, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the following is true and correct based on my personal knowledge:

1. I am over the age of eighteen (18), of sound mind, and competent to testify to the matters set forth herein. I am attesting to the statements in this Declaration. I was asked by the Plaintiffs in this lawsuit to provide this Declaration addressing the topics herein.

2. I am a resident of Hamilton County, Tennessee, where I have resided for over four years.

3. I have Bachelor of Arts degrees in political science and a minor in statistics from the University of Florida.

4. I am currently the Director of Data and Technology for Civic Tennessee and Action Tennessee, which are non-profit organizations focused on civic engagement and advocacy work.

5. In my role as Director of Data and Technology, I routinely work with voting data and geospatial data. For example, I worked with this type of data in 2022, focusing on Tennessee redistrict maps for its Congressional, State Senate, and State House districts.

6. This past week, when the Tennessee General Assembly considered and, eventually enacted new congressional district maps on May 7, 2026, I analyzed this data in my role with Civic Tennessee and Action Tennessee. I was provided data related to these redistricted maps that I understand was used by those in the Tennessee General Assembly who proposed and passed the new maps. The data was in what is called “shape files” and allows a user, like me, to identify which district any registered voter resides in, and therefore can vote in, based on the address of their voter registration.

7. In the course of working with this data, I have had the opportunity to analyze and examine a number of things, including where the candidates for Congress in the various districts resides.

8. Tennessee has nine congressional districts. Eight of the nine incumbent Representatives from Tennessee qualified to run for reelection in the district in which they are serving in Congress. Those Representatives are: Diana Harshbarger in the First Congressional District; Tim Burchett in the Second Congressional District; Chuck Fleischmann in the Third Congressional District; Scott DesJarlais in the Fourth Congressional District; Andy Ogles in the Fifth Congressional District; Matt Van Epps in the Seventh Congressional District; David Kustoff in the Eighth Congressional District, and Stephen Cohen in the Ninth Congressional District.

9. Out of the nine incumbent Representatives serving the various congressional district in Congress, only one of them was elected as a Democrat. That Representative is Steve Cohen, who serves as a Representative in Congress for the Ninth Congressional District.

10. I have examined the voting data provided by the State during the debate of and after the passage of the General Assembly's redistricting legislation on May 7, 2026, with respect to how it impacted the incumbent Representatives serving the various district in Tennessee in Congress. The new congressional district boundary lines set by the General Assembly through legislation passed on May 7, 2026, kept every incumbent Representative from Tennessee who was elected as a Republican in Congress in the district for which they were elected and are serving, including Congressman John Rose, who serves as Representative for the Sixth Congressional District even though he is not running for reelection. Put differently, every incumbent Representative from Tennessee who is running as a Republican for reelection in 2026 was kept in the same numerical district for which they were elected in 2024 and for which they qualified to run under state law that was in place before last week.

11. The General Assembly's redistricting legislation passed on May 7, 2026, was drawn such that the only Representative from Tennessee whose residence was not included in the District for which he or she serves is Steve Cohen of the Ninth Congressional District. Representative Cohen is the only Representative from Tennessee serving in Congress who was elected as a Democrat and who qualified to run (and is running) for reelection as a Democrat in the District for which he serves. Congressman Cohen's residence is now included in the geographic boundaries of the 5th Congressional District, which prior to the redrawn congressional lines included Middle Tennessee Counties of Lewis, Maury, Marshall, Williamson, Davidson, and Wilson – the closest of which is nearly 150 to 160 miles from Shelby County.

12. The border of the Ninth Congressional District (the District for which Representative Cohen was elected and serves) and the Fifth Congressional District (the District for which Representative Cohen now resides) is just a few blocks from his residences.

13. I was also able to examine the voter data of these redistricting maps with respect to other top tier Democratic congressional candidates. State Representative Justin J. Pearson and Mayor Chaz Molder are the two top – non incumbent – congressional candidates running for Congress from Tennessee as Democratic in 2026, from a fundraising perspective and based on other data. Representative Pearson qualified to run for Congress in the Ninth Congressional District, and Mayor Molder qualified to run for Mayor in the Fifth Congressional District. The General Assembly's new congressional maps excluded the residences of both of these candidates from the District where they qualified to run and have been running for office. Representative Pearson's residence is now within the boundaries of the Fifth Congressional District, and Mayor Molder's residence is now within the boundaries of the Ninth Congressional District. Notably, the boundary between the Fifth Congressional District and the Ninth Congressional District is just one block away from Mayor Molder's residence.

14. In addition to examining how the General Assembly's newly drawn district lines impacted political candidates, including incumbent Representatives in Congress, I have examined how these maps impact voters. Nearly 1,500,000 Tennessee voters are impacted by these newly drawn congressional district maps by the simple fact that they now reside in different congressional districts than they resided in just one week ago. Moreover, these are Tennessee voters who the State wrote after the 2022 redistricting maps to notify them as to which district they resided in whose district has now changed without that same notification.

15. I have also examined the shape and geographic scope of these newly drawn congressional districts. For example, the Fifth Congressional District now includes downtown Memphis adjacent to the Mississippi River, as well as Williamson County in the suburban Nashville area, and parts of Montgomery County. A drive in this District from downtown Memphis to Montgomery County appears to be nearly 200 miles, and it is estimated to take over 3 hours. The Ninth Congressional District, which previously included Shelby County and part of Tipton County, now includes Shelby County and Bedford County which are nearly 250 miles apart.

Executed this 10 day of May, 2026.

A handwritten signature in blue ink, appearing to read 'Robert Burgos', written over a horizontal line.

Robert Burgos

SIGNATURE CERTIFICATE



REFERENCE NUMBER

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TRANSACTION DETAILS

Reference Number
4F69DDC9-0AFB-4669-A9DC-35A58C8DCC63**Transaction Type**
Template Signer Link**Sent At**
05/10/2026 03:15:37 PM EDT**Executed At**
05/10/2026 03:19:57 PM EDT**Identity Method**
email**Distribution Method**
manual**Signed Checksum**
1e502817f7fba4f39fc51e7235b163b52d93a094d8cbba090605b2531c73cf11**Signer Sequencing**
Disabled**Document Passcode**
Disabled**eIDAS Authentication**
Disabled

DOCUMENT DETAILS

Document Name
Robert Burgos Declaration**Filename**
Robert_Burgos_Declaration.pdf**Pages**
5 pages**Content Type**
application/pdf**File Size**
156 KB**Original Checksum**
bb25067b9d5cf7b84e46ee7f0be4c44a34343c05d92e6ca1ac60fdabc1d6c5b2

SIGNERS

SIGNER	E-SIGNATURE	EVENTS
Name Robert Burgos	Status signed	Viewed At 05/10/2026 03:15:37 PM EDT
Email rob@togethertn.org	Multi-factor Digital Fingerprint Checksum e97cca295472d75f264cfbc734cbde506d605c70f49783ea78a1d41f94ea871b	Identity Authenticated At 05/10/2026 03:19:57 PM EDT
Components 2	IP Address 137.119.170.72	Signed At 05/10/2026 03:19:57 PM EDT
	Device Mobile Safari via iOS	
	Drawn Signature 	
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	Signature Biometric Count 5	

AUDITS

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05/10/2026 03:15:37 PM EDT	Signer viewed the document on Mobile Safari via iOS from 137.119.170.72.
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Dated: May 10, 2026

Respectfully submitted,

/s/ David W. Garrison

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CERTIFICATE OF SERVICE

I hereby certify that a copy of this *Declaration of Robert Burgos* was filed electronically with the Clerk's office and served upon Defendants using the Court's CM/ECF system on May 10, 2026, through their counsel of record as indicated below:

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/s/ David W. Garrison

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