

EXHIBIT

2

Berlin, Holly (CRT)

From: Jack DiSorbo <Jack.DiSorbo@oag.texas.gov>
Sent: Friday, March 18, 2022 11:07 AM
To: Anderson, Jacki (CRT)
Cc: Freeman, Daniel (CRT); Aaron Barnes; Lott, Jasmin (CRT); Mellett, Timothy F (CRT); Berlin, Holly (CRT); Rupp, Michelle (CRT); Patrick Sweeten; Eric Hudson; Jeff White; Kathleen Hunker
Subject: [EXTERNAL] RE: LULAC v. Abbott (Redistricting) - United States' Proposed Search Terms

Hi Jacki,

Thank you for your message. Also, thank you also for sending proposed search terms for the legislator subpoenas. To address your point on this subject, the responses we have sent thus far include a reasonable search for email and other ESI.

Regarding the United States' RFPs and the Office of the Governor, this is the first time you have raised this issue. As you are aware, DOJ did not sue the Office of the Governor and it is therefore not a party to the United States' lawsuit. In addition, in our responses to your requests for production, we objected to, among other things, the overbreadth of the requests and the United States' overly-broad definition of "Defendants." However, I would note that we have recently received RFPs directed at the Governor, issued by private plaintiffs in this litigation, whose lawsuits named the Governor as a party. We have not yet served our objections and responses to those requests because they are not yet due. But we would be happy to meet and confer concerning your contention that the Governor falls within "The State of Texas" for the exclusive purpose of these redistricting cases.

Regarding the Office of the Attorney General, the State Defendants maintain their position that OAG is not included within "The State of Texas" for purposes of these redistricting cases. We are happy to discuss our position this matter as well.

In addition, we will reiterate our objection regarding the breadth of the hit counts associated with the Office of the Secretary of State. Reviewing each of those records would certainly be unduly burdensome and disproportionate to the needs of the case. That said, these issues are resolvable and we are certainly willing to meet and confer to address them.

Best, Jack

From: Anderson, Jacki (CRT) <Jacki.Anderson@usdoj.gov>
Sent: Thursday, March 17, 2022 2:23 PM
To: Jack DiSorbo <Jack.DiSorbo@oag.texas.gov>
Cc: Freeman, Daniel (CRT) <Daniel.Freeman@usdoj.gov>; Aaron Barnes <Aaron.Barnes@oag.texas.gov>; Lott, Jasmin (CRT) <Jasmin.Lott@usdoj.gov>; Mellett, Timothy F (CRT) <Timothy.F.Mellett@usdoj.gov>; Berlin, Holly (CRT) <Holly.Berlin@usdoj.gov>; Rupp, Michelle (CRT) <Michelle.Rupp@usdoj.gov>; Patrick Sweeten <Patrick.Sweeten@oag.texas.gov>; Eric Hudson <Eric.Hudson@oag.texas.gov>; Jeff White <Jeff.White@oag.texas.gov>; Kathleen Hunker <Kathleen.Hunker@oag.texas.gov>
Subject: RE: LULAC v. Abbott (Redistricting) - United States' Proposed Search Terms