

# **EXHIBIT 4**

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

LULAC, *et al.*,

*Plaintiffs,*

v.

GREG ABBOTT, in his official capacity as  
Governor of Texas, *et al.*,

*Defendants.*

Case No.: EP-21-CV-00259-DCG-JES-JVB  
[LEAD CASE]

**DECLARATION OF ERIC RICHARD “RICK” SVATORA**

Pursuant to 28 U.S.C. § 1746, I, Eric Richard “Rick” Svatora, declare that:

1. I am over 18 years of age and competent to testify.
2. I am the Deputy Chief of Staff to Texas State Senator Beverly Powell. I have held this position since January 2019.
3. On February 12, 2020, Sen. Powell’s Chief of Staff, Garry Jones, and I attended a meeting with two of Sen. Joan Huffman’s aides on the Senate Select Redistricting Committee, Sean Opperman and Amy Befeld. Ms. Befeld has since left her position with the legislature.
4. Beyond noting that she and Mr. Opperman were both lawyers, Ms. Befeld did not speak further in the meeting. Mr. Opperman spoke for the majority of the meeting.
5. I took handwritten notes of what Mr. Opperman said in real time during the meeting. It is my ordinary practice to take notes during important meetings, and I maintain those notes in notebooks in the Senate office as part of the ordinary course of my business as Deputy Chief of Staff. Attached as Exhibit A to my declaration is a true and correct photograph of my

handwritten notes. I have also prepared and attached a typewritten transcription of the handwritten notes.

6. During the meeting, Mr. Opperman spoke about the redistricting process and SD10's population and information related to the American Community Survey ("ACS") estimates. We were provided with oversized maps of SD10.

7. Among other topics reflected in my notes, I recall Mr. Opperman identifying that the Committee staff had been counseled by representatives from the Office of the Attorney General, the Texas Legislative Council, and the National Conference of State Legislators, and that they anticipated that legal challenges to the proposed redistricting plans would involve allegations of cracking and packing under Section 2 of the Voting Rights Act.

8. At the end of the meeting, Mr. Opperman spoke about how he anticipated SD10 would be affected by redistricting. I recognized this as important at the time, and endeavored to record his words as close to exactly as I could. Mr. Opperman said "Very little change would be necessary for you all, being you're close to ideal size. I wouldn't anticipate much movement for you other than slightly tweaking your district."

I declare under penalty of perjury that the foregoing is true and correct.

November \_\_, 2021



Rick Svatora

November 23, 2021

# **EXHIBIT 4-A**



Meeting w/ Harrison & when BVP in Austin  
 Letter re: 9/17 meeting - report due 5/15 -  
 - non-numbered shorted. (bought away not be spent  
 & Fall... and on one meeting w/ Thompson & BVP  
 > any preferences, addresses (No residence)  
 copy of Records Retention - Party in Research  
 everything is returned @ Date of Records getting  
 and records request



atty / client privilege. It has waived their  
legal privilege.

Brian Fisher @ OAG - Counciling  
Jeff Fisher @ Legal Council  
Wendy Underhill @ NCSH

Sec. 2 - cracking + pushing most of  
challenges.

Drop Box - will share w/ all Senate.

American Common Survey - last weekend.  
- 2-3 more CDs

"Very little change would be necessary for you  
all... being more close to ideal fit.  
I wouldn't anticipate much movement for  
you other than slightly tweaking your  
district." - Sean

(page 1)

Feb. 12 [2020] Redistricting

Letter re: 9/17 hearing – input due 5/15

- Non-members invited (but may not be space)
- Fall one on one meetings w/Huffman + BVP
- Any preferences, addresses (DO/residence)

Legal + Records Retention – Patsy is research

Everything is retained @ committee, already getting

Open records requests

(page 2)

Atty/client privilege [sic] is less waived than

Lege privilege [sic]

Brian Fisher @ OAG – counseling [sic]

Jeff Archer @ Lege Council

Wendy Underhill @ NCSL

Sec. 2 – cracking + packing > most of

Challenges

Drop Box – will share w/all Senate

American Comm Survey – last estimates

2-3 more CDs

“Very little change would be necessary for you

all being you’re close to ideal size,

I wouldn’t anticipate much movement for

You, other than slightly tweaking your

District” > Sean