EXHIBIT 10

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 1                  IN THE UNITED STATES DISTRICT COURT
                        WESTERN DISTRICT OF TEXAS
 2                           EL PASO DIVISION
                             VOLUME 7 OF 9
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 4   LULAC, et al.,                )(    EP:21-CR-259-DCG-JES-JVB
                                    )(     (Lead Case)
 5        Plaintiffs,              )(
     _____)(
 6   ROY CHARLES BROOKS, et al.,    )(    EP:21-CV-00991-DCG-JES-JVB
                                    )(
 7        Plaintiffs,              )(
                                    )(
 8   vs.                           )(    EL PASO, TEXAS
                                    )(
 9   GREG ABBOTT, in his official   )(
      capacity as Governor of Texas,)(
10    et al.,                       )(
                                    )(    January 27th, 2022
11       Defendants.               )(    (1:33 p.m. to 5:53 p.m.)

12   _____

13    HEARING ON BROOKS PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION
     _____

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15                 FIFTH CIRCUIT JUDGE JERRY EDWIN SMITH
                   U.S. DISTRICT JUDGE DAVID C. GUADERRAMA
16                  U.S. DISTRICT JUDGE JEFFREY V. BROWN

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23
24          Transcript produced by mechanical stenography, and
25   computer-aided software and computer.
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 6
     DR. JOHN ALFORD          40,148       63           --           7
 7
     KEITH INGRAM             151          --           --           7
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CROSS - DR. ALFORD   79

15:16:12 1   Q.   Where did you get this data?

15:16:14 2   A.   That's the result of an EI analysis.

15:16:18 3   Q.   Who provided you the EI analysis?

15:16:20 4   A.   So the EI analysis was performed, as is true for all

15:16:26 5   of my EI analysis, under my direction, supervised by Dr. Randy

15:16:36 6   Stevenson.

15:16:37 7   Q.   I think I heard you say: As is true for all of your

15:16:43 8   EI analysis. Do you recall in the 2017 case that you received

15:16:49 9   an EI analysis from the Attorney General's office and that was

15:16:53 10   the EI analysis that you used, the Texas Attorney General's

15:16:59 11   office?

15:17:01 12   A.   Again, there are a lot of Texas cases, but I know that

15:17:06 13   there -- maybe it was 2017. I know I received analysis in the

15:17:12 14   past from the Attorney General's office that I haven't relied

15:17:16 15   on, but I don't know if that was analysis I have relied on.

15:17:19 16   So at some point in the set of the Texas cases,

15:17:26 17   Dr. Stevenson, working with me, developed a methodology and a

15:17:29 18   set of programs for doing EI analysis that he shared with the

15:17:33 19   technicians at the Attorney General's office, so they have the

15:17:38 20   ability to run the EIs in the same form and fashion that we are

15:17:41 21   running them. So, you know, I don't -- this -- whatever was

15:17:49 22   going on in 2017, what's going on now is that the technicians in

15:17:58 23   the Attorney General's office can run an EI in exactly the form

15:18:02 24   that I want it run, because that's been set up by Dr. Stevenson.

15:18:07 25   Dr. Stevenson can run it.

KATHLEEN A. SUPNET, CSR

15:18:10 1   In this particular -- for this particular analysis, I

15:18:12 2   think at the time I wrote the report, I may have been using a

15:18:19 3   run that came from the Attorney General's office, that was set

15:18:24 4   up -- we are in the process of -- it's a very large data process

15:18:28 5   to get ready for the trials that are coming up here in Texas, so

15:18:32 6   if we -- for a while, have been involved in the process of

15:18:34 7   building the data and programming capacity to do that. And we

15:18:39 8   did that. We do that kind of a type of election at a time and

15:18:42 9   we were -- we were not at the stage, yet, where we had the full

15:18:46 10   Senate election data set.

15:18:49 11   And so my recollection is that it was just quicker to

15:18:54 12   have -- to have that -- I think what ended up happening was that

15:19:02 13   Dr. Stevenson had that run with -- where the data was at that

15:19:06 14   time, which was the TLC data that the Attorney General's Office

15:19:12 15   had, rather than the data Dr. Stevenson had.

15:19:16 16   Subsequent to that, Dr. Stevenson got that data, and

15:19:21 17   while this has been run again, produces the same results, so I

15:19:25 18   was confident then, because I knew it was Dr. Stevenson code

15:19:30 19   that was being used, the TLC data. I'm confident now, because

15:19:34 20   I've seen the replication of it. Directly, it's the same

15:19:38 21   result.

15:19:38 22   Q.   Okay. Who is the technician at the Texas Attorney

15:19:43 23   General's Office? Who ran the EI analysis?

15:19:45 24   A.   I know it's in the technical office. I don't know the

15:19:49 25   actual person that runs the analysis.

CROSS - DR. ALFORD   81

15:19:51 1   Q.   Do you know any of the names of the people in the

15:19:54 2   Texas Attorney General Office's technical office, who do run

15:19:58 3   these types of EI analyses?

15:20:00 4   A.   I now Mr. Falk is sort of -- to my knowledge,

15:20:03 5   supervises that group. And I know there's a redistricter or a

15:20:09 6   GS person there, but there are other technical people in the

15:20:13 7   technical staff as well.

15:20:15 8   Q.   Do you know if any of these technicians have Ph.D.s?

15:20:19 9   A.   No idea.

15:20:20 10   Q.   You've never inquired to see if they have a Ph.D.?

15:20:24 11   A.   You know, I have never inquired, because you don't

15:20:27 12   need to have a Ph.D. to initiate an R. Program. That's why we

15:20:33 13   wrote the program.

15:20:34 14   Q.   Do you know if they have any experience or training in

15:20:35 15   running ecological inference analysis?

15:20:39 16   A.   Again, you don't need to have experience in doing

15:20:41 17   that. You would have to have some experience to doing that, if

15:20:43 18   you're going to write the programs to do it, but if you're going

15:20:47 19   to execute the programs, you don't need that experience. They

15:20:52 20   might have, but I don't know.

15:20:52 21   Q.   But you haven't inquired?

15:20:54 22   A.   A decade or so ago when -- 15 years ago, the first

15:20:59 23   time I met with any of the technical people, I know there was a

15:21:03 24   mathematician there, who seemed to know a great deal about EI in

15:21:08 25   his mathematical underpinnings, I thought quite sophisticated.

KATHLEEN A. SUPNET, CSR