

EXHIBIT 5

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

TENNESSEE STATE CONFERENCE OF))	
THE NAACP et al.,)	
)	
<i>Plaintiffs,</i>)	No. 3:23-cv-00832
)	
v.)	JUDGE ELI RICHARDSON
)	JUDGE ERIC E. MURPHY
WILLIAM B. LEE, et al.,)	JUDGE BENITA Y. PEARSON
)	
<i>Defendants.</i>)	
)	

NOTICE OF DEPOSITION

**To: Deputy Speaker Curtis Johnson, by and through Defendants' Counsel Ryan Henry,
Office of Tennessee Attorney General, P.O. Box 20207, Nashville, Tennessee 37202**

PLEASE TAKE NOTICE that Plaintiffs Tennessee State Conference of the NAACP, League of Women Voters of Tennessee, The Equity Alliance, Memphis A. Philip Randolph Institute, African American Clergy Collective of Tennessee, Judy Cummings, Brenda Gilmore, Ophelia Doe, Freda Player, and Ruby Powell-Dennis (collectively, "Plaintiffs") will take the oral deposition of Tennessee Deputy Speaker Curtis Johnson by stenographic means on **May 13, 2024, beginning at 9:00 a.m. at Sperling & Slater, at 1221 Broadway, Suite 2140, Nashville, TN 37203** (with the option for remote attendance via Zoom) in accordance with Federal Rules of Civil Procedure 30 and 45, and Middle District of Tennessee Local Rule 45.01(c).

Dated: April 16, 2024

SPERLING & SLATER

By: /s/ Phillip F. Cramer

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FOR CIVIL RIGHTS UNDER LAW**

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**SOUTHERN COALITION FOR SOCIAL
JUSTICE**

Jeffrey Loperfido, *pro hac vice*
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Attorneys For Plaintiffs

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

Tennessee State Conference of the NAACP, et al.,

Plaintiff

v.

William B. Lee, in his official capacity as Governor of
the State of Tennessee, et al.,

Defendant

Civil Action No. 3:23-cv-00832

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

Deputy Speaker Curtis Johnson, by and through his counsel Ryan Henry
Office of Tennessee Attorney General, P.O. Box 20207, Nashville, TN 37202

(Name of person to whom this subpoena is directed)



Testimony: **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

See Attachment A for the list of topics to be covered during the deposition

Place: Sperling & Slater, 1221 Broadway, Suite 2140,
Nashville, TN 37203

Date and Time:

05/13/2024 9:00 am

The deposition will be recorded by this method: Stenographic



Production: You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

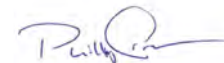
The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04/16/2024

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk



Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* _____

Tennessee State Conference of the NAACP, et al., _____, who issues or requests this subpoena, are:

Phillop Cramer; 1221 Broadway, Suite 2140, Nashville, TN 37203; pcramer@sperling-law.com; (312) 224-1512

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 3:23-cv-00832

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____ .

☐ I served the subpoena by delivering a copy to the named individual as follows: _____

_____ on *(date)* _____ ; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

TENNESSEE STATE CONFERENCE
 OF THE NAACP et al.,
Plaintiffs,
 v.
 WILLIAM B. LEE, et al.,
Defendants.

No. 3:23-cv-00832
 JUDGE ELI RICHARDSON
 JUDGE ERIC E. MURPHY
 JUDGE BENITA Y. PEARSON

1. Public statements made by the deponent during public legislative hearings concerning the redistricting plans for the Tennessee Senate (HB 1037/SB 780), and the U.S. Congress (HB 1034/SB 781) (collectively, the “Redistricting Plans”), and the factual support for those statements.
2. Public statements made by the deponent in any other public setting concerning the Redistricting Plans, and the factual support for those statements.
3. The deponent’s awareness and understanding of public comments, including testimony (written or spoken), constituent submissions, and social media posts, concerning the Redistricting Plan, including how those public comments were considered in connection with the creation of the Redistricting Plans.
4. Communications, including written correspondence, between the deponent and the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, and the Office of the Attorney General Relating to the Redistricting Plans.
5. Communications, including written correspondence, between the deponent and any other third-party organizations, third-party individuals, or third-party consultants concerning the Redistricting Plans.
6. The deponent’s knowledge and/or understanding of the requirements of the Voting Rights Act, as well as the United States and Tennessee Constitutions, with regard to redistricting generally and the Redistricting Plans in particular.

7. The deponent's knowledge and/or understanding of the extent to which the Redistricting Plans adhere to traditional redistricting criteria (including population, compactness, respecting political boundaries, maintaining communities of interest).
8. The deponent's knowledge and/or understanding of communities of interest in the areas covered by current Congressional Districts 5, 6, and 7 and State Senate Districts 29, 30, 31, 32, and 33.

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

TENNESSEE STATE CONFERENCE OF))	
THE NAACP et al.,)	
)	
<i>Plaintiffs,</i>)	No. 3:23-cv-00832
)	
v.)	JUDGE ELI RICHARDSON
)	JUDGE ERIC E. MURPHY
WILLIAM B. LEE, et al.,)	JUDGE BENITA Y. PEARSON
)	
<i>Defendants.</i>)	
)	

NOTICE OF DEPOSITION

To: Senator Dawn White, by and through Defendants' Counsel Ryan Henry, Office of Tennessee Attorney General, P.O. Box 20207, Nashville, Tennessee 37202

PLEASE TAKE NOTICE that Plaintiffs Tennessee State Conference of the NAACP, League of Women Voters of Tennessee, The Equity Alliance, Memphis A. Philip Randolph Institute, African American Clergy Collective of Tennessee, Judy Cummings, Brenda Gilmore, Ophelia Doe, Freda Player, and Ruby Powell-Dennis (collectively, "Plaintiffs") will take the oral deposition of Tennessee Senator Dawn White by stenographic means on **May 14, 2024, beginning at 9:00 a.m. at Sperling & Slater, at 1221 Broadway, Suite 2140, Nashville, TN 37203** (with the option for remote attendance via Zoom) in accordance with Federal Rules of Civil Procedure 30 and 45, and Middle District of Tennessee Local Rule 45.01(c).

Dated: April 16, 2024

SPERLING & SLATER

By: /s/ Phillip F. Cramer

Phillip F. Cramer
1221 Broadway, Suite 2140
Nashville, TN 37203
Tel. (312) 224-1512
pcramer@sperling-law.com

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Attorneys For Plaintiffs

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

Tennessee State Conference of the NAACP, et al.,

Plaintiff

v.

William B. Lee, in his official capacity as Governor of
the State of Tennessee, et al.,*Defendant*

Civil Action No. 3:23-cv-00832

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

Senator Dawn White, by and through her counsel Ryan Henry
Office of Tennessee Attorney General, P.O. Box 20207, Nashville, TN 37202*(Name of person to whom this subpoena is directed)*

Testimony: **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

See Attachment A for the list of topics to be covered during the deposition

Place: Sperling & Slater, 1221 Broadway, Suite 2140,
Nashville, TN 37203

Date and Time:

05/14/2024 9:00 am

The deposition will be recorded by this method: Stenographic

Production: You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04/16/2024

CLERK OF COURT

OR

*Signature of Clerk or Deputy Clerk**Attorney's signature*The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* _____

Tennessee State Conference of the NAACP, et al., _____, who issues or requests this subpoena, are:

Phillop Cramer; 1221 Broadway, Suite 2140, Nashville, TN 37203; pcramer@sperling-law.com; (312) 224-1512

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Civil Action No. 3:23-cv-00832

PROOF OF SERVICE

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I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____ .

☐ I served the subpoena by delivering a copy to the named individual as follows: _____

_____ on *(date)* _____ ; or

☐ I returned the subpoena unexecuted because: _____
_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

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- (i) expressly make the claim; and
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(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

TENNESSEE STATE CONFERENCE
 OF THE NAACP et al.,
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 WILLIAM B. LEE, et al.,
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No. 3:23-cv-00832
 JUDGE ELI RICHARDSON
 JUDGE ERIC E. MURPHY
 JUDGE BENITA Y. PEARSON

1. Public statements made by the deponent during public legislative hearings concerning the redistricting plans for the Tennessee Senate (HB 1037/SB 780), and the U.S. Congress (HB 1034/SB 781) (collectively, the “Redistricting Plans”), and the factual support for those statements.
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3. The deponent’s awareness and understanding of public comments, including testimony (written or spoken), constituent submissions, and social media posts, concerning the Redistricting Plan, including how those public comments were considered in connection with the creation of the Redistricting Plans.
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6. The deponent’s knowledge and/or understanding of the requirements of the Voting Rights Act, as well as the United States and Tennessee Constitutions, with regard to redistricting generally and the Redistricting Plans in particular.

7. The deponent's knowledge and/or understanding of the extent to which the Redistricting Plans adhere to traditional redistricting criteria (including population, compactness, respecting political boundaries, maintaining communities of interest).
8. The deponent's knowledge and/or understanding of communities of interest in the areas covered by current Congressional Districts 5, 6, and 7 and State Senate Districts 29, 30, 31, 32, and 33.

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

TENNESSEE STATE CONFERENCE OF))	
THE NAACP et al.,)	
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<i>Plaintiffs,</i>)	No. 3:23-cv-00832
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v.)	JUDGE ELI RICHARDSON
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WILLIAM B. LEE, et al.,)	JUDGE BENITA Y. PEARSON
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<i>Defendants.</i>)	
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NOTICE OF DEPOSITION

To: Doug Himes, by and through Defendants' Counsel Ryan Henry, Office of Tennessee Attorney General, P.O. Box 20207, Nashville, Tennessee 37202

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Dated: April 16, 2024

SPERLING & SLATER

By: /s/ Phillip F. Cramer

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Michelle D. Tuma, *pro hac vice*
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Attorneys For Plaintiffs

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

Tennessee State Conference of the NAACP, et al.,

Plaintiff

v.

William B. Lee, in his official capacity as Governor of
the State of Tennessee, et al.,*Defendant*

Civil Action No. 3:23-cv-00832

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

Doug Himes, by and through his counsel Ryan Henry
Office of Tennessee Attorney General, P.O. Box 20207, Nashville, TN 37202*(Name of person to whom this subpoena is directed)*

☒ **Testimony:** **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

See Attachment A for the list of topics to be covered during the deposition

Place: Sperling & Slater, 1221 Broadway, Suite 2140,
Nashville, TN 37203

Date and Time:

05/15/2024 9:00 am

The deposition will be recorded by this method: Stenographic

- ☐ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04/16/2024

CLERK OF COURT

OR

*Signature of Clerk or Deputy Clerk**Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* _____
Tennessee State Conference of the NAACP, et al., _____, who issues or requests this subpoena, are:

Phillop Cramer; 1221 Broadway, Suite 2140, Nashville, TN 37203; pcramer@sperling-law.com; (312) 224-1512

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 3:23-cv-00832

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____ .

☐ I served the subpoena by delivering a copy to the named individual as follows: _____

_____ on *(date)* _____ ; or

☐ I returned the subpoena unexecuted because: _____
_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

TENNESSEE STATE CONFERENCE
 OF THE NAACP et al.,
Plaintiffs,
 v.
 WILLIAM B. LEE, et al.,
Defendants.

No. 3:23-cv-00832
 JUDGE ELI RICHARDSON
 JUDGE ERIC E. MURPHY
 JUDGE BENITA Y. PEARSON

1. Public statements made by the deponent during public legislative hearings concerning the redistricting plans for the Tennessee Senate (HB 1037/SB 780), and the U.S. Congress (HB 1034/SB 781) (collectively, the “Redistricting Plans”), and the factual support for those statements.
2. Public statements made by the deponent in any other public setting concerning the Redistricting Plans, and the factual support for those statements.
3. The deponent’s awareness and understanding of public comments, including testimony (written or spoken), constituent submissions, and social media posts, concerning the Redistricting Plan, including how those public comments were considered in connection with the creation of the Redistricting Plans.
4. Communications, including written correspondence, between the deponent and the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, and the Office of the Attorney General Relating to the Redistricting Plans.
5. Communications, including written correspondence, between the deponent and any other third-party organizations, third-party individuals, or third-party consultants concerning the Redistricting Plans.
6. The deponent’s knowledge and/or understanding of the requirements of the Voting Rights Act, as well as the United States and Tennessee Constitutions, with regard to redistricting generally and the Redistricting Plans in particular.

7. The deponent's knowledge and/or understanding of the extent to which the Redistricting Plans adhere to traditional redistricting criteria (including population, compactness, respecting political boundaries, maintaining communities of interest).
8. The deponent's knowledge and/or understanding of communities of interest in the areas covered by current Congressional Districts 5, 6, and 7 and State Senate Districts 29, 30, 31, 32, and 33.

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

TENNESSEE STATE CONFERENCE OF))	
THE NAACP et al.,)	
)	
<i>Plaintiffs,</i>)	No. 3:23-cv-00832
)	
v.)	JUDGE ELI RICHARDSON
)	JUDGE ERIC E. MURPHY
WILLIAM B. LEE, et al.,)	JUDGE BENITA Y. PEARSON
)	
<i>Defendants.</i>)	
)	

NOTICE OF DEPOSITION

To: Representative Gary Hicks, by and through Defendants' Counsel Ryan Henry, Office of Tennessee Attorney General, P.O. Box 20207, Nashville, Tennessee 37202

PLEASE TAKE NOTICE that Plaintiffs Tennessee State Conference of the NAACP, League of Women Voters of Tennessee, The Equity Alliance, Memphis A. Philip Randolph Institute, African American Clergy Collective of Tennessee, Judy Cummings, Brenda Gilmore, Ophelia Doe, Freda Player, and Ruby Powell-Dennis (collectively, "Plaintiffs") will take the oral deposition of Tennessee Representative Gary Hicks by stenographic means on **May 16, 2024, beginning at 9:00 a.m. at Sperling & Slater, at 1221 Broadway, Suite 2140, Nashville, TN 37203** (with the option for remote attendance via Zoom) in accordance with Federal Rules of Civil Procedure 30 and 45, and Middle District of Tennessee Local Rule 45.01(c).

Dated: April 16, 2024

SPERLING & SLATER

By: /s/ Phillip F. Cramer

Phillip F. Cramer
1221 Broadway, Suite 2140
Nashville, TN 37203
Tel. (312) 224-1512
pcramer@sperling-law.com

**LAWYERS' COMMITTEE
FOR CIVIL RIGHTS UNDER LAW**

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Pooja Chaudhuri, *admitted*
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Tel. (202) 662-8600
erosenberg@lawyerscommittee.org
pchaudhuri@lawyerscommittee.org
adavis@lawyerscommittee.org

**SOUTHERN COALITION FOR SOCIAL
JUSTICE**

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mitchellbrown@scsj.org

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Attorneys For Plaintiffs

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

Tennessee State Conference of the NAACP, et al.,

Plaintiff

v.

William B. Lee, in his official capacity as Governor of
the State of Tennessee, et al.,

Defendant

Civil Action No. 3:23-cv-00832

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

Representative Gary Hicks, by and through his counsel Ryan Henry
Office of Tennessee Attorney General, P.O. Box 20207, Nashville, TN 37202

(Name of person to whom this subpoena is directed)



Testimony: **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

See Attachment A for the list of topics to be covered during the deposition

Place: Sperling & Slater, 1221 Broadway, Suite 2140,
Nashville, TN 37203

Date and Time:

05/16/2024 9:00 am

The deposition will be recorded by this method: Stenographic



Production: You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04/16/2024

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk



Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* Tennessee State Conference of the NAACP, et al.,, who issues or requests this subpoena, are:

Phillop Cramer; 1221 Broadway, Suite 2140, Nashville, TN 37203; pcramer@sperling-law.com; (312) 224-1512

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 3:23-cv-00832

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____ .

☐ I served the subpoena by delivering a copy to the named individual as follows: _____

_____ on *(date)* _____ ; or

☐ I returned the subpoena unexecuted because: _____
_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
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(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

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(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

TENNESSEE STATE CONFERENCE
 OF THE NAACP et al.,
Plaintiffs,
 v.
 WILLIAM B. LEE, et al.,
Defendants.

No. 3:23-cv-00832
 JUDGE ELI RICHARDSON
 JUDGE ERIC E. MURPHY
 JUDGE BENITA Y. PEARSON

1. Public statements made by the deponent during public legislative hearings concerning the redistricting plans for the Tennessee Senate (HB 1037/SB 780), and the U.S. Congress (HB 1034/SB 781) (collectively, the “Redistricting Plans”), and the factual support for those statements.
2. Public statements made by the deponent in any other public setting concerning the Redistricting Plans, and the factual support for those statements.
3. The deponent’s awareness and understanding of public comments, including testimony (written or spoken), constituent submissions, and social media posts, concerning the Redistricting Plan, including how those public comments were considered in connection with the creation of the Redistricting Plans.
4. Communications, including written correspondence, between the deponent and the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, and the Office of the Attorney General Relating to the Redistricting Plans.
5. Communications, including written correspondence, between the deponent and any other third-party organizations, third-party individuals, or third-party consultants concerning the Redistricting Plans.
6. The deponent’s knowledge and/or understanding of the requirements of the Voting Rights Act, as well as the United States and Tennessee Constitutions, with regard to redistricting generally and the Redistricting Plans in particular.

7. The deponent's knowledge and/or understanding of the extent to which the Redistricting Plans adhere to traditional redistricting criteria (including population, compactness, respecting political boundaries, maintaining communities of interest).
8. The deponent's knowledge and/or understanding of communities of interest in the areas covered by current Congressional Districts 5, 6, and 7 and State Senate Districts 29, 30, 31, 32, and 33.

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

TENNESSEE STATE CONFERENCE OF))	
THE NAACP et al.,)	
)	
<i>Plaintiffs,</i>)	No. 3:23-cv-00832
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v.)	JUDGE ELI RICHARDSON
)	JUDGE ERIC E. MURPHY
WILLIAM B. LEE, et al.,)	JUDGE BENITA Y. PEARSON
)	
<i>Defendants.</i>)	
)	

NOTICE OF DEPOSITION

To: Senator Jack Johnson, by and through Defendants' Counsel Ryan Henry, Office of Tennessee Attorney General, P.O. Box 20207, Nashville, Tennessee 37202

PLEASE TAKE NOTICE that Plaintiffs Tennessee State Conference of the NAACP, League of Women Voters of Tennessee, The Equity Alliance, Memphis A. Philip Randolph Institute, African American Clergy Collective of Tennessee, Judy Cummings, Brenda Gilmore, Ophelia Doe, Freda Player, and Ruby Powell-Dennis (collectively, "Plaintiffs") will take the oral deposition of Tennessee Senator Jack Johnson by stenographic means on **May 20, 2024, beginning at 9:00 a.m. at Sperling & Slater, at 1221 Broadway, Suite 2140, Nashville, TN 37203** (with the option for remote attendance via Zoom) in accordance with Federal Rules of Civil Procedure 30 and 45, and Middle District of Tennessee Local Rule 45.01(c).

Dated: April 16, 2024

SPERLING & SLATER

By: /s/ Phillip F. Cramer

Phillip F. Cramer
1221 Broadway, Suite 2140
Nashville, TN 37203
Tel. (312) 224-1512
pcramer@sperling-law.com

**LAWYERS' COMMITTEE
FOR CIVIL RIGHTS UNDER LAW**

Ezra D. Rosenberg, *admitted*
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erosenberg@lawyerscommittee.org
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adavis@lawyerscommittee.org

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JUSTICE**

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mitchellbrown@scsj.org

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Attorneys For Plaintiffs

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

Tennessee State Conference of the NAACP, et al.,

Plaintiff

v.

William B. Lee, in his official capacity as Governor of
the State of Tennessee, et al.,*Defendant*

Civil Action No. 3:23-cv-00832

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

Senator Jack Johnson, by and through his counsel Ryan Henry
Office of Tennessee Attorney General, P.O. Box 20207, Nashville, TN 37202*(Name of person to whom this subpoena is directed)***Testimony:** **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

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05/20/2024 9:00 am

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Date: 04/16/2024

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk*Attorney's signature*The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* _____
Tennessee State Conference of the NAACP, et al., _____, who issues or requests this subpoena, are:

Phillop Cramer; 1221 Broadway, Suite 2140, Nashville, TN 37203; pcramer@sperling-law.com; (312) 224-1512

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 3:23-cv-00832

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on *(date)* _____ .

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_____ on *(date)* _____ ; or

☐ I returned the subpoena unexecuted because: _____
_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

TENNESSEE STATE CONFERENCE
 OF THE NAACP et al.,
Plaintiffs,
 v.
 WILLIAM B. LEE, et al.,
Defendants.

No. 3:23-cv-00832
 JUDGE ELI RICHARDSON
 JUDGE ERIC E. MURPHY
 JUDGE BENITA Y. PEARSON

1. Public statements made by the deponent during public legislative hearings concerning the redistricting plans for the Tennessee Senate (HB 1037/SB 780), and the U.S. Congress (HB 1034/SB 781) (collectively, the “Redistricting Plans”), and the factual support for those statements.
2. Public statements made by the deponent in any other public setting concerning the Redistricting Plans, and the factual support for those statements.
3. The deponent’s awareness and understanding of public comments, including testimony (written or spoken), constituent submissions, and social media posts, concerning the Redistricting Plan, including how those public comments were considered in connection with the creation of the Redistricting Plans.
4. Communications, including written correspondence, between the deponent and the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, and the Office of the Attorney General Relating to the Redistricting Plans.
5. Communications, including written correspondence, between the deponent and any other third-party organizations, third-party individuals, or third-party consultants concerning the Redistricting Plans.
6. The deponent’s knowledge and/or understanding of the requirements of the Voting Rights Act, as well as the United States and Tennessee Constitutions, with regard to redistricting generally and the Redistricting Plans in particular.

7. The deponent's knowledge and/or understanding of the extent to which the Redistricting Plans adhere to traditional redistricting criteria (including population, compactness, respecting political boundaries, maintaining communities of interest).
8. The deponent's knowledge and/or understanding of communities of interest in the areas covered by current Congressional Districts 5, 6, and 7 and State Senate Districts 29, 30, 31, 32, and 33.

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

TENNESSEE STATE CONFERENCE OF))	
THE NAACP et al.,)	
)	
<i>Plaintiffs,</i>)	No. 3:23-cv-00832
)	
v.)	JUDGE ELI RICHARDSON
)	JUDGE ERIC E. MURPHY
WILLIAM B. LEE, et al.,)	JUDGE BENITA Y. PEARSON
)	
<i>Defendants.</i>)	
)	

NOTICE OF DEPOSITION

**To: Representative Kevin Vaughan, by and through Defendants' Counsel Ryan Henry,
Office of Tennessee Attorney General, P.O. Box 20207, Nashville, Tennessee 37202**

PLEASE TAKE NOTICE that Plaintiffs Tennessee State Conference of the NAACP, League of Women Voters of Tennessee, The Equity Alliance, Memphis A. Philip Randolph Institute, African American Clergy Collective of Tennessee, Judy Cummings, Brenda Gilmore, Ophelia Doe, Freda Player, and Ruby Powell-Dennis (collectively, "Plaintiffs") will take the oral deposition of Tennessee Representative Kevin Vaughan by stenographic means on **May 21, 2024, beginning at 9:00 a.m. at Sperling & Slater, at 1221 Broadway, Suite 2140, Nashville, TN 37203** (with the option for remote attendance via Zoom) in accordance with Federal Rules of Civil Procedure 30 and 45, and Middle District of Tennessee Local Rule 45.01(c).

Dated: April 16, 2024

SPERLING & SLATER

By: /s/ Phillip F. Cramer

Phillip F. Cramer
1221 Broadway, Suite 2140
Nashville, TN 37203
Tel. (312) 224-1512
pcramer@sperling-law.com

**LAWYERS' COMMITTEE
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JUSTICE**

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Attorneys For Plaintiffs

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

Tennessee State Conference of the NAACP, et al.,

Plaintiff

v.

William B. Lee, in his official capacity as Governor of
the State of Tennessee, et al.,

Defendant

Civil Action No. 3:23-cv-00832

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

Representative Kevin Vaughan, by and through his counsel Ryan Henry
Office of Tennessee Attorney General, P.O. Box 20207, Nashville, TN 37202

(Name of person to whom this subpoena is directed)



Testimony: **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

See Attachment A for the list of topics to be covered during the deposition

Place: Sperling & Slater, 1221 Broadway, Suite 2140,
Nashville, TN 37203

Date and Time:

05/21/2024 9:00 am

The deposition will be recorded by this method: Stenographic



Production: You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04/16/2024

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk



Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* Tennessee State Conference of the NAACP, et al.,, who issues or requests this subpoena, are:

Phillop Cramer; 1221 Broadway, Suite 2140, Nashville, TN 37203; pcramer@sperling-law.com; (312) 224-1512

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 3:23-cv-00832

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____ .

☐ I served the subpoena by delivering a copy to the named individual as follows: _____

_____ on *(date)* _____ ; or

☐ I returned the subpoena unexecuted because: _____
_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

TENNESSEE STATE CONFERENCE
 OF THE NAACP et al.,
Plaintiffs,
 v.
 WILLIAM B. LEE, et al.,
Defendants.

No. 3:23-cv-00832
 JUDGE ELI RICHARDSON
 JUDGE ERIC E. MURPHY
 JUDGE BENITA Y. PEARSON

1. Public statements made by the deponent during public legislative hearings concerning the redistricting plans for the Tennessee Senate (HB 1037/SB 780), and the U.S. Congress (HB 1034/SB 781) (collectively, the “Redistricting Plans”), and the factual support for those statements.
2. Public statements made by the deponent in any other public setting concerning the Redistricting Plans, and the factual support for those statements.
3. The deponent’s awareness and understanding of public comments, including testimony (written or spoken), constituent submissions, and social media posts, concerning the Redistricting Plan, including how those public comments were considered in connection with the creation of the Redistricting Plans.
4. Communications, including written correspondence, between the deponent and the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, and the Office of the Attorney General Relating to the Redistricting Plans.
5. Communications, including written correspondence, between the deponent and any other third-party organizations, third-party individuals, or third-party consultants concerning the Redistricting Plans.
6. The deponent’s knowledge and/or understanding of the requirements of the Voting Rights Act, as well as the United States and Tennessee Constitutions, with regard to redistricting generally and the Redistricting Plans in particular.

7. The deponent's knowledge and/or understanding of the extent to which the Redistricting Plans adhere to traditional redistricting criteria (including population, compactness, respecting political boundaries, maintaining communities of interest).
8. The deponent's knowledge and/or understanding of communities of interest in the areas covered by current Congressional Districts 5, 6, and 7 and State Senate Districts 29, 30, 31, 32, and 33.

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

TENNESSEE STATE CONFERENCE OF))	
THE NAACP et al.,)	
)	
<i>Plaintiffs,</i>)	No. 3:23-cv-00832
)	
v.)	JUDGE ELI RICHARDSON
)	JUDGE ERIC E. MURPHY
WILLIAM B. LEE, et al.,)	JUDGE BENITA Y. PEARSON
)	
<i>Defendants.</i>)	
)	

NOTICE OF DEPOSITION

To: Tennessee Speaker Pro Tempore Pat Marsh, by and through Defendants’ Counsel Ryan Henry, Office of Tennessee Attorney General, P.O. Box 20207, Nashville, Tennessee 37202

PLEASE TAKE NOTICE that Plaintiffs Tennessee State Conference of the NAACP, League of Women Voters of Tennessee, The Equity Alliance, Memphis A. Philip Randolph Institute, African American Clergy Collective of Tennessee, Judy Cummings, Brenda Gilmore, Ophelia Doe, Freda Player, and Ruby Powell-Dennis (collectively, “Plaintiffs”) will take the oral deposition of Tennessee Speaker Pro Tempore Pat Marsh by stenographic means on **May 22, 2024, beginning at 9:00 a.m. at Sperling & Slater, at 1221 Broadway, Suite 2140, Nashville, TN 37203** (with the option for remote attendance via Zoom) in accordance with Federal Rules of Civil Procedure 30 and 45, and Middle District of Tennessee Local Rule 45.01(c).

Dated: April 16, 2024

SPERLING & SLATER

By: /s/ Phillip F. Cramer

Phillip F. Cramer
1221 Broadway, Suite 2140
Nashville, TN 37203
Tel. (312) 224-1512
pcramer@sperling-law.com

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JUSTICE**

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gmastoris@winston.com
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Attorneys For Plaintiffs

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

Tennessee State Conference of the NAACP, et al.,

Plaintiff

v.

William B. Lee, in his official capacity as Governor of
the State of Tennessee, et al.,

Defendant

Civil Action No. 3:23-cv-00832

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

Speaker Pro Tempore Pat Marsh, by and through his counsel Ryan Henry
Office of Tennessee Attorney General, P.O. Box 20207, Nashville, TN 37202

(Name of person to whom this subpoena is directed)



Testimony: **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

See Attachment A for the list of topics to be covered during the deposition

Place: Sperling & Slater, 1221 Broadway, Suite 2140,
Nashville, TN 37203

Date and Time:

05/22/2024 9:00 am

The deposition will be recorded by this method: Stenographic



Production: You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04/16/2024

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk



Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* _____

Tennessee State Conference of the NAACP, et al., _____, who issues or requests this subpoena, are:

Phillop Cramer; 1221 Broadway, Suite 2140, Nashville, TN 37203; pcramer@sperling-law.com; (312) 224-1512

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 3:23-cv-00832

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____ .

☐ I served the subpoena by delivering a copy to the named individual as follows: _____

_____ on *(date)* _____ ; or

☐ I returned the subpoena unexecuted because: _____
_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

TENNESSEE STATE CONFERENCE
 OF THE NAACP et al.,
Plaintiffs,
 v.
 WILLIAM B. LEE, et al.,
Defendants.

No. 3:23-cv-00832
 JUDGE ELI RICHARDSON
 JUDGE ERIC E. MURPHY
 JUDGE BENITA Y. PEARSON

1. Public statements made by the deponent during public legislative hearings concerning the redistricting plans for the Tennessee Senate (HB 1037/SB 780), and the U.S. Congress (HB 1034/SB 781) (collectively, the “Redistricting Plans”), and the factual support for those statements.
2. Public statements made by the deponent in any other public setting concerning the Redistricting Plans, and the factual support for those statements.
3. The deponent’s awareness and understanding of public comments, including testimony (written or spoken), constituent submissions, and social media posts, concerning the Redistricting Plan, including how those public comments were considered in connection with the creation of the Redistricting Plans.
4. Communications, including written correspondence, between the deponent and the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, and the Office of the Attorney General Relating to the Redistricting Plans.
5. Communications, including written correspondence, between the deponent and any other third-party organizations, third-party individuals, or third-party consultants concerning the Redistricting Plans.
6. The deponent’s knowledge and/or understanding of the requirements of the Voting Rights Act, as well as the United States and Tennessee Constitutions, with regard to redistricting generally and the Redistricting Plans in particular.

7. The deponent's knowledge and/or understanding of the extent to which the Redistricting Plans adhere to traditional redistricting criteria (including population, compactness, respecting political boundaries, maintaining communities of interest).
8. The deponent's knowledge and/or understanding of communities of interest in the areas covered by current Congressional Districts 5, 6, and 7 and State Senate Districts 29, 30, 31, 32, and 33.

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

TENNESSEE STATE CONFERENCE OF))	
THE NAACP et al.,)	
)	
<i>Plaintiffs,</i>)	No. 3:23-cv-00832
)	
v.)	JUDGE ELI RICHARDSON
)	JUDGE ERIC E. MURPHY
WILLIAM B. LEE, et al.,)	JUDGE BENITA Y. PEARSON
)	
<i>Defendants.</i>)	
)	

NOTICE OF DEPOSITION

**To: Representative Patsy Hazlewood, by and through Defendants' Counsel Ryan Henry,
Office of Tennessee Attorney General, P.O. Box 20207, Nashville, Tennessee 37202**

PLEASE TAKE NOTICE that Plaintiffs Tennessee State Conference of the NAACP, League of Women Voters of Tennessee, The Equity Alliance, Memphis A. Philip Randolph Institute, African American Clergy Collective of Tennessee, Judy Cummings, Brenda Gilmore, Ophelia Doe, Freda Player, and Ruby Powell-Dennis (collectively, "Plaintiffs") will take the oral deposition of Tennessee Representative Patsy Hazlewood by stenographic means on **May 28, 2024, beginning at 9:00 a.m. at Sperling & Slater, at 1221 Broadway, Suite 2140, Nashville, TN 37203** (with the option for remote attendance via Zoom) in accordance with Federal Rules of Civil Procedure 30 and 45, and Middle District of Tennessee Local Rule 45.01(c).

Dated: April 16, 2024

SPERLING & SLATER

By: /s/ Phillip F. Cramer

Phillip F. Cramer
1221 Broadway, Suite 2140
Nashville, TN 37203
Tel. (312) 224-1512
pcramer@sperling-law.com

**LAWYERS' COMMITTEE
FOR CIVIL RIGHTS UNDER LAW**

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JUSTICE**

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Attorneys For Plaintiffs

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

Tennessee State Conference of the NAACP, et al.,

Plaintiff

v.

William B. Lee, in his official capacity as Governor of
the State of Tennessee, et al.,*Defendant*

Civil Action No. 3:23-cv-00832

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

Representative Patsy Hazlewood, by and through her counsel Ryan Henry
Office of Tennessee Attorney General, P.O. Box 20207, Nashville, TN 37202*(Name of person to whom this subpoena is directed)***Testimony:** **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

See Attachment A for the list of topics to be covered during the deposition

Place: Sperling & Slater, 1221 Broadway, Suite 2140,
Nashville, TN 37203

Date and Time:

05/28/2024 9:00 am

The deposition will be recorded by this method: Stenographic**Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04/16/2024

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk*Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* _____
Tennessee State Conference of the NAACP, et al., _____, who issues or requests this subpoena, are:

Phillop Cramer; 1221 Broadway, Suite 2140, Nashville, TN 37203; pcramer@sperling-law.com; (312) 224-1512

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 3:23-cv-00832

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____ .

☐ I served the subpoena by delivering a copy to the named individual as follows: _____

_____ on *(date)* _____ ; or

☐ I returned the subpoena unexecuted because: _____
_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)**(c) Place of Compliance.**

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

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(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

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(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

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(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

TENNESSEE STATE CONFERENCE
 OF THE NAACP et al.,
Plaintiffs,
 v.
 WILLIAM B. LEE, et al.,
Defendants.

No. 3:23-cv-00832
 JUDGE ELI RICHARDSON
 JUDGE ERIC E. MURPHY
 JUDGE BENITA Y. PEARSON

1. Public statements made by the deponent during public legislative hearings concerning the redistricting plans for the Tennessee Senate (HB 1037/SB 780), and the U.S. Congress (HB 1034/SB 781) (collectively, the “Redistricting Plans”), and the factual support for those statements.
2. Public statements made by the deponent in any other public setting concerning the Redistricting Plans, and the factual support for those statements.
3. The deponent’s awareness and understanding of public comments, including testimony (written or spoken), constituent submissions, and social media posts, concerning the Redistricting Plan, including how those public comments were considered in connection with the creation of the Redistricting Plans.
4. Communications, including written correspondence, between the deponent and the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, and the Office of the Attorney General Relating to the Redistricting Plans.
5. Communications, including written correspondence, between the deponent and any other third-party organizations, third-party individuals, or third-party consultants concerning the Redistricting Plans.
6. The deponent’s knowledge and/or understanding of the requirements of the Voting Rights Act, as well as the United States and Tennessee Constitutions, with regard to redistricting generally and the Redistricting Plans in particular.

7. The deponent's knowledge and/or understanding of the extent to which the Redistricting Plans adhere to traditional redistricting criteria (including population, compactness, respecting political boundaries, maintaining communities of interest).
8. The deponent's knowledge and/or understanding of communities of interest in the areas covered by current Congressional Districts 5, 6, and 7 and State Senate Districts 29, 30, 31, 32, and 33.

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

TENNESSEE STATE CONFERENCE OF))	
THE NAACP et al.,)	
)	
<i>Plaintiffs,</i>)	No. 3:23-cv-00832
)	
v.)	JUDGE ELI RICHARDSON
)	JUDGE ERIC E. MURPHY
WILLIAM B. LEE, et al.,)	JUDGE BENITA Y. PEARSON
)	
<i>Defendants.</i>)	
)	

NOTICE OF DEPOSITION

To: Senator Paul Rose, by and through Defendants’ Counsel Ryan Henry, Office of Tennessee Attorney General, P.O. Box 20207, Nashville, Tennessee 37202

PLEASE TAKE NOTICE that Plaintiffs Tennessee State Conference of the NAACP, League of Women Voters of Tennessee, The Equity Alliance, Memphis A. Philip Randolph Institute, African American Clergy Collective of Tennessee, Judy Cummings, Brenda Gilmore, Ophelia Doe, Freda Player, and Ruby Powell-Dennis (collectively, “Plaintiffs”) will take the oral deposition of Tennessee Senator Paul Rose by stenographic means on **May 29, 2024, beginning at 9:00 a.m. at Sperling & Slater, at 1221 Broadway, Suite 2140, Nashville, TN 37203** (with the option for remote attendance via Zoom) in accordance with Federal Rules of Civil Procedure 30 and 45, and Middle District of Tennessee Local Rule 45.01(c).

Dated: April 16, 2024

SPERLING & SLATER

By: /s/ Phillip F. Cramer

Phillip F. Cramer
1221 Broadway, Suite 2140
Nashville, TN 37203
Tel. (312) 224-1512
pcramer@sperling-law.com

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JUSTICE**

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gmastoris@winston.com
mtuma@winston.com

Attorneys For Plaintiffs

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

Tennessee State Conference of the NAACP, et al.,

Plaintiff

v.

William B. Lee, in his official capacity as Governor of
the State of Tennessee, et al.,*Defendant*

Civil Action No. 3:23-cv-00832

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

Senator Paul Rose, by and through his counsel Ryan Henry
Office of Tennessee Attorney General, P.O. Box 20207, Nashville, TN 37202*(Name of person to whom this subpoena is directed)*

☒ **Testimony:** **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

Place: Sperling & Slater, 1221 Broadway, Suite 2140,
Nashville, TN 37203

Date and Time:

05/29/2024 9:00 am

The deposition will be recorded by this method: Stenographic

- ☐ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04/16/2024

CLERK OF COURT

OR

*Signature of Clerk or Deputy Clerk**Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* _____
Tennessee State Conference of the NAACP, et al., _____, who issues or requests this subpoena, are:

Phillop Cramer; 1221 Broadway, Suite 2140, Nashville, TN 37203; pcramer@sperling-law.com; (312) 224-1512

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 3:23-cv-00832

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____ .

☐ I served the subpoena by delivering a copy to the named individual as follows: _____

_____ on *(date)* _____ ; or

☐ I returned the subpoena unexecuted because: _____
_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
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(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

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(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

TENNESSEE STATE CONFERENCE
 OF THE NAACP et al.,
Plaintiffs,
 v.
 WILLIAM B. LEE, et al.,
Defendants.

No. 3:23-cv-00832
 JUDGE ELI RICHARDSON
 JUDGE ERIC E. MURPHY
 JUDGE BENITA Y. PEARSON

1. Public statements made by the deponent during public legislative hearings concerning the redistricting plans for the Tennessee Senate (HB 1037/SB 780), and the U.S. Congress (HB 1034/SB 781) (collectively, the “Redistricting Plans”), and the factual support for those statements.
2. Public statements made by the deponent in any other public setting concerning the Redistricting Plans, and the factual support for those statements.
3. The deponent’s awareness and understanding of public comments, including testimony (written or spoken), constituent submissions, and social media posts, concerning the Redistricting Plan, including how those public comments were considered in connection with the creation of the Redistricting Plans.
4. Communications, including written correspondence, between the deponent and the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, and the Office of the Attorney General Relating to the Redistricting Plans.
5. Communications, including written correspondence, between the deponent and any other third-party organizations, third-party individuals, or third-party consultants concerning the Redistricting Plans.
6. The deponent’s knowledge and/or understanding of the requirements of the Voting Rights Act, as well as the United States and Tennessee Constitutions, with regard to redistricting generally and the Redistricting Plans in particular.

7. The deponent's knowledge and/or understanding of the extent to which the Redistricting Plans adhere to traditional redistricting criteria (including population, compactness, respecting political boundaries, maintaining communities of interest).
8. The deponent's knowledge and/or understanding of communities of interest in the areas covered by current Congressional Districts 5, 6, and 7 and State Senate Districts 29, 30, 31, 32, and 33.

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

TENNESSEE STATE CONFERENCE OF))	
THE NAACP et al.,)	
)	
<i>Plaintiffs,</i>)	No. 3:23-cv-00832
)	
v.)	JUDGE ELI RICHARDSON
)	JUDGE ERIC E. MURPHY
WILLIAM B. LEE, et al.,)	JUDGE BENITA Y. PEARSON
)	
<i>Defendants.</i>)	
)	

NOTICE OF DEPOSITION

**To: Representative William Lamberth, by and through Defendants' Counsel Ryan Henry,
Office of Tennessee Attorney General, P.O. Box 20207, Nashville, Tennessee 37202**

PLEASE TAKE NOTICE that Plaintiffs Tennessee State Conference of the NAACP, League of Women Voters of Tennessee, The Equity Alliance, Memphis A. Philip Randolph Institute, African American Clergy Collective of Tennessee, Judy Cummings, Brenda Gilmore, Ophelia Doe, Freda Player, and Ruby Powell-Dennis (collectively, "Plaintiffs") will take the oral deposition of Tennessee Representative William Lamberth by stenographic means on **May 30, 2024, beginning at 9:00 a.m. at Sperling & Slater, at 1221 Broadway, Suite 2140, Nashville, TN 37203** (with the option for remote attendance via Zoom) in accordance with Federal Rules of Civil Procedure 30 and 45, and Middle District of Tennessee Local Rule 45.01(c).

Dated: April 16, 2024

SPERLING & SLATER

By: /s/ Phillip F. Cramer

Phillip F. Cramer
1221 Broadway, Suite 2140
Nashville, TN 37203
Tel. (312) 224-1512
pcramer@sperling-law.com

**LAWYERS' COMMITTEE
FOR CIVIL RIGHTS UNDER LAW**

Ezra D. Rosenberg, *admitted*
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JUSTICE**

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Attorneys For Plaintiffs

UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

Tennessee State Conference of the NAACP, et al.,

Plaintiff

v.

William B. Lee, in his official capacity as Governor of
the State of Tennessee, et al.,

Defendant

Civil Action No. 3:23-cv-00832

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

Representative William Lamberth, by and through his counsel Ryan Henry
Office of Tennessee Attorney General, P.O. Box 20207, Nashville, TN 37202

(Name of person to whom this subpoena is directed)



Testimony: **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

See Attachment A for the list of topics to be covered during the deposition

Place: Sperling & Slater, 1221 Broadway, Suite 2140,
Nashville, TN 37203

Date and Time:

05/30/2024 9:00 am

The deposition will be recorded by this method: Stenographic



Production: You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

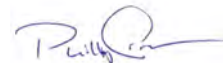
The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 04/16/2024

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk



Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* _____

Tennessee State Conference of the NAACP, et al., _____, who issues or requests this subpoena, are:

Phillop Cramer; 1221 Broadway, Suite 2140, Nashville, TN 37203; pcramer@sperling-law.com; (312) 224-1512

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 3:23-cv-00832

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____ .

☐ I served the subpoena by delivering a copy to the named individual as follows: _____

_____ on *(date)* _____ ; or

☐ I returned the subpoena unexecuted because: _____
_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

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