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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

Hon. Robert S. Lasnik

SUSAN SOTO PALMER, et al.,

Plaintiffs,

v.

STEVEN HOBBS, in his official capacity
as Secretary of State of Washington, and
the STATE OF WASHINGTON,

Defendants,

and

JOSE TREVINO, ISMAEL G. CAMPOS,
and State Representative, ALEX YBARRA,

Intervenor-Defendants.

Case No. 3:22-cv-05035-RSL

JOINT PRETRIAL STATEMENT
AND [PROPOSED] ORDER

I. JURISDICTION

1. The Court has federal jurisdiction over Plaintiffs' claims pursuant to 28 U.S.C. §§ 1331; 1343(a)(3) and (4); 1357, 42 U.S.C. § 1983, and 52 U.S.C. § 10301. The Court has jurisdiction to grant relief pursuant to 28 U.S.C. §§ 2201 and 2202; the Declaratory Judgments Act, and Federal Rules of Civil Procedure 57 and 65.

2. The Court has jurisdiction over Plaintiffs' claim for costs and attorneys' fees under Federal Rule of Civil Procedure 54, 42 U.S.C. § 1988, and 52 U.S.C. § 10310(e).

II. CLAIMS AND DEFENSES

Plaintiffs will pursue the following claims at trial:

1. Race and language minority discrimination with discriminatory results in violation of Section 2 of the Voting Rights Act, 52 U.S.C. § 10301.

1 3. Race and language minority discrimination with discriminatory intent in violation
2 of Section 2 of the Voting Rights Act, 52 U.S.C. § 10301.

3 4. Based on the conclusions of the State of Washington's expert, the other record
4 evidence, and factual findings in relevant VRA cases, the State cannot and does not intend to
5 dispute at trial that *Soto Palmer* Plaintiffs have satisfied the three *Gingles* preconditions for
6 pursuing a claim under section 2 of the VRA based on discriminatory results. Based on the same
7 evidence, the State cannot and does not intend to dispute that the totality of the evidence test
8 likewise favors the *Soto Palmer* Plaintiffs' claim based on discriminatory results.

9 5. The State disputes, however, that the Redistricting Commission intentionally
10 discriminated against Hispanic voters, and intends to present evidence to the contrary, if necessary.

11 6. The State does not intend to assert any affirmative defenses or counterclaims.

12 7. Secretary Hobbs does not intend to pursue any affirmative defenses at trial.

13 8. *Soto Palmer* Plaintiffs contend Intervenor-Defendants waived defenses Nos. 7 and
14 8 below by failing to raise them as affirmative defenses in their Answer.

15 **Intervenor-Defendants will raise the following defenses at trial:**

16 1. *Thornburg v. Gingles*, 478 U.S. 30 (1986), lists three preconditions ("Gingles
17 preconditions") necessary to prove a claim under Section 2 of the Voting Rights Act, 52 U.S.C. §
18 10301, and Plaintiff cannot establish any of those three preconditions. Specifically, Plaintiff cannot
19 prove the following:

- 20 a. That a minority group is sufficiently large and geographically compact to
21 constitute a majority in a reasonably configured Legislative District 15 ("LD"
22 15");
23 b. That the same minority group is politically cohesive; and
24

c. That LD 15's white majority votes sufficiently as a bloc to usually defeat the minority's preferred candidate.

2. Plaintiffs cannot prove by a totality of circumstances—using the Senate Report Factors, *Gingles*, 478 U.S. at 35–37—that the proposed map has a discriminatory impact.

3. “[Section] 2 of the Voting Rights Act of 1965 does not apply to redistricting.” *Abbott v. Perez*, 138 S. Ct. 2305, 2335 (2018) (Thomas, J. concurring).

4. Plaintiffs have no lawful remedy. Specifically, Plaintiffs seek a remedy that violates the Fourteenth Amendment to the U.S. Constitution by requiring a map drawn on the basis of race.

5. Plaintiffs are unable to establish the elements required for injunctive relief.

6. Plaintiffs seek inappropriate relief, including relief that is not within Intervenor's or any of the present Defendants' authority to accomplish.

7. Section 2 of the Voting Rights Act does not protect political parties or correlations between race and politics, and is only available to protect against the specified government actions “on account of race.”

8. Section 2 of the Voting Rights Act, 52 U.S.C. § 10301, does not establish a private right of action.

III. ADMITTED FACTS

The following facts are admitted by the parties:

Party Information

1. Plaintiff Susan Soto Palmer is registered to vote at 1214 Voelker Avenue, Yakima, WA 98902, which is located in Legislative District 15 in the Enacted Plan.

2. Plaintiff Soto Palmer identifies her ethnicity as Hispanic Latino.

1 3. Plaintiff Alberto Isaac Macias is registered to vote at 1517 Cherry Avenue, Yakima,
2 WA 98902.

3 4. Plaintiff Macias resides in LD 14 in the Enacted Plan, and voted in that district in
4 the 2022 elections.

5 5. Plaintiff Macias identifies his ethnicity as Latino Hispanic.

6 6. Plaintiff Faviola Lopez is registered to vote at 3291 Kays Road, Wapato, WA
7 98951, which is located in LD 14 in the Enacted Plan.

8 7. Plaintiff Lopez identifies her ethnicity as Latina.

9 8. Plaintiff Caty Padilla is registered to vote at 1401 Hammond Lane, Toppenish, WA
10 98948, which is located in LD 14 in the Enacted Plan.

11 9. Plaintiff Padilla identifies her ethnicity as Latina.

12 10. Plaintiff Heliadora Morfin is registered to vote at 1115 W. Irving Street, Pasco, WA
13 99301, which is located in LD 15 in the Enacted Plan.

14 11. When asked, Plaintiff Morfin identified her ethnicity as Mexican and her race as
15 other.

16 12. The U.S. Census Bureau defines Hispanic or Latino as a “person of Cuban,
17 Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless
18 of race.”

19 13. Intervenor-Defendant Alex Ybarra lives in Quincy, Washington, in LD13 in the
20 Enacted Plan.

21 14. Intervenor Defendant Ybarra is a State Representative for the State of Washington,
22 a United States citizen, over the age of eighteen, and a registered voter in the State of Washington.
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1 15. Intervenor-Defendant Ismael Campos is a United States citizen, over the age of
2 eighteen, and a registered voter in the State of Washington.

3 16. Intervenor-Defendant Campos resides in Kennewick, Washington, in LD 8 in the
4 Enacted Plan.

5 17. Intervenor-Defendant Jose Trevino resides in Granger, Washington, in LD 15 in
6 the Enacted Plan.

7 18. Intervenor-Defendant Trevino is the current Mayor of Granger, Washington, a
8 United States citizen, over the age of eighteen, and a registered voter in the State of Washington.

9 19. Intervenor Defendant Trevino identifies his ethnicity as Hispanic.

10 **Demographics of Washington**

11 20. According to the 2020 Census, over one million people in Washington identify as
12 Hispanic or Latino.

13 21. Washington received P.L. 94-171 data on August 12, 2021.

14 22. According to P.L. 94-171 data, Washington State's population grew by 980,741
15 residents from 2010 to 2020, a growth rate of 14.5%.

16 23. According to the 2020 Census data, Washington has the eleventh-largest population
17 of people identified as Hispanic or Latino among the fifty states.

18 24. According to the 2020 Census, the combined population of people who identify as
19 Hispanic or Latino in Yakima, Franklin, and Benton counties was 231,833.

20 25. According to 2010 and 2020 Census data, the Latino or Hispanic identified
21 population in Washington grew by 303,423 between 2010 and 2020 for a growth rate of
22 approximately 40.1%, compared to a growth rate of approximately 11.3% for non-
23 Hispanic/Latinos.

1 26. According to 2020 Census Data, the total population of Yakima County identified
2 as Hispanic or Latino in 2020 was 130,049, approximately 50.7% of the county population.

3 27. According to 2020 Census Data, the total population of Franklin County identified
4 as Hispanic or Latino in 2020 was 52,445, approximately 54.2% of the county population.

5 28. According to 2020 Census Data, the total population of Benton County identified
6 as Hispanic or Latino in 2020 was 49,339, approximately 23.8% of the county population.

7 29. According to 2020 Census Data, the total population of Grant County identified as
8 Hispanic or Latino in 2020 was 42,401, approximately 42.8% of the county population.

9 30. According to 2020 Census Data, the total population of Adams County identified
10 as Hispanic or Latino in 2020 was 13,120, approximately 63.6% of the county population.

11 31. According to 2020 Census Data, the total population in Yakima County identified
12 as Hispanic or Latino grew by 20,579 between 2010 and 2020.

13 32. According to 2020 Census Data, the total population in Franklin County identified
14 as Hispanic or Latino grew by 12,441 between 2010 and 2020.

15 33. According to 2020 Census Data, the total population in Benton County identified
16 as Hispanic or Latino grew by 16,643 between 2010 and 2020.

17 34. According to 2020 Census Data, the total population in Grant County identified as
18 Hispanic or Latino grew by 8,238 between 2010 and 2020.

19 35. According to 2020 Census Data, the total population in Adams County identified
20 as Hispanic or Latino grew by 2,021 between 2010 and 2020.

21 36. According to the Census Bureau's 2020 5-Year American Community Survey
22 ("ACS") estimates, the CVAP of Hispanic or Latino identified individuals in Yakima County was
23 48,250, approximately 32.8% of the county CVAP.

1 37. According to the Census Bureau's 2020 5-Year ACS estimates, the CVAP of
2 Hispanic or Latino identified individuals in Franklin County was 17,695, approximately 35.2% of
3 the county CVAP.

4 38. According to the Census Bureau's 2020 5-Year ACS estimates, the CVAP of
5 Hispanic or Latino identified individuals in Benton County was 17,550, approximately 13% of the
6 county CVAP.

7 39. According to the Census Bureau's 2020 5-Year ACS estimates, the CVAP of
8 Hispanic or Latino identified individuals in Grant County was 13,660, approximately 24% of the
9 county CVAP.

10 40. According to the Census Bureau's 2020 5-Year ACS estimates, the CVAP of
11 Hispanic or Latino identified individuals in Adams County was 3805, approximately 41.4% of the
12 county CVAP.

13 41. According to the Census Bureau's 2019 1-Year ACS estimates, in 2019, Yakima
14 County's Hispanic CVAP ("HCVAP") was 46,611.

15 42. According to the Census Bureau's 2019 1-year ACS estimates, in 2019, Franklin
16 County's HCVAP was 16,931.

17 43. According to the Census Bureau's 2019 1-year ACS estimates, in 2019, Benton
18 County's HCVAP was 17,526.

19 **Geography of LD 15**

20 44. LD 15 includes parts of the Yakima Valley and Pasco.

21 45. LD 15 includes parts of Adams, Benton, Grant, Franklin, and Yakima counties.

22 46. LD 15 includes the city of Othello, in Adams County.

1 47. The cities of Yakima, Toppenish, Wapato, and Mabton are located in Yakima
2 County.

3 48. LD 15 contains the eastern portion of Yakima County.

4 49. LD 15 does not include the cities of Wapato, Toppenish, and Mabton.

5 **Procedural Issues**

6 50. Jurisdiction for Plaintiffs' claim for costs and attorneys' fees is based upon 42
7 U.S.C. § 1988, and 52 U.S.C. § 10310(e).

8 51. Venue is proper in this judicial district because a substantial part of the events or
9 omissions giving rise to Plaintiff's claim occurred in this district.

10 52. Venue is also proper in this district as Defendant Hobbs is a state official
11 performing his official duties in the Western District of Washington.

12 53. Defendant Steve Hobbs is being sued in his official capacity as the Secretary of
13 State of Washington. Hobbs, as Secretary of State, "shall be the chief election officer for all federal,
14 state, county, city, town, and district elections." RCW 29A.04.230. The Secretary of State shall
15 accept and file certain documents including declarations of candidacy for the state legislature in
16 LD15. RCW 29A.04.255; RCW 29A.24.070(2).

17 54. Defendant State of Washington is properly joined as a Defendant in this case. *See*
18 Dkt. # 13.

19 **Structure and Mandate of Redistricting Commission**

20 55. Article II, Section 43 of the Washington Constitution mandates the creation of a
21 bipartisan Washington State Redistricting Commission (the "Commission").

22 56. The Commission is composed of five members; including four voting members and
23 one non-voting member who acts as a chairperson. *See* Wash. Const. art II, § 43(2).

1 57. Four members of the Commission are appointed by the legislative leaders of the
2 two largest political parties in each house of the legislature. *Id.* The fifth member is selected by
3 the four appointed members by an affirmative vote of at least three. *Id.*

4 58. Article II, Section 43(6) states that the Commission “shall complete redistricting as
5 soon as possible following the federal decennial census, but no later than November 15th of each
6 year ending in one. At least three of the voting members shall approve such a redistricting plan. If
7 three of the voting members of the commission fail to approve a plan within the time limitations
8 provided in this subsection, the supreme court shall adopt a plan by April 30th of the year ending
9 in two in conformance with the standards set forth in subsection (5) of this section.”

10 59. Under RCW 44.05.100, “[i]f three of the voting members of the commission fail to
11 approve and submit a plan within the time limitations provided in subsection (1) of this section,
12 the supreme court shall adopt a plan by April 30th of the year ending in two. Any such plan
13 approved by the court is final and constitutes the districting law applicable to this state for
14 legislative and congressional elections, beginning with the next election held in the year ending in
15 two. This plan shall be in force until the effective date of the plan based on the next succeeding
16 federal decennial census or until a modified plan takes effect as provided in RCW 44.05.120(6).”

17 60. State legislative redistricting plans in Washington State must adhere to the
18 requirements set out in RCW 44.05.090. Districts shall have a population as nearly equal as is
19 practicable, excluding nonresident military personnel, based on the population reported in the
20 federal decennial census as adjusted by RCW 44.05.140. And to the extent consistent with the
21 equal-population requirement, insofar as practical: (a) District lines should be drawn so as to
22 coincide with the boundaries of local political subdivisions and areas recognized as communities
23 of interest. The number of counties and municipalities divided among more than one district should
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1 be as small as possible; (b) Districts should be composed of convenient, contiguous, and compact
2 territory. Land areas may be deemed contiguous if they share a common land border or are
3 connected by a ferry, highway, bridge, or tunnel. Areas separated by geographical boundaries or
4 artificial barriers that prevent transportation within a district should not be deemed contiguous; (c)
5 Whenever practicable, a precinct shall be wholly within a single legislative district. RCW
6 44.05.090.

7 61. Additionally, the Commission's redistricting plan "shall not be drawn purposely to
8 favor or discriminate against any political party or group." Wash. Const. art. II, § 43(5).

9 62. After the approval of a redistricting plan by three of the voting members of the
10 Commission, the Commission submits its plan to the Washington Legislature. RCW 44.05.100.

11 63. Once a plan is submitted, the legislature has thirty days during any regular or special
12 session to amend the Commission's plan by an affirmative vote of two-thirds of the members in
13 each house. *Id.* After such 30-day period, "[t]he plan approved by the commission, with any
14 amendment approved by the legislature, shall be final . . . and shall constitute the districting law
15 applicable to this state for legislative and congressional elections, beginning with the next elections
16 held in the year ending in two." *Id.*

17 64. The amended edits to the plan by the legislature "may not include more than two
18 percent of the population of any legislative or congressional district." *Id.*

19 65. Following the passage of a map, the Commission is required to cease operations by
20 July 1st. *Id.*

21 66. "If a commission has ceased to exist, the legislature may, upon an affirmative vote
22 in each house of two-thirds of the members elected or appointed thereto, adopt legislation
23 reconvening the commission for the purpose of modifying the redistricting plan." RCW 44.05.120.

67. All districting plans must comply with the United States Constitution.

68. All districting plans must comply with the federal Voting Rights Act.

69. The Secretary of State is the State of Washington's current custodian of the Commission's official record for purposes of re-precincting and election administration. RCW 44.05.110.

Activities of the 2021 Commission

70. Commissioners Brady Piñero Walkinshaw and April Sims were appointed to the Washington Redistricting Commission on December 10, 2020, as the two Democratic Party representatives.

71. On January 15, 2021, Paul Graves and Joe Fain were appointed to the Washington Redistricting Commission as the two Republican Party representatives.

72. The four voting members, Brady Piñero Walkinshaw, April Sims, Paul Graves, and Joe Fain, voted unanimously to appoint Sarah Augustine as Chair of the 2021 Washington Redistricting Commission on January 30, 2021.

73. Between February 2021 and November 16, 2021, the Commission had Regular Business Meetings, Special Business Meetings, and Public Outreach Meetings to develop districting plans.

74. On September 21, 2021, all four voting Commissioners each submitted publicly proposed legislative maps.

75. According to adjusted 2020 Census data, Commissioner Fain's September 21, 2021 legislative map proposal for LD15 had a total population of 157,196. According to the 2020 Census, LD15 had an HVAP of 48.8%. According to the 2020 ACS 5-Year estimates,

1 LD15 had an HCVAP of 35.5%, and according to the 2019 5-Year ACS estimates, LD15 had an
2 HCVAP of 33.8%.

3 76. According to adjusted 2020 Census data, Commissioner Graves's September 21,
4 2021 legislative map proposal for LD15 had a total population of 157,249. According to the
5 2020 Census, LD15 had an HVAP of 48.3%. According to the 2020 ACS 5-Year estimates,
6 LD15 had an HCVAP of 36.3%, and according to the 2019 5-Year ACS estimates, LD15 had an
7 HCVAP of 34.2%.

8 77. According to adjusted 2020 Census data, Commissioner Sims's September 21,
9 2021 legislative map proposal for LD15 had a total population of 157,207. According to the
10 2020 Census, LD15 had an HVAP of 59.6%. According to the 2020 ACS 5-Year estimates,
11 LD15 had an HCVAP of 46.1%, and according to the 2019 5-Year ACS estimates, LD15 had an
12 HCVAP of 44.7%.

13 78. According to adjusted 2020 Census data, Commissioner Walkinshaw's September
14 21, 2021 legislative map proposal for LD14 had a total population of 157,240. According to the
15 2020 Census, LD14 had an HVAP of 55.5%. According to the 2020 ACS 5-Year estimates, LD14
16 had an HCVAP of 41.5%, and according to the 2019 5-Year ACS estimates, LD14 had an HCVAP
17 of 40.4%.

18 79. On October 25, 2021, Commissioners Piñero Walkinshaw and Sims submitted
19 revised maps.

20 80. According to adjusted 2020 Census data, Commissioner Sims's October 25, 2021
21 legislative map proposal for LD14 had a total population of 157,245. According to the 2020
22 Census, LD14 had an HVAP of 67.8%. According to the 2020 ACS 5-Year estimates, LD14 had
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1 an HCVAP of 53.0%, and according to the 2019 5-Year ACS estimates, LD14 had an HCVAP
2 of 51.6%.

3 81. According to adjusted 2020 Census data, Commissioner Walkinshaw’s October 25,
4 2021 legislative map proposal for LD14 had a total population of 157,252. According to the 2020
5 Census, LD14 had an HVAP of 67.8%. According to the 2020 ACS 5-Year estimates, LD14 had
6 an HCVAP of 53.0%, and according to the 2019 5-Year ACS estimates, LD14 had an HCVAP of
7 51.6%.

8 82. In House Concurrent Resolution 4407 (“HCR 4407”), the legislature amended the
9 map submitted by the Commission to the Washington Supreme Court; it added 7 Census Blocks
10 to Legislative District 15 and removed 2 Census Blocks. Each of the added and removed Census
11 Blocks had zero (0) population.

12 83. When HCR 4407 was brought up for a vote in the Washington State House, the
13 House Majority Leader, the first of three representatives to speak about the measure before it was
14 voted upon, stated that, “[T]hese [changes] are technical in nature” and that “As a legislature, we
15 really have two options in this redistricting process. If we do nothing, then the maps come into
16 being without our vote. But they come into being without those changes that were recommended
17 by the county commissioners. By making these—by adopting this resolution, we adopt the maps
18 as well as the changes that were suggested by the county commissioners, which are important to
19 get done.” The House Minority Leader, the final of three representatives to speak, said, “We have
20 looked at these, checked with our staff, and believe them to not make a partisan difference . . . I’m
21 guessing that many of these very minor adjustments would have been either never recognized or
22 corrected by the mapmakers in previous years.”

1 84. When HCR 4407 was brought up for a vote in the Washington State Senate, the
2 Senate Majority Leader, the first senator to speak about the measure, began his speech by stating
3 that “I want to start by talking about what this resolution is not. It is not an approval of the
4 redistricting map and the redistricting plans; it’s not an endorsement of that plan. The Legislature
5 does not have the power to approve or endorse the redistricting plan that the Redistricting
6 Commission approved. What we do have the power to do is to make minor changes. And that
7 brings us to what this resolution does. This resolution makes over 70 small changes to the
8 redistricting plan. They’re minor, mostly technical changes. Almost all of them were
9 recommended by the county auditors, who are the local elections officials. And they help to make
10 the maps work better.”

11 85. LD 15 in the Enacted Plan has a Hispanic or Latino CVAP of 50.02% and a white
12 CVAP of 44.9% according to 2019 5-Year ACS estimates. LD 15 in the Enacted Plan has a
13 Hispanic or Latino CVAP of 51.5% and a white CVAP of 43.2% according to 2020 5-year ACS
14 estimates.

15 **Map Proposals**

16 86. The Census Bureau publicly released the 2020 5-Year ACS estimates in March
17 2022.

18 87. None of the four legislative maps proposed by the Commissioners on September
19 21, 2021 included a district with majority-Hispanic or Latino CVAP.

20 88. Plaintiffs use the term “southcentral Washington” to refer to the area encompassed
21 in Yakima, Adams, Benton, Grant, and Franklin Counties.

22 89. The southcentral Washington (as defined by Plaintiffs) district with the highest
23 Hispanic or Latino CVAP percentage in Commissioner Graves’s September 21, 2021 proposal,
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1 determined by importing the shapefile for that proposal into Dave's Redistricting, was LD 15,
2 which had a Hispanic or Latino CVAP of 34.2% according to the 2019 5-Year ACS estimates and
3 36.3% according to the 2020 5-Year ACS estimates.

4 90. The southcentral Washington (as defined by Plaintiffs) district with the highest
5 Hispanic or Latino CVAP percentage in Commissioner Fain's September 21, 2021 proposal,
6 determined by importing the shapefile for that proposal into Dave's Redistricting, was LD 15,
7 which had a Hispanic or Latino CVAP of 33.8% according to the 2019 5- Year ACS estimates and
8 35.5% according to the 2020 5-Year ACS estimates.

9 91. The southcentral Washington (as defined by Plaintiffs) district with the highest
10 Hispanic or Latino CVAP percentage in Commissioner Sims's September 21, 2021 proposal,
11 determined by importing the shapefile for that proposal into Dave's Redistricting, was LD 15,
12 which had a Hispanic or Latino CVAP of 44.7% according to the 2019 5-Year ACS estimates and
13 46.1% according to the 2020 5-Year ACS estimates.

14 92. The southcentral Washington (as defined by Plaintiffs) district with the highest
15 Hispanic or Latino CVAP percentage in Commissioner Walkinshaw's September 21, 2021
16 proposal, determined by importing the shapefile for that proposal into Dave's Redistricting, was
17 LD 14, which had a Hispanic or Latino CVAP of 40.4% according to the 2019 5-Year ACS
18 estimates and 41.5% according to the 2020 5-Year ACS estimates.

19 93. The southcentral Washington district (as defined by Plaintiffs) with the highest
20 Hispanic or Latino CVAP percentage in Commissioner Sims's October 25, 2021 proposal,
21 determined by importing the shapefile for that proposal into Dave's Redistricting, was LD 14,
22 which had a Hispanic or Latino CVAP of 51.6% according to the 2019 5- Year ACS estimates and
23 53% according to the 2020 5-Year ACS estimates.

1 94. The southcentral Washington (as defined by Plaintiffs) district with the highest
2 Hispanic or Latino CVAP percentage in Commissioner Walkinshaw's October 25, 2021 proposal,
3 determined by importing the shapefile for that proposal into Dave's Redistricting, was LD 14,
4 which had a Hispanic or Latino CVAP of 51.6% according to the 2019 5-Year ACS estimates and
5 53% according to the 2020 5-Year ACS estimates.

6 95. On or about October 19, 2021, the Washington State Senate Democratic Caucus
7 circulated a presentation slide deck bearing the name, title and contact information of Matt Barreto.

8 96. Dr. Barreto's slide deck included a slide that stated that the maps proposed by
9 Commissioners Graves and Fain on September 21, 2021 displayed "[t]ext-book 'cracking' of [the]
10 Latino population" in the Yakima Valley.

11 97. LD 15 in the Enacted Plan has a Hispanic or Latino CVAP of 50.02% according to
12 2019 5-Year ACS estimates and 51.5% according to 2020 5-year ACS estimates.

13 98. LD 14 in the Enacted Plan has a Hispanic or Latino CVAP of 22.6% according to
14 2019 5-year ACS estimates and 23.1% according to 2020 5-year ACS estimates.

15 **Elections in LD15 and Yakima Valley/Pasco Area**

16 99. Elections for State Representatives are held every two years.

17 100. In elections for the Washington State Legislature, candidates identify their partisan
18 preference. Primary and general elections often feature at least one candidate who "Prefers
19 Democratic Party" and at least one candidate who "Prefers Republican Party."

20 101. In 2012, Pablo Gonzalez, who preferred the Democratic party, lost a race for State
21 Representative in Legislative District 15 to David Taylor, the incumbent, who preferred the
22 Republican party.

1 102. In the 2014 State Senate election for Legislative District 15, Gabriel Muñoz, who
2 preferred the Democratic party, lost to Jim Honeyford, the incumbent, who preferred the
3 Republican party.

4 103. In the 2014 State Representative election for Legislative District 15, Teodora
5 Martinez-Chavez, who preferred the Democratic party, lost to David Taylor, the incumbent, who
6 preferred the Republican party.

7 104. Evangelina Aguilar, who preferred the Democratic party, was a candidate for state
8 senate in Legislative District 15 in 2018, and received 39.41% of the vote in the general election.

9 105. In the 2018 State Senate election for Legislative District 15, Evangelina Aguilar
10 lost to Jim Honeyford, the incumbent, who preferred the Republican party.

11 106. Pablo Gonzalez, Teodora Martinez-Chavez, and Evangelina Aguilar have each
12 been candidates for state legislative positions in the former Legislative District 15 and each did
13 not win.

14 107. Susan Soto Palmer, who prefers the Democratic party, ran for State Representative
15 in Legislative District 14 in 2016 against the incumbent representative who preferred the
16 Republican party, and did not win.

17 108. Maria Cantwell was a candidate for U.S. Senate in 2018.

18 109. Jesse Palacios was elected to the Yakima County Board of Commissioners in 2002.

19 110. Prior to the last election, Legislative District 15 was represented in the State House
20 by Representatives Bruce Chandler and Jeremie Dufault, and in the State Senate by Jim
21 Honeyford.

22 111. Representative Mary Skinner identified as Latina, and was elected to the State
23 House from LD 14 as a Republican in elections she ran in from 1994 until 2006.

112. “Skinner” is not included in the U.S. Census Bureau’s list of Spanish surnames.

113. LD 13, which includes a portion of Yakima County, is currently represented in the State House by Intervenor Alex Ybarra, who identifies as Latino.

114. The 2022 Elections took place under the Enacted Plan. In LD 15, Nikki Torres, who preferred the Republican party, prevailed over her opponent, Lindsey Keesling, who preferred the Democratic party, in the State Senate race by 67.68% to 32.09%.

115. Presently, Legislative District 15 is represented in the State House by Representatives Bruce Chandler and Bryan Sandlin, and in the State Senate by Nikki Torres.

116. Legislative District 14 is currently represented in the State House by Chris Corry and Gina Mosbrucker, and in the State Senate by Curtis King.

Other Activities in the Area

117. Pasco Police shot and killed Antonio Zambrano-Montes.

118. During a September 21, 2021, Franklin County Commissioners’ meeting, Commissioner Mullen stated, in reference to the discussion of Latino citizen voting age population in the current commissioner districts, that he “believes that there are non-citizens that are voting in the elections.” See Franklin County Commissioners Meeting (Sept. 21, 2021), <https://media.avcaptureall.cloud/meeting/e3e60dfb-87e0-4b8f-bb49-14dbe5167045> at 1:12:00-1:12:30. 257.

Other Litigation

119. Three recent cases have applied the federal VRA and Washington Voting Rights Act to elections in Yakima and Pasco.

120. In *Montes v. City of Yakima*, the court concluded that Yakima’s at-large voting system for city council elections violated Section 2 of the VRA. 40 F. Supp. 3d 1377 (E.D. Wash.

2014). The court reviewed evidence regarding the three *Gingles* factors and concluded that each was satisfied with respect to Latino voters in the City of Yakima. *Id.* At 1390-1407. The Court also found that the totality of the circumstances demonstrated that the City's electoral process was not equally open to participation by Latino voters after analyzing the Senate Factors. *Id.* At 1408-1414.

121. In *Glatt v. City of Pasco*, a challenge to Pasco's at-large voting system, the court entered a consent decree in which the parties stipulated to each *Gingles* factor as well as a finding that the totality of the circumstances shows an exclusion of Latinos from meaningfully participating in the political process. *See* Partial Consent Decree, *Glatt v. City of Pasco*, No. 4:16-CV-05108-LRS, ECF No. 16 ¶¶ 15-22 (E.D. Wash. Sep. 2, 2016); *see also* Mem. Op. and Order, *Glatt v. City of Pasco*, No. 4:16-CV-05108-LRS, ECF No. 40 at 29 (E.D. Wash. Jan. 27, 2017).

122. In *Aguilar v. Yakima County*, No. 20-2-0018019 (Kittitas Cnty. Super. Ct.), a challenge against the at-large voting system used in Yakima County, the parties entered and the court approved a settlement agreement finding that the conditions for a violation of the Washington Voting Rights Act, including a showing of racially polarized voting, had been met in Yakima County.

2024 Elections

123. Under recently enacted legislation, statutory deadlines for the 2024 election cycle include RCW 29A.16.040, which will require precinct boundaries be drawn no later than 7 days before the first day for candidates to file for the primary election, and RCW 29A.24.050, which sets the first Monday in May as the first day for candidates to declare their candidacy.

1 124. Should the Court determine a new legislative district map must be drawn as a
2 remedy, March 25, 2024 is the latest date a finalized legislative district map must be transmitted
3 to counties without significantly disrupting the 2024 election cycle.

4 IV. ISSUES OF LAW

5 **The following are the issues of law to be determined by the court:**

6 1. Whether Plaintiffs have established the three *Gingles* preconditions to establish a
7 discriminatory results claim under Section 2 VRA including:

- 8 a. Whether the Latino community in the Yakima Valley region is sufficiently large
9 and geographically compact to constitute a majority in a single-member district;
10 b. Whether the Latino community in the Yakima Valley region is politically cohesive;
11 c. Whether the white majority in the Yakima Valley region votes sufficiently as a bloc
12 to enable it, absent special circumstances, usually to defeat the Latino community's
13 preferred candidates.

14 2. Whether the totality of the circumstances shows that LD15 has the effect of denying
15 Latino voters in the Yakima Valley region an equal opportunity to participate in the political
16 processes and to elect their candidates of choice.

17 3. Whether Plaintiffs are prevailing parties entitled to attorneys' fees under 42 U.S.C.
18 § 1988 and 52 U.S.C. § 10310(e).

19 4. Plaintiffs contend that Intervenor-Defendants did not raise Nos. 11 and 12 below
20 as affirmative defenses in their Answer, and have thus waived these arguments.

21 5. Secretary Hobbs does not have any objections, additions, or changes to Plaintiffs'
22 statement of issues of law.

Intervenor-Defendants raise these further questions of law:

6. Whether LD15 was adopted with the intent to discriminate on the basis of race, national origin, and/or language minority group status and has a discriminatory effect on that basis by intentionally cracking Latino voters to ensure that Latino voters in the region are unable to elect their candidates of choice.

7. Whether Section 2 of the Voting Rights Act of 1965 applies to redistricting. *See Abbott v. Perez*, 138 S. Ct. 2305, 2335 (2018) (Thomas, J. concurring) (opining that it does not).

8. Whether Plaintiffs seek a lawful remedy. Specifically, whether Plaintiffs' requested remedy violates the Fourteenth Amendment to the U.S. Constitution by requiring a map drawn on the basis of race.

9. Whether Plaintiffs are able to establish the elements required for injunctive relief.

10. Whether Plaintiffs seek inappropriate relief, including relief that is not within any of the present Defendants' authority to accomplish.

11. Whether Section 2 of the Voting Rights Act protects political parties via correlations between race and politics, or whether it is only available to protect against the specified government actions "on account of race." *See, e.g., Greater Birmingham Ministries v. Sec'y of State of Ala.*, 992 F.3d 1299, 1330 (11th Cir. 2021) ("[T]he challenged law must have caused the denial or abridgement of the right to vote on account of race.").

12. Whether Section 2 of the Voting Rights Act, 52 U.S.C. § 10301, establishes a private right of action.

13. Finally, if the map is stricken, the appropriate state entity to be given the first opportunity to redraw Legislative District 15.

V. EXPERT WITNESSES

1 The names and addresses of the expert witnesses to be used by each party at the trial and
2 the issue upon which each will testify are:

3 **1. On behalf of Plaintiffs:**

4 Will Testify

5 **Dr. Loren Collingwood**
6 University of New Mexico,
7 Department of Political Science
1 University of New Mexico
Albuquerque, NM 87131

8 Dr. Collingwood will testify about the possibility of creating a majority-Latino CVAP
9 district in the Yakima Valley region, the presence of racially-polarized voting in the Yakima
10 Valley region, the possibility of creating a legislative district which would allow Latinos in the
11 Yakima Valley region the opportunity to elect their candidates of choice, Latino and white voter
12 turnout in the Yakima Valley area, and characteristics and the performance of maps considered
13 and adopted by the 2021 Washington Redistricting Commission.

14 **Dr. Josué Q. Estrada**
15 Central Washington University
16 Department of History
400 University Way
Ellensburg, WA 98926

17 Dr. Estrada will testify about the shared history of Latinos as well as about the presence of
18 the following Senate Factors in the Yakima Valley and Pasco region: the history of official voting-
19 related discrimination (Senate Factor 1); the extent to which Washington state and the political
20 subdivisions in the Yakima Valley and Pasco areas have used voting practices and procedures that
21 tend to enhance the opportunity for discrimination against Latinos (Senate Factor 3); the extent to
22 which Latinos in the region bear the effects of discrimination in areas such as education,
23 employment and health (Senate Factor 5); the use of direct and indirect racial appeals in political
24

1 campaigns (Senate Factor 6); the extent to which Latinos have been elected to public office in the
2 jurisdiction (Senate Factor 7); and the lack of responsiveness on the part of elected officials to the
3 particularized needs of the Latino community (Senate Factor 9).

4 May Testify

5 **Dr. Matthew Barreto**

University of California, Los Angeles

6 3345 Bunche Hall

Los Angeles, CA 90095

7
8 Dr. Barreto may testify as a non-retained expert about efforts by the Latino community to
9 obtain a Latino opportunity district in the Yakima Valley region, voting patterns of Latino and
10 white voters in the Yakima Valley region, Latino voter turnout patterns, the maps considered and
11 adopted by the 2021 Washington Redistricting Commission, and alternative configurations of
12 legislative districts in the Yakima Valley region.

13 Plaintiffs properly disclosed Dr. Barreto as a non-retained expert under FRCP 26. Dr.
14 Barreto was included in Plaintiffs' initial disclosures (sent March 3, 2022) as well as supplemental
15 disclosures and Plaintiffs' expert disclosure filed with the Court (Dkt. 104). In addition, the parties
16 had time to conduct discovery on Dr. Barreto. Dr. Barreto produced documents in his possession
17 in response to a subpoena, and a deposition of Dr. Barreto was scheduled by both the State and
18 Intervenors but twice canceled.

19 Objections:

20 The State does not object to Dr. Barreto testifying as a non-retained expert so long as his
21 testimony is limited to opinions that were formed during the course of his participation in the
22 relevant events of the case, and only to those opinions which were properly disclosed. *See*
23 *Guarantee Tr. Life Ins. Co. v. Am. Med. & Life Ins. Co.*, 291 F.R.D. 234, 237 (N.D. Ill. 2013). The
24 State also does not object to Dr. Barreto testifying as a fact witness.

Intervenor-Defendants incorporate the above-stated objection from the State regarding Dr. Barreto's involvement as a witness.

2. On Behalf of the State:

Will Testify

Dr. John Alford
Rice University
Department of Political Science
203 Herzstein Hall
6100 Main St.
Houston, TX 77005-1827

Dr. Alford will testify about the possibility of creating a majority-Latino CVAP district in the Yakima Valley region, the presence of racially polarized voting in the Yakima Valley region, and the performance of the map adopted by the 2021 Washington Redistricting Commission.

3. On Behalf of the Secretary of State:

Secretary Hobbs does not intend to call any witnesses at trial.

4. On Behalf of Intervenor-Defendants:

Will Testify:

Dr. Mark Owens
Associate Professor
Department of Political Science
University of Texas at Tyler
3900 University Blvd
Tyler, Texas 75799

Dr. Owens may testify about the possibility of creating a majority-Latino CVAP district in the Yakima Valley region, the possibility of the presence of racially-polarized voting in the Yakima Valley region, the possibility of creating a legislative district which would allow Latinos in the Yakima Valley region the opportunity to elect their candidates of choice, Latino and white voter turnout in the Yakima Valley area, various elections returns, and characteristics and the performance of maps considered and adopted by the 2021 Washington Redistricting Commission.

Objections:

Soto Palmer Plaintiffs object to Dr. Owens offering any opinion with regard to *Gingles* Prong 3 because he testified in his deposition that he was not offering an opinion on non-Latino bloc voting, and such analysis is absent from his report(s). Similarly, Plaintiffs object to Dr. Owens offering any opinions regarding the performance of any maps considered or adopted by the Commission, as he did not disclose any such opinions in his reports.

VI. OTHER WITNESSES

The names and addresses of the lay witnesses to be used by each party at the trial and the issue(s) upon which each will testify are:

A. On behalf of Plaintiffs:

Will Testify:

Joe Fain
c/o K&L Gates LLP
925 Fourth Avenue, Ste. 2900
Seattle, WA 98104

Mr. Fain is expected to testify to information related to Plaintiffs' claims including efforts by the Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps considered by the Commission, and the actions of Commissioners and staff.

Paul Graves
c/o K&L Gates LLP
925 Fourth Avenue, Ste. 2900
Seattle, WA 98104

Mr. Graves is expected to testify to information related to Plaintiffs' claims including efforts by the Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps considered by the Commission, and the actions of Commissioners and staff.

Faviola Lopez (possibly testifying by deposition)
c/o Plaintiffs' Counsel

1 Ms. Lopez will testify to the circumstances supporting her claims including her experiences
2 as a Latina in her community, her experience voting, volunteering, and campaigning for public
3 office, her experience of the governmental responsiveness to the Latino community in her district,
4 and her experience advocating for an effective majority-minority district for the Yakima Valley.

5 **Ali O'Neil**

c/o Jason Rittereiser
6 600 Steward Street, Ste. 901
7 Seattle, WA 98101

8 Ms. O'Neil is expected to testify to information related to Plaintiffs' claims including
9 efforts by the Latino community to obtain a Latino opportunity district in the Yakima Valley, the
10 maps considered by the Commission, and the actions of Commissioners and staff.

11 **April Sims**

c/o K&L Gates LLP
12 925 Fourth Avenue, Ste. 2900
Seattle, WA 98104

13 Ms. Sims is expected to testify to information related to Plaintiffs' claims including efforts
14 by the Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps
15 considered by the Commission, and the actions of Commissioners and staff.

16 **Susan Soto Palmer** (possibly testifying by deposition)
17 c/o Plaintiffs' Counsel

18 Ms. Soto Palmer will testify to the circumstances supporting her claims including her
19 experiences as a Latina in her community, her experience voting, volunteering, and campaigning
20 for public office, her experience of the governmental responsiveness to the Latino community in
21 her district, and her experience advocating for an effective majority-minority district for the
22 Yakima Valley.

23 **Brady Walkinshaw**

c/o K&L Gates LLP
24 925 Fourth Avenue, Ste. 2900

1 Seattle, WA 98104

2 Mr. Walkinshaw is expected to testify to information related to Plaintiffs' claims including
3 efforts by the Latino community to obtain a Latino opportunity district in the Yakima Valley, the
4 maps considered by the Commission, and the actions of Commissioners and staff.

5 Possible Witness Only:

6 **Sarah Augustine** (possibly testifying by deposition)
c/o K&L Gates LLP
7 925 Fourth Avenue, Ste. 2900
8 Seattle, WA 98104

9 Ms. Augustine may testify to information related to Plaintiffs' claims including efforts by
10 the Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps
11 considered by the Commission, and the actions of Commissioners and staff.

12 **Representative of Dave's Redistricting App (Dave Bradlee)**
(possibly testifying by deposition)
c/o Mason Kortz
13 Harvard Law School Cyberlaw Clinic
Berkman Klein Center for Internet & Society
14 1557 Massachusetts Ave., 4th Floor
15 Cambridge, MA 02138

16 Mr. Bradlee, as a representative of Dave's Redistrict App, may testify to the functionality
17 of, the information and data included in, the storage of data for, and other information related to
18 the web app DRA 2020, aka Dave's Redistricting App.

19 **Matt Bridges** (possibly testifying by deposition)
c/o Jessica Goldman, Summit Law Group
20 315 5th Avenue S, Ste. 1000
Seattle, WA 98104

21 Mr. Bridges may testify to information related to Plaintiffs' claims including efforts by the
22 Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps
23 considered by the Commission, and the actions of Commissioners and staff.

1 **Ismael Campos** (possibly testifying by deposition)
2 c/o Intervenor-Defendants' Counsel

3 Mr. Campos may testify to information related to his experiences as a Latino in the region
4 and his intervention in this matter.

5 **Paul Campos**
6 c/o Jessica Goldman, Summit Law Group
7 315 5th Avenue S, Ste. 1000
8 Seattle, WA 98104

9 Mr. Campos may testify to information related to Plaintiffs' claims including efforts by the
10 Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps
11 considered by the Commission, and the actions of Commissioners and staff.

12 **Osta Davis**
13 c/o Jessica Goldman, Summit Law Group
14 315 5th Avenue S, Ste. 1000
15 Seattle, WA 98104

16 Ms. Davis may testify to information related to Plaintiffs' claims including efforts by the
17 Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps
18 considered by the Commission, and the actions of Commissioners and staff.

19 Note:

20 *Soto Palmer* Plaintiffs include Osta Davis as a witness who may possibly testify by
21 deposition. Plaintiffs maintain that because of the number of claims that must be heard in a limited
22 amount of time, any party that is not called in person should have deposition designations admitted,
23 as is common in similar redistricting cases.

24 The State of Washington objects to Ms. Davis testifying by deposition because the witness
25 is not unavailable within the meaning of Fed. R. Civ. P. 32(a)(4). Although the parties have
26 stipulated to the admissibility of certain deposition testimony notwithstanding Fed. R. Civ. P.
27 34(a)(4), both the State and Intervenor-Defendants have been clear that they would not stipulate

1 to the admissibility of deposition testimony of the Commissioners or their four primary legislative
2 staffers, including Ms. Davis. *See* Dkt. #180 at p. 4.

3 **Benancio Garcia** (possibly testifying by deposition)
4 c/o Drew Stokesbary; Holtzman Vogel

5 Mr. Garcia may testify to information related to Plaintiffs' claims including information
6 related to current legislative district 15, Latino voter suppression in the Yakima Valley area, and
7 his claims in the *Garcia* matter.

8 **Anton Grose**
9 c/o Jessica Goldman, Summit Law Group
315 5th Avenue S, Ste. 1000
Seattle, WA 98104

10 Mr. Grose may testify to information related to Plaintiffs' claims including efforts by the
11 Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps
12 considered by the Commission, and the actions of Commissioners and staff.

13 **Adam Hall** (possibly testifying by deposition)
14 c/o Jessica Goldman, Summit Law Group
315 5th Avenue S, Ste. 1000
Seattle, WA 98104

15 Mr. Hall may testify to information related to Plaintiffs' claims including efforts by the
16 Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps
17 considered by the Commission, and the actions of Commissioners and staff.

18 **Alberto Macias** (possibly testifying by deposition)
19 c/o Plaintiffs' Counsel

20 Mr. Macias may testify to the circumstances supporting his claims including his
21 experiences as a Latino in his community, his experience voting, volunteering, and campaigning
22 for public office, his experience of the governmental responsiveness to the Latino community in
23

1 his district, and his experience advocating for an effective majority-minority district for the
2 Yakima Valley.

3 **Lisa McLean** (possibly testifying by deposition)
c/o K&L Gates LLP
4 925 Fourth Avenue, Ste. 2900
5 Seattle, WA 98104

6 Ms. McLean may testify to information related to Plaintiffs' claims including efforts by
7 the Latino community to obtain a Latino opportunity district in the Yakima Valley, the maps
8 considered by the Commission, and the actions of Commissioners and staff.

9 **Heliadora Morfin** (possibly testifying by deposition)
c/o Plaintiffs' Counsel

10 Ms. Morfin may testify to the circumstances supporting her claims including her
11 experiences as a Latina in her community, her experience voting, volunteering, and campaigning
12 for public office, her experience of the governmental responsiveness to the Latino community in
13 her district, and her experience advocating for an effective majority-minority district for the
14 Yakima Valley.

15 **Caty Padilla** (possibly testifying by deposition)
c/o Plaintiffs' Counsel

16 Ms. Padilla may testify to the circumstances supporting her claims including her
17 experiences as a Latina in her community, her experience voting, volunteering, and campaigning
18 for public office, her experience of the governmental responsiveness to the Latino community in
19 her district, and her experience advocating for an effective majority-minority district for the
20 Yakima Valley.
21
22
23
24

1 **Gabriel Portugal**
2 804 N RD 52
3 Pasco, WA 99302

4 Mr. Portugal may testify to information related to Plaintiffs' claims including information
5 relating to his experience as a Latino in his community, his experience voting, volunteering, and
6 campaigning for public office, his experiences of governmental responsiveness to the Latino
7 community in the Yakima Valley area, and his experience advocating for an effective majority-
minority district for the Yakima Valley area.

8 **Sen. Rebecca Saldaña**
9 c/o Jessica Goldman, Summit Law Group
10 315 5th Avenue S, Ste. 1000
11 Seattle, WA 98104

12 Senator Saldaña may testify to information related to Plaintiffs' claims including efforts by
13 the Latino community to obtain a Latino opportunity district in the Yakima Valley area, the impact
14 of the enacted maps on the Yakima Valley area, and the responsiveness of the state legislature to
the needs of the Latino community in the Yakima Valley area.

15 **Jose Trevino** (possibly testifying by deposition)
16 c/o Intervenor-Defendants' Counsel

17 Mr. Trevino may testify to information related to his experiences as a Latino in the region
and his intervention in this matter.

18 **James Troyer**
19 c/o Jessica Goldman, Summit Law Group
20 315 5th Avenue S, Ste. 1000
21 Seattle, WA 98104

22 Mr. Troyer may testify to information related to Plaintiffs' claims including efforts to
23 recruit candidates in legislative district 15, interactions between Commission staff and Legislative
24 staff, and litigation challenging legislative district 15.

1 **Rep. Alex Ybarra** (possibly testifying by deposition)
2 c/o Intervenor-Defendants' Counsel

3 Representative Ybarra may testify to information related to the formation and passage of
4 the legislative district plan, his experiences as a Latino in the region and his intervention in this
5 matter.

6 **B. On Behalf of the State:**

7 Will Testify:

8 The State of Washington adopts and incorporates Plaintiffs' "will testify" list with four
9 modifications: (1) the State does not presently anticipate calling Ali O'Neil, but reserves the right
10 to do so; (2) the State does not intend to call Susan Soto Palmer; (3) the State does not intend to
11 call Faviola Lopez; and (4) the State intends to call Adam Hall, and Mr. Hall is expected to testify
12 to information related to efforts by the Commission and staff to comply with the Voting Rights
13 Act.

14 May Testify:

15 The State of Washington adopts and incorporates Plaintiffs' "may testify" list with one
16 modification: Sarah Augustine may testify via deposition, according to the deposition designations
17 submitted herewith.

18 **C. On Behalf of the Secretary of State:**

19 Secretary Hobbs does not intend to call any witnesses at trial.

20 **D. On Behalf of Intervenor-Defendants:**

21 Will Testify:

Paul Graves

c/o K&L Gates LLP
925 Fourth Avenue, Ste. 2900
Seattle, WA 98104

Mr. Graves is expected to testify to information related to Plaintiff's claims including process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in Washington, the maps considered by the Commission, and the actions and knowledge of Commissioners and staff during the redistricting process in 2021 and 2022.

April Sims

c/o K&L Gates LLP
925 Fourth Avenue, Ste. 2900
Seattle, WA 98104

Ms. Sims is expected to testify to information related to Plaintiff's claims including process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in Washington, the maps considered by the Commission, and the actions and knowledge of Commissioners and staff during the redistricting process in 2021 and 2022.

Sarah Augustine (possibly testifying by deposition)

c/o K&L Gates LLP
925 Fourth Avenue, Ste. 2900
Seattle, WA 98104

Ms. Augustine is expected to testify to information related to Plaintiff's claims including process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in Washington, the maps considered by the Commission, and the actions and knowledge of Commissioners and staff during the redistricting process in 2021 and 2022.

Paul Campos

c/o Jessica Goldman, Summit Law Group
315 5th Avenue S, Ste. 1000
Seattle, WA 98104

1 Mr. Campos is expected to testify to information related to Plaintiff's claims including
2 process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in
3 Washington, the maps considered by the Commission, and the actions and knowledge of
4 Commissioners and staff during the redistricting process in 2021 and 2022.

5 **Osta Davis**

c/o Jessica Goldman, Summit Law Group
6 315 5th Avenue S, Ste. 1000
7 Seattle, WA 98104

8 Ms. Davis is expected to testify to information related to Plaintiff's claims including
9 process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in
10 Washington, the maps considered by the Commission, and the actions and knowledge of
11 Commissioners and staff during the redistricting process in 2021 and 2022.

12 **Lisa McLean** (possibly testifying by deposition)

c/o K&L Gates LLP
13 925 Fourth Avenue, Ste. 2900
Seattle, WA 98104

14 Ms. McLean is expected to testify to information related to Plaintiff's claims including
15 process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in
16 Washington, the maps considered by the Commission, and the actions and knowledge of
17 Commissioners and staff during the redistricting process in 2021 and 2022.

18 **Anton Grose**

c/o Jessica Goldman, Summit Law Group
19 315 5th Avenue S, Ste. 1000
20 Seattle, WA 98104

21 Mr. Grose is expected to testify to information related to Plaintiff's claims including
22 process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in
23 Washington, the maps considered by the Commission, and the actions and knowledge of
24 Commissioners and staff during the redistricting process in 2021 and 2022.

May Testify:

Joe Fain

c/o K&L Gates LLP
926 Fourth Avenue, Ste. 2900
Seattle, WA 98104

Mr. Fain may testify to information related to Plaintiff's claims including process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in Washington, the maps considered by the Commission, and the actions and knowledge of Commissioners and staff during the redistricting process in 2021 and 2022.

Ali O'Neil

c/o Jason Rittereiser
600 Steward Street, Ste. 901
Seattle, WA 98101

Ms. O'Neil may testify to information related to Plaintiff's claims including process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in Washington, the maps considered by the Commission, and the actions and knowledge of Commissioners and staff during the redistricting process in 2021 and 2022.

Brady Walkinshaw

c/o K&L Gates LLP
925 Fourth Avenue, Ste. 2900
Seattle, WA 98104

Mr. Walkinshaw may testify to information related to Plaintiff's claims including process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in Washington, the maps considered by the Commission, and the actions and knowledge of Commissioners and staff during the redistricting process in 2021 and 2022.

Representative of Dave's Redistricting App (Dave Bradlee)

(possibly testifying by deposition)
c/o Mason Kortz
Harvard Law School Cyberlaw Clinic
Berkman Klein Center for Internet & Society

1 1557 Massachusetts Ave., 4th Floor
2 Cambridge, MA 02138

3 Mr. Bradlee, as a representative of Dave's Redistrict App, may testify to the functionality
4 of, the information and data included in, the storage of data for, and other information related to
5 the web app DRA 2020, aka Dave's Redistricting App.

6 **Matt Bridges** (possibly testifying by deposition)
7 c/o Jessica Goldman, Summit Law Group
315 5th Avenue S, Ste. 1000
Seattle, WA 98104

8 Mr. Bridges may testify to information related to Plaintiff's claims including process of
9 negotiating and drawing the legislative district in the Yakima Valley and elsewhere in Washington,
10 the maps considered by the Commission, and the actions and knowledge of Commissioners and
11 staff during the redistricting process in 2021 and 2022.

12 **Benancio Garcia** (possibly testifying by deposition)
13 c/o Drew Stokesbary; Holtzman Vogel

14 Mr. Garcia may testify to information related to Plaintiff's claims including information
15 related to current legislative district 15, the Yakima Valley area, and his claims in the *Garcia*
16 matter.

17 **Jose Trevino** (possibly testifying by deposition)
18 c/o Drew Stokesbary; Holtzman Vogel

19 Mr. Trevino may testify to information related to his experiences as a Latino in the region
20 and his intervention in this matter.

21 **Ismael Campos** (possibly testifying by deposition)
22 c/o Drew Stokesbary; Holtzman Vogel

23 Mr. Campos may testify to information related to his experiences as a Latino in the region
24 and his intervention in this matter.

Rep. Alex Ybarra (possibly testifying by deposition)
c/o Drew Stokesbary; Holtzman Vogel

Representative Ybarra may testify to information related to the formation and passage of the legislative district plan, his experiences as a Latino in the region and his intervention in this matter.

Adam Hall (possibly testifying by deposition)
c/o Jessica Goldman, Summit Law Group
315 5th Avenue S, Ste. 1000
Seattle, WA 98104

Mr. Hall may testify to information related to Plaintiff's claims including process of negotiating and drawing the legislative district in the Yakima Valley and elsewhere in Washington, the maps considered by the Commission, and the actions and knowledge of Commissioners and staff during the redistricting process in 2021 and 2022.

VII. EXHIBITS

PLAINTIFFS' EXHIBITS

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 1 | Expert Report of Dr. Loren Collingwood | | | State: X Int/Garcia: X |
| 2 | Supplemental Expert Report of Dr. Loren Collingwood | | | State: X Int/Garcia: X |
| 3 | February 25, 2022 Declaration of Dr. Loren Collingwood | | | State: X Int/Garcia: X |
| 4 | Dr. Josue Estrada, Totality of the Circumstances Analysis Under Section 2 of the Voting Rights Act | | | State: X Int/Garcia: X |
| 5 | February 25, 2022 Declaration of Dr. Matt Barreto | | State: X - FRE 802 Int/Garcia: X - FRE 802 | |
| 6 | March 25, 2022 Second Declaration of Dr. Loren Collingwood | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 7 | Defendant Steven Hobbs' Responses and Objections to Plaintiffs' First Set of Interrogatories | | | State: X Int/Garcia: X |
| 8 | Intervenor-Defendants' Objections and Responses to Plaintiffs' First Set of Interrogatories | | | State: X Int/Garcia: X |
| 9 | Plaintiffs' Amended First Set of Interrogatories to State of Washington, And Defendant State of Washington's Answers and Objections Thereto | | | State: X Int/Garcia: X |
| 10 | Intervenor-Defendants' Objections and Responses to Plaintiffs' Second Set of Interrogatories | | | State: X Int/Garcia: X |
| 11 | Intervenor-Defendants' Objections and Responses to Plaintiffs' Amended First Set of Requests for Admission to Intervenor Defendants | | | State: X Int/Garcia: X |
| 12 | Defendant Steven Hobbs' Responses and Objections to Plaintiffs' Amended First Requests for Admission | | | State: X Int/Garcia: X |
| 13 | Plaintiffs' Amended First Set of Requests for Admission to Defendant State of Washington, and Defendant State of Washington's Objections and Responses Thereto | | | State: X Int/Garcia: X |
| 14 | Intervenor-Defendants' Objections and Responses to Plaintiffs' Amended First Set of Requests for Admission to Intervenor-Defendants | | | State: X Int/Garcia: X |
| 15 | Plaintiffs' Second Set of Requests for Admission to Defendant State of Washington, and State of Washington's Responses and Objections Thereto | | | State: X Int/Garcia: X |
| 16 | Defendant Steven Hobbs' Responses and Objections to | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| | Plaintiffs' Second Requests for Admission | | | |
| 17 | Intervenor-Defendants' Objections and Responses to Plaintiffs' Second Set of Requests for Admission to Intervenor-Defendants | | | State: X Int/Garcia: X |
| 18 | Intervenor-Defendants' Objections and Responses to Plaintiffs' Third Set of Interrogatories to Intervenor-Defendants | | | State: X Int/Garcia: X |
| 19 | 12/29/2011 2011 Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 20 | 1/27/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 21 | 1/27/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 22 | 1/30/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 23 | 1/30/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 24 | 2/21/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 25 | 2/21/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 26 | 3/08/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 27 | 3/08/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 28 | 3/15/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 29 | 3/15/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 30 | 3/29/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 31 | 3/29/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 32 | 4/12/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 33 | 4/12/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 34 | 4/19/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 35 | 4/19/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 36 | 4/26/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 37 | 4/26/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 38 | 5/10/21 Washington Redistricting Business Meeting Minutes | | | State: X Int/Garcia: X |
| 39 | 5/10/21 Washington Redistricting Business Meeting (Video) | | | State: X Int/Garcia: X |
| 40 | 5/17/2021 Washington State Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 41 | WSRC Public Outreach Meeting 5.22.21-CD 7 (Transcript) | | | State: X Int/Garcia: X |
| 42 | WSRC Public Outreach Meeting 5.22.21- CD 5 (Transcript) | | | State: X Int/Garcia: X |
| 43 | 5/22/21 Washington Redistricting Commission CD 7 Public Outreach Meeting (Video) | | | State: X Int/Garcia: X |
| 44 | 5/22/21 Washington Redistricting Commission CD | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|---|--|--|---------------------------|
| | 5 Public Outreach Meeting (Video) | | | |
| 45 | 5/24/21 Washington Redistricting Commission CD 4 Public Outreach Meeting (Transcript) | | | State: X Int/Garcia: X |
| 46 | 5/24/21 Washington Redistricting Commission CD 4 Public Outreach Meeting (Video) | | | State: X Int/Garcia: X |
| 47 | WSRC Public Outreach Meeting 6.05.21-CD 4 (Transcript) | | | State: X Int/Garcia: X |
| 48 | WSRC Public Outreach Meeting 6.05.21-CD 1 (Transcript) | | | State: X Int/Garcia: X |
| 49 | 6/05/21- Washington Redistricting Commission CD 1 Public Outreach Meeting (Video) | | | State: X Int/Garcia: X |
| 50 | 6/07/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 51 | 6/07/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 52 | WSRC Public Outreach Meeting 6.14.2021- CD 3 (Transcript) | | | State: X Int/Garcia: X |
| 53 | 6/14/21 Washington Redistricting Commission CD 3 Public Outreach Meeting (Video) | | | State: X Int/Garcia: X |
| 54 | 6/21/21 Washington Redistricting Commission Regular Business Meeting Minutes | | | State: X Int/Garcia: X |
| 55 | 6/21/21 Washington Redistricting Commission Regular Business Meeting (Video) | | | State: X Int/Garcia: X |
| 56 | WSRC Public Outreach Meeting 6.22.2021- CD 2 (Transcript) | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 57 | WSRC Public Outreach Meeting 6.22.2021- CD 10 (Transcript) | | | State: X Int/Garcia: X |
| 58 | 6/22/21 Washington Redistricting Commission CD 2 Public Outreach Meeting (Video) | | | State: X Int/Garcia: X |
| 59 | 6/22/21 Washington Redistricting Commission CD 10 Public Outreach Meeting (Video) | | | State: X Int/Garcia: X |
| 60 | WSRC Public Outreach Meeting 6.26.21-CD 9 (Transcript) | | | State: X Int/Garcia: X |
| 61 | 6/26/21 Washington Redistricting Commission CD 9 Public Outreach Meeting (Video) | | | State: X Int/Garcia: X |
| 62 | WSRC Public Outreach Meeting 6.28.21- CD 8 (Transcript) | | | State: X Int/Garcia: X |
| 63 | 6/28/21 CD 8 Washington Redistricting Commission Public Outreach Meeting (Video) | | | State: X Int/Garcia: X |
| 64 | 7/31/21 Washington Redistricting Commission CD 7 & 9 Public Outreach Meeting (Video) | | | State: X Int/Garcia: X |
| 65 | 7/19/21 Washington Redistricting Commission Regular Business Meeting Minutes | | | State: X Int/Garcia: X |
| 66 | 7/19/21 Washington Redistricting Commission Regular Business Meeting (Video) | | | State: X Int/Garcia: X |
| 67 | WSRC Public Outreach Meeting 7.24.21- CD 1&2 (Transcript) | | | State: X Int/Garcia: X |
| 68 | WSRC Public Outreach Meeting 7.24.21- CD 4&5 (Transcript) | | | State: X Int/Garcia: X |
| 69 | 7/24/21 Washington Redistricting Commission CD | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|---|--|--|---------------------------|
| | 1 & 2 Public Outreach Meeting (Video) | | | |
| 70 | WSRC Public Outreach Meeting 7.26.21- CD 3&6 (Transcript) | | | State: X Int/Garcia: X |
| 71 | 7/26/21 Washington Redistricting Commission Public Outreach Meeting (Video) | | | State: X Int/Garcia: X |
| 72 | WSRC Public Outreach Meeting 7.31.21- CD 7 &9 (Transcript) | | | State: X Int/Garcia: X |
| 73 | WSRC Public Outreach Meeting 7.31.21- CD 8& 10 (Transcript) | | | State: X Int/Garcia: X |
| 74 | 7/31/21 Washington Redistricting Commission CD 8 & 10 Public Outreach Meeting (Video) | | | State: X Int/Garcia: X |
| 75 | 8/16/21 Washington Redistricting Commission Regular Business Meeting Minutes | | | State: X Int/Garcia: X |
| 76 | 8/16/21 Washington Redistricting Commission Regular Business Meeting (Video) | | | State: X Int/Garcia: X |
| 77 | 9/20/21 Washington Redistricting Commission Regular Business Meeting Minutes | | | State: X Int/Garcia: X |
| 78 | 9/20/21 Washington Redistricting Commission Regular Business Meeting (Video) | | | State: X Int/Garcia: X |
| 79 | 10/5/2021 WSRC Public Outreach Meeting 10.05.21 (Transcript) | | | State: X Int/Garcia: X |
| 80 | 10/05/21- Washington Redistricting Commission Statewide Legislative Districts Meeting (Video) | | | State: X Int/Garcia: X |
| 81 | WSRC Public Outreach Meeting 10.09.21- Statewide Congressional (Transcript) | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 82 | 10/09/21 Washington Redistricting Commission Statewide Congressional Districts Meeting (Video) | | | State: X Int/Garcia: X |
| 83 | 10/11/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 84 | 10/11/2021 WSRC Meeting 10.11.21 (Transcript) | | | State: X Int/Garcia: X |
| 85 | 10/11/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 86 | 10/18/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 87 | 10/18/2021 WSRC Regular Business Meeting 10/18/21 (Transcript) | | | State: X Int/Garcia: X |
| 88 | 10/18/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 89 | 10/25/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 90 | 10/25/21 WSRC Meeting 10.25.21 (Transcript) | | | State: X Int/Garcia: X |
| 91 | 10/25/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 92 | 11/01/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 93 | 11/01/2021 WSRC Meeting 11.01.21 (Transcript) | | | State: X Int/Garcia: X |
| 94 | 11/01/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 95 | 11/08/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 96 | 11/08/21 WSRC Meeting 11.08.2021 (Transcript) | | | State: X Int/Garcia: X |
| 97 | 11/08/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 98 | 11/15/21 Washington Redistricting Commission Regular Business Meeting Minutes | | | State: X Int/Garcia: X |
| 99 | 11/15/2021 WSRC Meeting 11.15.21 (Transcript) | | | State: X Int/Garcia: X |
| 100 | 11/15/21 Washington Redistricting Commission Regular Business Meeting | | | State: X Int/Garcia: X |
| 101 | 11/18/21 Washington Redistricting Commission Press Availability Meeting (Video) | | | State: X Int/Garcia: X |
| 102 | 11/18/21 Washington Redistricting Commission Press Availability Meeting (Transcript) | | | State: X Int/Garcia: X |
| 103 | 11/24/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 104 | 11/24/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 105 | 11/29/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 106 | 11/29/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 107 | 12/13/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 108 | 12/13/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 109 | 12/14/21 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 110 | 12/14/21 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 111 | 1/06/22 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|----------------|---|---|---|---------------------------------|
| 112 | 1/06/22 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 113 | 1/18/22 Washington Redistricting Commission Regular Business Meeting Minutes | | | State: X Int/Garcia: X |
| 114 | 1/18/22 Washington Redistricting Commission Regular Business Meeting (Video) | | | State: X Int/Garcia: X |
| 115 | 2/23/22 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 116 | 2/23/22 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 117 | 3/7/22 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 118 | 3/7/22 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 119 | 6/22/22 Washington Redistricting Commission Meeting Minutes | | | State: X Int/Garcia: X |
| 120 | 6/22/22 Washington Redistricting Commission Meeting (Video) | | | State: X Int/Garcia: X |
| 121 | Washington State Redistricting Commission, 2022 Washington State Map Book Congressional & Legislative Districts | | | State: X Int/Garcia: X |
| 122 | WITHDRAWN | | | |
| 123 | 11/16/21 Email and Attachments from Lisa McLean to Washington Supreme Court re Redistricting News for Chief Justice and the Supreme Court | | | State: X Int/Garcia: X |
| 124 | WITHDRAWN | | | |
| 125 | WITHDRAWN | | | |
| 126 | 2/8/22 Senate Floor Debate Video HCR 4407 | | | State: X Int/Garcia: X |
| 127 | House Concurrent Resolution 4407 | | | State: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| | | | | Int/Garcia: X |
| 128 | Yakima County Voter Registration Statistics, 2021 | | | State: X Int/Garcia: X |
| 129 | 3/4/22 Email Thread with Paul Graves, Benancio Garcia, Robert Maguire, and David Nordlinger re: Introduction re redistricting lawsuits | | | State: X Int/Garcia: X |
| 130 | MGGG Analysis of RPV in Yakima County Commission elections, January 2020 | | | State: X Int/Garcia: X |
| 131 | March 25, 2021 email from Osta Davis to April Sims re: A couple of things | | | State: X Int/Garcia: X |
| 132 | February 6, 2013 Barreto RPV analysis of Yakima Valley area | | | State: X Int/Garcia: X |
| 133 | March 25, 2021 email chain between Osta Davis, Sarah Augustine re: Job Descriptions and Budget Items | | | State: X Int/Garcia: X |
| 134 | 6/5/21 Email Thread with Paul Graves, Joe Fain, Paul Campos, Anton Grose, Margot Spindola re: RJW monthly meeting | | | State: X Int/Garcia: X |
| 135 | June 18, 2021 text messages between Fain and Sims, "2.9 to 8.26 (AS-JF)" | | | State: X Int/Garcia: X |
| 136 | 6/24/21 Email and Attachment between Fain and Campos re SRC Caucus retreat | | | State: X Int/Garcia: X |
| 137 | 6/24/21 Email Thread with Paul Campos and Joe Fain | | | State: X Int/Garcia: X |
| 138 | WITHDRAWN | | | |
| 139 | Asst. Attorney General Brian J. Sutherland Presentation: Minority Vote Dilution in the Context of Redistricting | | | State: X Int/Garcia: X |
| 140 | Excerpts of July 16, 2021 Deposition of Jose Trevino in Aguilar v. Yakima County | | Int/Garcia: X – FRE 802 & 106 | State: X |
| 141 | 8/12/21 Email Thread with Paul Campos, James Troyer, and @SRC Members email | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 142 | 9/1/21 Email Thread with Paul Campos, Anton Grose, James Crandall, and Min Fei re: CVAP population question | | | State: X Int/Garcia: X |
| 143 | 9/1/21 Email from Matt Bridges to Dominique Meyers | | | State: X Int/Garcia: X |
| 144 | September 9, 2021 email and attachment from Ali O'Neil to Brady Pinero Walkinshaw, Adam Hall, Matt Bridges, Adam Bartz, Paulette Avalos re: Leg Map One Pager-DRAFT_9.8.docx | | | State: X Int/Garcia: X |
| 145 | 9/8/21 Email from Dominique Meyers to April Sims, Joe Fitzgibbon re: draft map | | | State: X Int/Garcia: X |
| 146 | Screenshot of Daves Redistricting App LD Draft - 9/8 (corrected population) dom edits | | | State: X Int/Garcia: X |
| 147 | WITHDRAWN | | | |
| 148 | 9/10/21 Email Thread with April Sims, Dominique Meyers, Joe Fitzgibbon, Amy Ruble, and Melissa Vanderwerf re; Latest Map | | | State: X Int/Garcia: X |
| 149 | Final Sims map 9/13/21 | | | State: X Int/Garcia: X |
| 150 | September 16, 2021 email and attachment from Ali O'Neil to Brady re: leg map slideshow | | | State: X Int/Garcia: X |
| 151 | WITHDRAWN | | | |
| 152 | 9/21/21 Email and Attachment from Anton Grose to Paul Graves and Evan Ridley re: TOP8 District Partisanship Breakdown Spreadsheet | | | State: X Int/Garcia: X |
| 153 | 9/21/21 Email Thread with Paul Campos, Joe Fain, James Troyer, and James Crandall re: Draft map comparisons | | | State: X Int/Garcia: X |
| 154 | Walkinshaw Proposed Legislative Map September 21, 2021 | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 155 | Commissioner Sims' September 21, 2021 Proposed Legislative District Map | | | State: X Int/Garcia: X |
| 156 | Commissioner Pinero Walkinshaw's September 21, 2021 Proposed Legislative District Map | | | State: X Int/Garcia: X |
| 157 | Commissioner Fain's September 21, 2021 Proposed Legislative District Map | | | State: X Int/Garcia: X |
| 158 | Commissioner Grave's September 21, 2021 Proposed Legislative District Map | | | State: X Int/Garcia: X |
| 159 | SRC Spreadsheet Comparing 9/21 Draft Proposals | | | State: X Int/Garcia: X |
| 160 | WITHDRAWN | | | |
| 161 | 9/21/21 Texts between Anton Grose and Paul Graves re: Checking addresses for potential LD 15 legislators proposed by Dufault | | | State: X Int/Garcia: X |
| 162 | September 21, 2021 text messages between Paul Graves and Jeremie Dufault re: drawing 15th to include potential candidates | | | State: X Int/Garcia: X |
| 163 | September 24, 2021 email from Adam Hall to Brady Pinero Walkinshaw, Ali O'Neil, Adam Bartz, Matt Bridges re: Talking points on Republican legislative proposals (Yakima Valley) | | | State: X Int/Garcia: X |
| 164 | September 24, 2021 email from Ali O'Neil to Jim Brunner, Brady Pinero Walkinshaw re: Analysis of Analysis of commissioners' proposed legislative maps, attaching Commissioner Leg Maps FINAL.pdf | | | State: X Int/Garcia: X |
| 165 | 8/26/21 Email from James Troyer to Paul Campos, James Crandall re: Crosscut Article "WA redistricting efforts aim | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| | to give more power to people of color" | | | |
| 166 | September 28, 2021 email chain between Matt Barreto, Adam Hall, Paulette Avalos re: VRA analysis data | | | State: X Int/Garcia: X |
| 167 | 9/28/21 Email and Attachment from Dominique Meyers to April Sims re: DRAFT Messaging Doc 9-23-21 | | | State: X Int/Garcia: X |
| 168 | September 28, 2021 email chain between Adam Hall, Brady Pinero Walkinshaw, Matt Bridges, Ali O'Neil, Adam Barts re: talking points on Republican legislative proposals (Yakima Valley) | | | State: X Int/Garcia: X |
| 169 | 9/29/2021 Email from Matt Barreto to Adam Hall | | | State: X Int/Garcia: X |
| 170 | 9/30/2021 Emails between Adam Hall and Matt Barreto | | | State: X Int/Garcia: X |
| 171 | October 4, 2021 email from April Sims to Paul Graves re: | | | State: X Int/Garcia: X |
| 172 | October 6, 2021 email from Adam Hall to Ali O'Neil, Brady Pinero Walkinshaw re: Grave's map does not comply with the VRA | | | State: X Int/Garcia: X |
| 173 | 10/6-9/21 Text Messages between Paul Graves and Anton Grose | | Int/Garcia: X – FRE 106 | State: X |
| 174 | 10/11/2021 Email from Matt Barreto to Adam Hall | | | State: X Int/Garcia: X |
| 175 | 10/12/21 Email from Anton Grose to Paul Graves re: 2019 ACS Demo Comparisons | | | State: X Int/Garcia: X |
| 176 | 10/13/21 E-Mail from O'Neil to Meyers, re: Press release | | | State: X Int/Garcia: X |
| 177 | 10/13/2021 Email from Adam Hall to Matt Barreto | | | State: X Int/Garcia: X |
| 178 | 10/15/21 Dr. Matt Barreto, "Assessment of Voting Patterns in Central / Eastern Washington and Review of | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| | Federal Voting Rights Act, Section 2 Issues" | | | |
| 179 | 10/19/21 Dr. Matt Barreto, "Assessment of Voting Patterns in Central / Eastern Washington and Review of Federal Voting Rights Act, Section 2 Issues" | | | State: X Int/Garcia: X |
| 180 | October 19, 2021 email chain between Adam Hall, Brady Pinero Walkinshaw, Ali O'Neil re: Possible Billig line re: Yakima on TVW tomorrow | | | State: X Int/Garcia: X |
| 181 | 10/20/21 Text Messages between Paul Graves and Anton Grose | | | State: X Int/Garcia: X |
| 182 | 10/21/21 Email Thread with April Sims, Brady Walkinshaw, Sarah Augustine, Lisa McLean, Dominique Meyers, and Osta Davis re: Commission funding for counsel to advise on VRA | | | State: X Int/Garcia: X |
| 183 | 10/21/21 Email from Ali O'Neil on behalf of Brady Walkinshaw re: RELEASE: New analysis shows final Washington state legislative map must include a VRA-compliant district in the Yakima Valley | | | State: X Int/Garcia: X |
| 184 | Oct. 21, 2021 Email from Sims to Davis, "Re: RELEASE: New analysis shows final Washington state legislative map must include a VRA-compliant district in the Yakima Valley" | | | State: X Int/Garcia: X |
| 185 | 10/21/21 Text messages between Fain and Graves | | | State: X Int/Garcia: X |
| 186 | October 21, 2021 texts between Paul Graves and Joe Fain | | | State: X Int/Garcia: X |
| 187 | October 22, 2021 email chain among April Sims, Dominique | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|---|--|--|---------------------------|
| | Meyers, Osta Davis re: Apologies | | | |
| 188 | 10/22/21 Email Thread with Grose, Graves, Ridley re Walkinshaw Press Release on Barreto Analysis | | | State: X Int/Garcia: X |
| 189 | October 22, 2021 email from Racial Justice Washington Coalition to Brady Pinero Walkinshaw, April Sims, Joe Fain, Paul Graves, Anton Grose, Ali O'Neil, Dominique Meyers, Kamau Chege, Katie Stultz, Margot Spindola re: Redistricting Justice Washington Ranked Priorities | | | State: X Int/Garcia: X |
| 190 | October 22, 2021 email thread with Osta Davis, April Sims, Dominique Meyers re: More Recent Draft | | | State: X Int/Garcia: X |
| 191 | October 23 email from April Sims to Paul Graves re: 10/23 | | | State: X Int/Garcia: X |
| 192 | 10-23.xlsx (titled Walkinshaw Exhibit 12) | | | State: X Int/Garcia: X |
| 193 | 10/25/21 Email and Attachment from Osta Davis to April Sims, Dominique Meyers re: Statement | | | State: X Int/Garcia: X |
| 194 | 10/25/21 Email from Osta Davis to April Sims re: Most Updated Map | | | State: X Int/Garcia: X |
| 195 | 10/25/21 email from Brady Pinero Walkinshaw RELEASE: Commissioner Walkinshaw Releases New VRA-Compliant Legislative District Map | | | State: X Int/Garcia: X |
| 196 | Pinero Walkinshaw Revised Map October 25, 2021 | | | State: X Int/Garcia: X |
| 197 | Commissioner Sims' Revised Legislative District Map - October 25, 2021 | | | State: X Int/Garcia: X |
| 198 | Commissioner Walkinshaw's Revised Legislative District Map - October 25, 2021 | | | State: X Int/Garcia: X |
| 199 | WITHDRAWN | | | |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 200 | October 25, 2021 Tweet by April Sims re: legislative map | | | State: X Int/Garcia: X |
| 201 | 10/25/21 Text Messages between Paul Graves and Anton Grose | | | State: X Int/Garcia: X |
| 202 | 10/26/21 Email from James Troyer to Joe Fain, Paul Campos, James, Crandall, and Min Fei re: some screenshots - Dems on redistricting | | | State: X Int/Garcia: X |
| 203 | 10/27/21 E-Mail from O'Neil to Walkinshaw, "Leg map must-haves.pdf" | | | State: X Int/Garcia: X |
| 204 | 10/28/21 Email from O'Neil to Walkinshaw, re: Voting Rights Act AAG Assessment | | | State: X Int/Garcia: X |
| 205 | WITHDRAWN | | | |
| 206 | October 28, 2021 email submission to Washington Redistricting Commission from Giovanni Severino at the Latino Community Fund re: All Maps Should Comply with the Voting Rights Act | | | State: X Int/Garcia: X |
| 207 | October 28, 2021 text messages between Fain and Graves re: LD14 | | | State: X Int/Garcia: X |
| 208 | October 28, 2021 texts between April Sims and Paul Graves re: VRA analysis | | | State: X Int/Garcia: X |
| 209 | RSOpEd-10.29 edits.docx | | | State: X Int/Garcia: X |
| 210 | 10/25-30/21 Text Thread between Paul Graves, Chris Corry, and Jeremie Dufault | | | State: X Int/Garcia: X |
| 211 | WITHDRAWN | | | |
| 212 | WITHDRAWN | | | |
| 213 | 11/1/21 Email and Attachment from O'Neil to Augustine, McLean, Emma Grunberg, Tera Heintz, Brady Walkinshaw, Adam Hall re: Dr. Barreto's VRA Analysis | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 214 | November 1, 2021 email and attachment from Lisa McLean to Washington Redistricting Commission official comment email address re: Dr. Barreto's VRA analysis | | | State: X Int/Garcia: X |
| 215 | 11/1/21 Texts between Paul Graves and April Sims | | | State: X Int/Garcia: X |
| 216 | November 2, 2021 email chain between Osta Davis, Kurt Fritts, April Sims re: Map w/ new E.WA district | | | State: X Int/Garcia: X |
| 217 | November 2, 2021 email chain between Adam Hall, Ali O'Neil, Brady Pinero Walkinshaw, Adam Bartz, Matt Bridges, Paulette Avalos re: Similar States w Legislative Data | | | State: X Int/Garcia: X |
| 218 | 11/2/21 Text Messages between Paul Graves and Anton Grose | | | State: X Int/Garcia: X |
| 219 | November 1-3, 2021 text messages between April Sims, Paul Graves re: 14 th | | | State: X Int/Garcia: X |
| 220 | November 3, 2021 email from Anton Grose to Paul Graves re: Stats | | | State: X Int/Garcia: X |
| 221 | Nov. 3, 2021 E-mail from Ali O'Neil to Walkinshaw, Fwd: LD Offer from Graves.pdf | | | State: X Int/Garcia: X |
| 222 | Graves LD14(2) Map (screenshot) | | | State: X Int/Garcia: X |
| 223 | Nov 3.csv | | | State: X Int/Garcia: X |
| 224 | November 3, 2021 text messages between Fain and Graves, "Fain 11.03 (2).png" | | | State: X Int/Garcia: X |
| 225 | November 4, 2021 Davis Wright Tremaine Memo re: Legal Analysis of Arguments Regarding Creation of a Majority-Minority District | | | State: X Int/Garcia: X |
| 226 | Nov. 2021 Text Messages between April Sims and Brady Walkinshaw | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|---|--|--|---------------------------|
| 227 | Compilation of Nov. 2021 Text Messages between April Sims and Brady Walkinshaw | | | State: X Int/Garcia: X |
| 228 | November 4, 2021 email from Davis to Sims re: "New 14 th .pdf" | | | State: X Int/Garcia: X |
| 229 | 11/14/21 Email from Paul Campos to Joe Fain re: Sims CVAP 14LD filled out | | | State: X Int/Garcia: X |
| 230 | November 4-10 email chain between Brady Pinero Walkinshaw, Sen. Rebecca Saldana, Adam Hall, Nicole Herrera, Coco Chang re: PLZ REVIEW ASAP Saldana – Redistricting VRA OpEd | | | State: X Int/Garcia: X |
| 231 | 11/4/2021 Email from Adam Hall to Matt Barreto | | | State: X Int/Garcia: X |
| 232 | 11/4/2021 Email from Adam Hall to Matt Barreto | | | State: X Int/Garcia: X |
| 233 | WITHDRAWN | | | |
| 234 | 11/4/21 DWT Engagement Letter | | | State: X Int/Garcia: X |
| 235 | 11/4/21 Texts between Graves and Fain, "Fain 11.04.png" | | | State: X Int/Garcia: X |
| 236 | November 4, 2021 texts between April Sims, Brady Pinero Walkinshaw | | | State: X Int/Garcia: X |
| 237 | November 5, 2021 e-mail from Graves to Sims, "Fwd_ Legal memo.pdf" | | | State: X Int/Garcia: X |
| 238 | November 5, 2021 email and attachment from Adam Hall to Paulette Avalos, Ali O'Neil, Adam Bartz, Matt Bridges re: Rebuttal to Maguire memo 1105.docx | | | State: X Int/Garcia: X |
| 239 | WITHDRAWN | | | |
| 240 | 11/7/21 Email from Anton Grose to Paul Graves re New Leg Proposal | | | State: X Int/Garcia: X |
| 241 | district-shapes (5).geojson | | | State: X Int/Garcia: X |
| 242 | block-assignments (13).csv | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|---|--|--|---------------------------|
| 243 | 11/7-8/21 Texts between Graves and Fain, "Fain 11.07 .08.png" | | | State: X Int/Garcia: X |
| 244 | Email from Ali O'Neil to Brady Walkinshaw, April Sims re: Fain LD Map | | | State: X Int/Garcia: X |
| 245 | WITHDRAWN | | | |
| 246 | 11/8/21 Email from Min Fei to Paul Campos, Joe Fain re Fain v_2 ranking cover email | | | State: X Int/Garcia: X |
| 247 | November 8, 2021 comment submission from Dulce Gutierrez to Washington Redistricting Commission re: Washington State needs a Latino CVAP Majority Legislative District for Yakima and Pasco | | | State: X Int/Garcia: X |
| 248 | Depo screenshot of Fain v2 map | | | State: X Int/Garcia: X |
| 249 | Fain v_2 spreadsheet with data | | | State: X Int/Garcia: X |
| 250 | Ali O'Neil Personal Notes - Part 4 | | | State: X Int/Garcia: X |
| 251 | Sarah Augustine handwritten notes from September 1, 2021-November 8, 2021 | | | State: X Int/Garcia: X |
| 252 | November 8, 2021 written public testimony submitted to Commission from Sandra Aguilar re: Yakima | | | State: X Int/Garcia: X |
| 253 | 11/8/21 text messages between Fain and Graves | | | State: X Int/Garcia: X |
| 254 | 11/8/21 Texts between Paul Graves and Anton Grose | | | State: X Int/Garcia: X |
| 255 | November 8, 2021 texts between April Sims, Brady Pinero Walkinshaw | | | State: X Int/Garcia: X |
| 256 | November 8, 2021 texts between Paul Graves and April Sims re: 14th | | | State: X Int/Garcia: X |
| 257 | Nov. 9, 2021 E-mail thread between Sims, Davis, Meyers, "RE_Map draft.pdf" | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 258 | 11/9/21 Email from Jeremie Dufault to Paul Graves and Chris Corry forwarding email from Debra Manjarrez re: Call to Action | | | State: X Int/Garcia: X |
| 259 | November 9, 2021 email from Dulce Gutierrez to Official Redistricting Comment Email, Lisa McLean, Sarah Augustine, Maria Garza, Daniel Pailthorp re: Petition for Latino CVAP Majority for Yakima and Pasco | | | State: X Int/Garcia: X |
| 260 | Screenshot of "11/9 AM Proposal, Weaker LD14 & 42" Map | | | State: X Int/Garcia: X |
| 261 | 11/9/21 Texts between Paul Graves and Anton Grose | | | State: X Int/Garcia: X |
| 262 | 11/10/21 Email from Paul Campos to Min Fei and Joe Fain re ranking 11.10 Brady map | | | State: X Int/Garcia: X |
| 263 | Nov. 10, 2021 E-mail from Campos to Fain, "FW_Walkinshaw 11.10 leg map, new VRA.pdf" | | | State: X Int/Garcia: X |
| 264 | 11/10/21 Email from Dulce Gutierrez to Redistricting Commission Comment Email, Lisa McLean, Aminta Spencer, Daniel Pailthorp, Maria Garza re: Please consider our proposal for a Latino CVAP Majority for Yakima and Pasco | | | State: X Int/Garcia: X |
| 265 | November 10, 2021 email thread between Paul Campos, Joe Fain re: Graves and Fain drafts | | | State: X Int/Garcia: X |
| 266 | Screenshot 484 (Davis Deposition) | | | State: X Int/Garcia: X |
| 267 | Screenshot of Daves Redistricting App BW 11.10 new VRA block-assignments | | | State: X Int/Garcia: X |
| 268 | Brady 11.10 Map with new VRA configuration | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|---|--|--|---------------------------|
| 269 | BW>Fain 11.10 new VRA Map | | | State: X Int/Garcia: X |
| 270 | Ranking spreadsheet for 11.10 Walkinshaw map | | | State: X Int/Garcia: X |
| 271 | Graves Prop 11-10.xlsx | | | State: X Int/Garcia: X |
| 272 | Proposal Metrics 1110.xlsx | | | State: X Int/Garcia: X |
| 273 | 10/11/21 to 11/10/21 Text Thread between Joe Fain and Curtis King "10.11 to 11.10 (JF+King).png" | | | State: X Int/Garcia: X |
| 274 | Nov. 10-11, 2021 text messages between Fain and Graves, "Fain 11.11 12.png" | | | State: X Int/Garcia: X |
| 275 | Nov. 10-11, 2021 texts between April Sims and Paul Graves | | | State: X Int/Garcia: X |
| 276 | 11/11/21 Email and Attachment from Anton Grose to Paul Graves re: Prop Metrics 11-11 Spreadsheet | | | State: X Int/Garcia: X |
| 277 | Nov. 11, 2021 E-mail chain with Graves, Grose, Sims, Davis, and Meyers, RE: New map proposal | | | State: X Int/Garcia: X |
| 278 | November 11, 2021 email from Ali O'Neil to Brady Walkinshaw, forwarding email from Matt Bridges, FW: Graves 11-10 LD Proposal | | | State: X Int/Garcia: X |
| 279 | November 11, 2021 email from Ali O'Neil to Brady Pinero Walkinshaw re: 11.11. leg map proposal | | | State: X Int/Garcia: X |
| 280 | November 11, 2021 email from Anton Grose to Paul Graves re: Message to April about today's map | | | State: X Int/Garcia: X |
| 281 | 11/11/21 Email from Anton Grose to Paul Campos re: 14th negotiation | | | State: X Int/Garcia: X |
| 282 | November 11, 2021 email thread between Joe Fain, Paul | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| | Campos, Min Fei FW: Sims plan activematrix.xlsx.pdf | | | |
| 283 | Screenshot of "D Only Commission Vote" Map | | | State: X Int/Garcia: X |
| 284 | WITHDRAWN | | | |
| 285 | November 11, 2021 spreadsheet comparing Brady Pinero Walkinshaw's latest proposal to April Sims' | | | State: X Int/Garcia: X |
| 286 | SimsDraftNov10.xlsx | | | State: X Int/Garcia: X |
| 287 | Rebecca Saldaña, Latinx community needs fair redistricting map | | | State: X Int/Garcia: X |
| 288 | November 11, 2021 text messages between Walkinshaw and Sims, "Sims 11.11(4).pdf" | | | State: X Int/Garcia: X |
| 289 | November 11, 2021 texts between April Sims and Brady Pinero Walkinshaw re: email from Paul Graves | | | State: X Int/Garcia: X |
| 290 | November 12, 2021 email thread between April Sims, Paul Graves, Anton Grose, Paul Campos, Joe Fain and forwarded to Brady Pinero Walkinshaw, Ali O'Neil, Osta Davis, Dominique Meyers re: Fwd_Updated Proposal Email | | | State: X Int/Garcia: X |
| 291 | 11/12/21 Email Thread with April Sims, Osta Davis, and Dominique Meyers re: "Newest version" of state legislative map | | | State: X Int/Garcia: X |
| 292 | 11/12/21 Email between Paul Campos, Joe Fain, and Min Fei re: Fain Draft Nov12v2 | | | State: X Int/Garcia: X |
| 293 | November 12, 2021 comment submission from Maria Siguenza to Washington Redistricting Commission re: Comment Submission: Commission on Hispanic Affairs | | | State: X Int/Garcia: X |
| 294 | 11/12/21 Email from Dulce Gutierrez to Redistricting | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| | Commission Comment Email, Lisa McLean, Aminta Spencer, Daniel Pailthorp, Maria Garza re: Please create a Latino CVAP Majority for Yakima and Pasco | | | |
| 295 | 11/12/2021 Email from Adam Hall to Matt Barreto | | | State: X Int/Garcia: X |
| 296 | November 12, 2021 email thread between Joe Fain, Min Fei, and Paul Campos re: Sims Proposal Nov12.xlsx | | | State: X Int/Garcia: X |
| 297 | Graves Draft Nov 12(1) Map | | | State: X Int/Garcia: X |
| 298 | Spreadsheet for Fain Draft Nov12v2 | | | State: X Int/Garcia: X |
| 299 | Sims Proposal Nov12.xlsx | | | State: X Int/Garcia: X |
| 300 | 11/12/21 Text Messages between Paul Graves and Anton Grose | | | State: X Int/Garcia: X |
| 301 | 11/12-14/2021 texts between O'Neil and Walkinshaw | | | State: X Int/Garcia: X |
| 302 | November 13, 2021 email and attachment from Joe Fain to Sarah Augustine, Paul Graves, April Sims, Brady Pinero Walkinshaw re: Memo | | | State: X Int/Garcia: X |
| 303 | Nov. 13 E-mail from Adam Hall to Walkinshaw, "Fwd Updated Proposal Email.eml.msg.pdf" | | | State: X Int/Garcia: X |
| 304 | November 13, 2021 email from Paul Graves to April Sims, Anton Grose, Osta Davis, Dominique Meyers re: Map Proposal; forwarded to Brady Pinero Walkinshaw, Ali O'Neil, Fwd: Map proposal. | | | State: X Int/Garcia: X |
| 305 | Nov. 13, 2021 E-mail from Walkinshaw to Fain, "Fwd_BW 11.13 leg map proposal.pdf" | | | State: X Int/Garcia: X |
| 306 | WITHDRAWN | | | |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 307 | Email from Paul Campos to Joe Fain re: labeling of LD14 and LD15 | | | State: X Int/Garcia: X |
| 308 | 11/13/21 Email and Attachment from Anton Grose to Paul Graves re: Proposal Metrics 11-13 Spreadsheet | | | State: X Int/Garcia: X |
| 309 | 11/13/21 Email from Adam Hall to Matt Barreto re Latest drafts for analysis | | | State: X Int/Garcia: X |
| 310 | WITHDRAWN | | | |
| 311 | November 13, 2021 email thread among Joe Fain, Paul Campos, Min Fei FW: Graves Draft Nov12.xlsx | | | State: X Int/Garcia: X |
| 312 | Screenshot of Daves Redistricting App Page for BW 11/13 leg proposal | | | State: X Int/Garcia: X |
| 313 | BW 11/13 leg proposal | | | State: X Int/Garcia: X |
| 314 | 11/13/21 Email from Osta Davis to April Sims re Map w/ 444/47/28 adjusted | | | State: X Int/Garcia: X |
| 315 | Spreadsheet for Walkinshaw Draft Nov13 | | | State: X Int/Garcia: X |
| 316 | WITHDRAWN | | | |
| 317 | Graves Draft Nov12.xlsx | | | State: X Int/Garcia: X |
| 318 | WITHDRAWN | | | |
| 319 | 11/13-11/21 Sarah Augustine Handwritten Notes | | | State: X Int/Garcia: X |
| 320 | Nov. 13, 2021 Text from Fain to Walkinshaw, "BW 11.11 13 14.png" | | | State: X Int/Garcia: X |
| 321 | 11/13/21 messages between Campos and O'Neil | | | State: X Int/Garcia: X |
| 322 | 11/13/21 Texts between Paul Graves and Joe Fain | | | State: X Int/Garcia: X |
| 323 | 11/13 messages between Davis and O'Neil | | | State: X Int/Garcia: X |
| 324 | November 14, 2021 email from Osta Davis to April Sims, Dominique Meyers re: FWD: | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|---|--|--|---------------------------|
| | scheduling a meeting with Matt Barreto today | | | |
| 325 | 11/14/21 Email from Paul Campos to Joe Fain re: Fain_GravesPropLD | | | State: X Int/Garcia: X |
| 326 | 11/14/2021 Email from Adam Hall to Matt Barreto | | | State: X Int/Garcia: X |
| 327 | Nov. 14, 2021 E-mail chain between O'Neil and Davis, "DAVIS 019053" | | | State: X Int/Garcia: X |
| 328 | November 14, 2021 email from Redistricting Justice for Washington Coalition to Brady Pinero Walkinshaw, April Sims, Ali O'Neil, Dominique Meyers, Dulce Gutierrez, David Morales re: Statement on Yakima VRA District | | | State: X Int/Garcia: X |
| 329 | November 14, 2021 comment submission from Dulce Gutierrez to the Washington Redistricting Commission re: Commission will do the right thing by creating a Latino CVAP Majority LD for Yakima and Pasco | | | State: X Int/Garcia: X |
| 330 | November 14, 2021 comment submission from David Morales to Washington Redistricting Commission re: Maps for Central Washington | | | State: X Int/Garcia: X |
| 331 | Spreadsheet for Fain_GravesPropLD | | | State: X Int/Garcia: X |
| 332 | 11/13-14/2021 Text Thread with Osta Davis, Dominique Meyers, April Sims | | | State: X Int/Garcia: X |
| 333 | 11/14/21 texts between Brady Pinero Walkinshaw, April Sims | | | State: X Int/Garcia: X |
| 334 | 11/14/21 Text messages between Fain and Walkinshaw | | | State: X Int/Garcia: X |
| 335 | 11/14/21 Texts between Paul Graves and Joe Fain | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 336 | 11/14/2021 texts between O'Neil and Walkinshaw re travel | | | State: X Int/Garcia: X |
| 337 | 11/15/21 Email from Paul Campos to Joe Fain re: Fain_Graves_Propv2 | | | State: X Int/Garcia: X |
| 338 | November 15, 2021 email thread with Ali O'Neil, Brady Pinero Walkinshaw, April Sims, Osta Davis, Dominique Meyers re: Merged leg map | | | State: X Int/Garcia: X |
| 339 | Nov. 15 E-mail from Davis to O'Neil, "FW_ R Map Proposal.pdf" | | | State: X Int/Garcia: X |
| 340 | November 15, 2021 email from Osta Davis to April Sims re: MAP | | | State: X Int/Garcia: X |
| 341 | November 15, 2021 email chain among Adam Hall, Matt Bridges, Ali O'Neil, Brady Walkinshaw, Adam Bartz, Paulette Avalos forwarding email from Katie Stultz re: Coalition LD 14 (RJW final request) | | | State: X Int/Garcia: X |
| 342 | November 15, 2021 comment submission and attached signatures for petition "Washington State needs a Latino CVAP Majority Legislative District for Yakima and Pasco" from Dulce Gutierrez to Washington Redistricting Commission re: Please improve representation in southcentral Washington | | | State: X Int/Garcia: X |
| 343 | Dissent – document drafted for Commissioner Walkinshaw | | | State: X Int/Garcia: X |
| 344 | Screenshot of "Cleanest Possible Map" | | | State: X Int/Garcia: X |
| 345 | Spreadsheet for Fain_Graves_Propv2 | | | State: X Int/Garcia: X |
| 346 | November 15, 2021 Teams chat messages between Ali O'Neil, Adam Hall, Matt | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| | Bridges, Paulette Avalos re: Map negotiations | | | |
| 347 | November 15, 2021 teams chat messages between Adam Hall, Ali O'Neil, Matt Bridges, Paulette Avalos starting at 8:24 PM re: map negotiations | | | State: X Int/Garcia: X |
| 348 | November 15, 2021 teams chat messages between Adam Hall, Ali O'Neil, Matt Bridges, Paulette Avalos starting at 11:23 PM re: map negotiations | | | State: X Int/Garcia: X |
| 349 | November 15, 2021 teams chat messages between Adam Hall, Ali O'Neil, Matt Bridges, Paulette Avalos starting at 10:41 PM re: map negotiations | | | State: X Int/Garcia: X |
| 350 | November 15, 2021 teams chat messages between Adam Hall, Ali O'Neil, Matt Bridges, Paulette Avalos starting at 11:38 PM re: map negotiations | | | State: X Int/Garcia: X |
| 351 | WITHDRAWN | | | |
| 352 | Teams chat messages between Ali O'Neil, Adam Hall, Matt Bridges, and Paulette Avalos re: Map negotiations | | | State: X Int/Garcia: X |
| 353 | 11/15/21 Texts between Sarah Augustine and April Sims | | | State: X Int/Garcia: X |
| 354 | 11/15/21 Texts between Sarah Augustine and April Sims | | | State: X Int/Garcia: X |
| 355 | 11/15/21 J.T. Wilcox text chain with Paul Graves | | | State: X Int/Garcia: X |
| 356 | November 15, 2021 texts between April Sims and Laurie Jenkins re: map agreement | | | State: X Int/Garcia: X |
| 357 | November 15, 2021 texts between April Sims and Laurie Jenkins re: negotiations | | | State: X Int/Garcia: X |
| 358 | November 15, 2021 texts between Brady Pinero Walkinshaw and April Sims re: negotiations | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|---|---------------------------|
| 359 | November 15, 2021 texts between Paul Graves, April Sims re: counter | | | State: X Int/Garcia: X |
| 360 | 11/15-16/21 Texts between Paul Graves and JT Wilcox | | | State: X Int/Garcia: X |
| 361 | 11/14/2021 Texts between Paul Graves and Joe Fain | | | State: X Int/Garcia: X |
| 362 | Nov. 16 E-mail from Washington State Redistricting Commission to Walkinshaw, "The Washington State Redistricting Commission p....pdf" | | | State: X Int/Garcia: X |
| 363 | 11/16/21 Email from Justin Bennett to Anton Grose, Paul Campos, Ali O'Neil, Lisa McLean, Sarah Augustine, and Osta Davis re: receiving files in accordance with resolution | | | State: X Int/Garcia: X |
| 364 | WITHDRAWN | | | |
| 365 | 11/16/21 Email from Paul Campos to Joe Fain re: LD Final | | | State: X Int/Garcia: X |
| 366 | WITHDRAWN | | | |
| 367 | Fain Spreadsheet of Final Plan | | | State: X Int/Garcia: X |
| 368 | November 16, 2021 Spokesman Review article | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802 | |
| 369 | Billig_11/16 texts between Brady Pinero Walkinshaw and Sen. Andrew Billig | | | State: X Int/Garcia: X |
| 370 | 11/16/21 texts between Brady Pinero Walkinshaw and Sen. Andrew Billig | | | State: X Int/Garcia: X |
| 371 | November 16, 2021 texts between Brady Pinero Walkinshaw, April Sims re: map vote | | | State: X Int/Garcia: X |
| 372 | November 16, 2021 texts between Brady Pinero Walkinshaw, April Sims re: legal concerns | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 373 | November 16, 2021 texts between April Sims, Paul Graves re: maps | | | State: X Int/Garcia: X |
| 374 | 11/16/21 PM texts between O'Neil and Walkinshaw | | | State: X Int/Garcia: X |
| 375 | 11/16/21 Text from Walkinshaw to Augustine | | | State: X Int/Garcia: X |
| 376 | 11/15-16/21 texts between O'Neil and Walkinshaw | | | State: X Int/Garcia: X |
| 377 | 11/16/21 messages between Grose and O'Neil | | | State: X Int/Garcia: X |
| 378 | November 16, 2021 text messages between Ali O'Neil and Brady Pinero Walkinshaw | | | State: X Int/Garcia: X |
| 379 | 11/17/21 Email and Attachment from Paul Campos to Joe Fain re: Caucus redistricting briefing | | | State: X Int/Garcia: X |
| 380 | November 17, 2021 email chain between Paulette Avalos, Brady Pinero Walkinshaw, and Ali O'Neil re: Billig statement | | | State: X Int/Garcia: X |
| 381 | WITHDRAWN | | | |
| 382 | November 17, 2021 texts between April Sims, Osta Davis, Dominique Meyers re: final map | | | State: X Int/Garcia: X |
| 383 | Text messages between Ali O'Neil, Brady Pinero Walkinshaw re: final maps | | | State: X Int/Garcia: X |
| 384 | November 18, 2021 texts between Ali O'Neil, Adam Hall, Paulette Avalos, Matt Bridges, and Aaron Wasser re: commissioner press conference | | | State: X Int/Garcia: X |
| 385 | 11/18/21 texts between O'Neil and Walkinshaw | | | State: X Int/Garcia: X |
| 386 | 11/18/21 texts between SDC team | | | State: X Int/Garcia: X |
| 387 | Text messages between Ali O'Neil, Brady Pinero Walkinshaw re: final maps | | | State: X Int/Garcia: X |
| 388 | Ali O'Neil Production, "Timeline of Redistricting | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|---|--|--|---------------------------|
| | Commission Events 11.19.docx” | | | |
| 389 | November 21, 2021 Ali O'Neil Memorandum re: Timeline of Redistricting Commission Events | | | State: X Int/Garcia: X |
| 390 | 11/22/21 Email and Attachment from Anton Grose to Paul Graves and Evan Ridley re: Final Map Metrics | | | State: X Int/Garcia: X |
| 391 | WITHDRAWN | | | |
| 392 | 12/3/21 Email from James Troyer to Paul Campos, Jeannie Gorrell, James Crandall re: RE: Redistricting: Supreme Court Order | | State: X - FRE 802 | Int/Garcia: X |
| 393 | 2/2/22 Email from James Troyer to Paul Campos, James Crandall re: Maintaining LD 15 50%+ CVAP | | State: X - FRE 802 Int/Garcia: X FRE 802 | |
| 394 | 2/2/22 Email from James Troyer to Paul Campos, James Crandall re: Uniting Moxee in LD15 | | State: X - FRE 802 Int/Garcia: X FRE 802 | |
| 395 | 2/7/22 Email and Attachment from Menzeba Hasati Re: Latino Civic Alliance 2022 Bill List | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802 | |
| 396 | WITHDRAWN | | | |
| 397 | February 21, 2022 texts between Benancio Garcia III and Duke Machado re: campaign | | | State: X Int/Garcia: X |
| 398 | February 28, 2022 email thread between Paul Graves, Adam Kincaid, Jason Torchinsky, Joy Lee, Kamilah Prince re: Washington Litigation | | | State: X Int/Garcia: X |
| 399 | 3/1/22 Text Thread with Paul Graves, Benancio Garcia, and Maia Espinoza | | | State: X Int/Garcia: X |
| 400 | 3/2/22 Text Thread with Benancio Garcia, Paul Graves | | | State: X Int/Garcia: X |
| 401 | 3/4-7/22 Email Thread with Drew Stokesbary, Rob Maguire, Adam Kincaid, | | State: X - FRE 802; lack of foundation | |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|---|---------------------------|
| | David Nordlinger, and Harry Korrell re: Connect re Washington state | | Int/Garcia: X FRE 802; lack of foundation | |
| 402 | 3/10/21 DRA Blog Post | | | State: X Int/Garcia: X |
| 403 | Plaintiffs Proposed Plan - Preliminary Injunction | | | State: X Int/Garcia: X |
| 404 | Texts through State-paid phones through 3.29.22 | | | State: X Int/Garcia: X |
| 405 | 3/28/22-4/21/22 Email Thread with Drew Stokesbary, John Braun, JT Wilcox, Jim Troyer, and Caleb Heimlich re: Status of Redistricting Litigation | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |
| 406 | Redistricting Timeline of Events 2021-2022 | | Int/Garcia: X FRE 802 | State: X |
| 407 | May 24, 2022 email from James Troyer to Senate Republican Caucus re: These legislators are running unopposed in their districts | | State: X - FRE 802; lack of foundation | Int/Garcia: X |
| 408 | May 27, 2022 texts between Benancio Garcia III and Duke Machado re: voicemail mix up | | | State: X Int/Garcia: X |
| 409 | September 30, 2022 text chain between Benancio Garcia III and Duke Machado re: phone banking | | | State: X Int/Garcia: X |
| 410 | 8/8/22 DRA Document Subpoena | | | State: X Int/Garcia: X |
| 411 | 9/29/22 DRA Deposition Subpoena | | | State: X Int/Garcia: X |
| 412 | 10/25/22 DRA Second Document Subpoena | | | State: X Int/Garcia: X |
| 413 | 11/15/21 PM messages between O'Neil and Bridges | | | State: X Int/Garcia: X |
| 414 | 11/15/22 Email from James Troyer to SRC Caucus with Yakima Herald Article "After redistricting rancor, Republicans maintain hold on Yakima Valley legislative districts" | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|---|---------------------------|
| 415 | Excel Spreadsheet with Election Results from 2022 Election in LD 15 | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |
| 416 | 15LD EI Results of Torres Race | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |
| 417 | EI Plots for Torres and Keesling Race | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |
| 418 | October 25, 2021 email from Osta Davis to April Sims, Dominique Meyers re: Statement | | | State: X Int/Garcia: X |
| 419 | Screenshot 487 | | | State: X Int/Garcia: X |
| 420 | Final Enacted State Legislative Map | | | State: X Int/Garcia: X |
| 421 | Screenshot of "Fain V2" | | | State: X Int/Garcia: X |
| 422 | Screenshot of "Southern LD 14" Map | | | State: X Int/Garcia: X |
| 423 | 11.7 New leg proposal v. Enacted block assignment file | | | State: X Int/Garcia: X |
| 424 | 11.7 New leg proposal v. Graves1110LD block assignment file | | | State: X Int/Garcia: X |
| 425 | Graves Draft Nov. 12 v. Enacted block assignment file | | | State: X Int/Garcia: X |
| 426 | Graves1110LD v. Graves Draft Nov. 12 block assignment file | | | State: X Int/Garcia: X |
| 427 | Commission Final LD 15 v. Legislature Enacted LD 15 block assignment file | | | State: X Int/Garcia: X |
| 428 | 11/16/21 Final Commission LD Plan, FINAL_LD_111521.zip | | | State: X Int/Garcia: X |
| 429 | 2/2/22 Enacted LD Plan as Amended by Legislature Shapefile, LEG_AMEND_FINAL.zip | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|---|--|---|---------------------------|
| 430 | 2/2/22 Enacted LD Plan as Amended by Legislature Block Assignment File, LEG_AMEND_FINAL.txt | | | State: X Int/Garcia: X |
| 431 | Map of 1980s State Legislative Districts | | | State: X Int/Garcia: X |
| 432 | Map of 1990s State Legislative Districts | | | State: X Int/Garcia: X |
| 433 | Map of 2000s State Legislative Districts | | | State: X Int/Garcia: X |
| 434 | Map of 2010s State Legislative Districts | | | State: X Int/Garcia: X |
| 435 | Analysis of Republican Legislative Map Proposals | | | State: X Int/Garcia: X |
| 436 | April Sims Handwritten Notes re: Proposal for Paul | | | State: X Int/Garcia: X |
| 437 | Citizen Action Defense Fund One Pager on Washington Redistricting Litigation | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |
| 438 | April Sims Handwritten Notes re: "Thoughts on 14th & exchange" | | | State: X Int/Garcia: X |
| 439 | April Sims Handwritten Notes re: what wants, needs, what willing to give to get needs, willing to give to get wants | | | State: X Int/Garcia: X |
| 440 | Official Washington Redistricting Commission Proposed Maps | | | State: X Int/Garcia: X |
| 441 | Ali O'Neil's Personal Notes - Part 3 | | | State: X Int/Garcia: X |
| 442 | Text chain between Osta Davis, Dominique Meyers, and April Sims re: VRA district | | | State: X Int/Garcia: X |
| 443 | Text messages between Paul Graves, Caleb Heimlich re: Tweet by Washington State GOP re LD15 | | | State: X Int/Garcia: X |
| 444 | Texts between Benancio Garcia III, Duke Machado re: March 4, 2022 email from Paul Graves to Davis Wright Tremaine attorneys re: | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|---|--|--|---------------------------|
| | Introduction re redistricting lawsuits | | | |
| 445 | Texts from Benancio Garcia III to Duke Machado re: Latino voter suppression | | | State: X Int/Garcia: X |
| 446 | Texts between Benancio Garcia III and Manis Pierre re: Latino voter suppression | | | State: X Int/Garcia: X |
| 447 | DRA My Maps Page | | | State: X Int/Garcia: X |
| 448 | DRA Map View | | | State: X Int/Garcia: X |
| 449 | DRA Shared with Me Page | | | State: X Int/Garcia: X |
| 450 | DRA Map View Datasets | | | State: X Int/Garcia: X |
| 451 | DRA About Data Page | | | State: X Int/Garcia: X |
| 452 | 8/22/22 DRA Response to Subpoena1 | | | State: X Int/Garcia: X |
| 453 | 9/9/22 DRA Response to Subpoena2 | | | State: X Int/Garcia: X |
| 454 | 10/31/2022 Response to Request for Revisions | | | State: X Int/Garcia: X |
| 455 | DRA ReadMe.txt (archive-updated.zip) | | | State: X Int/Garcia: X |
| 456 | 9/13/22 archive-updated.zip | | | State: X Int/Garcia: X |
| 457 | 10/31/22 revisions.zip | | | State: X Int/Garcia: X |
| 458 | 11/3/22 Response to Subpoena3 | | | State: X Int/Garcia: X |
| 459 | 11/3/2022 archive3.zip | | | State: X Int/Garcia: X |
| 460 | 11/22/22 antongrose_y.zip | | | State: X Int/Garcia: X |
| 461 | Washington Secretary of State 2020 Precinct Level Election Results | | | State: X Int/Garcia: X |
| 462 | U.S. Census Bureau 2015-2019 ACS Citizen Voting Age Estimates (Block Group Level) | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|---|--|--|--|
| 463 | Washington P.L. 94-171 Adjusted per RCW 44.05.140 | | | State: X Int/Garcia: X |
| 464 | U.S. Census P.L. 94-171 for Washington, 2021 Redistricting Data | | | State: X Int/Garcia: X |
| 465 | 9/21/21 Fain Public Legislative Map Proposal Shapefile | | | State: X Int/Garcia: X |
| 466 | 9/21/21 Graves Public Legislative Map Proposal Shapefile | | | State: X Int/Garcia: X |
| 467 | 9/21/21 Sims Public Legislative Map Proposal Shapefile | | | State: X Int/Garcia: X |
| 468 | 9/21/21 Walkinshaw Public Legislative Map Proposal Shapefile | | | State: X Int/Garcia: X |
| 469 | 10/25/21 Sims Public Legislative Map Proposal Shapefile | | | State: X Int/Garcia: X |
| 470 | 10/25/21 Walkinshaw Public Legislative Map Proposal Shapefile | | | State: X Int/Garcia: X |
| 471 | BW 11.10 new VRA block- assignments.csv | | | State: X Int/Garcia: X |
| 472 | 11/11/21 Graves1110LD block-assignments | | | State: X Int/Garcia: X |
| 473 | 11/12/2021 Graves Draft Nov12 (1) block-assignments | | | State: X Int/Garcia: X |
| 474 | Summary Compilation of "LD Draft - 9/8 (corrected population) dom edits" archive in Dave's Redistricting App | | | State: X, per FRE 1006 Int/Garcia: X |
| 475 | Summary Compilation of "GravesLD14 (2)" Archive in Dave's Redistricting App | | | State: X, per FRE 1006 Int/Garcia: X |
| 476 | Summary Compilation of "DRA - Fain V2" Archive in Dave's Redistricting App | | | State: X, per FRE 1006 Int/Garcia: X |
| 477 | Summary Compilation of "11/11 PM Base Proposal" in Dave's Redistricting App | | | State: X, per FRE 1006 Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---|
| 478 | Summary Compilation of "Graves1110LD" Archive in Dave's Redistricting App | | | State: X, per FRE 1006 Int/Garcia: X |
| 479 | Summary Compilation of "11/12" Archive in Dave's Redistricting App | | | State: X, per FRE 1006 Int/Garcia: X |
| 480 | Summary Compilation of "Graves Draft Nov12 (1)" Archive in Dave's Redistricting App | | | State: X, per FRE 1006 Int/Garcia: X |
| 481 | Summary Compilation of "BW 11/13 leg proposal" Archive in Dave's Redistricting App | | | State: X, per FRE 1006 Int/Garcia: X |
| 482 | Summary Compilation of "Copy of Merged 11/12" Archive in Dave's Redistricting App | | | State: X, per FRE 1006 Int/Garcia: X |
| 483 | Summary Compilation of "Copy of 11/14 7:30pm Merged D Map - LD" Archive in Dave's Redistricting App | | | State: X, per FRE 1006 Int/Garcia: X |
| 484 | Summary Compilation of "Copy of Copy of Copy of R Prop Rebalanced" Archive in Dave's Redistricting App | | | State: X, per FRE 1006 Int/Garcia: X |
| 485 | Summary Compilation of "Copy of Copy of Copy of 11/14 7:30pm Merged D Map - LD" Archive in Dave's Redistricting App | | | State: X, per FRE 1006 Int/Garcia: X |
| 486 | Summary Compilation of "FINAL DRAFT" Archive in Dave's Redistricting App | | | State: X, per FRE 1006 Int/Garcia: X |
| 487 | Summary Compilation of Draft LD14/LD15 Maps Created by Commissioner Paul Graves (11/7/21 Map, 11/11/21 Map, 11/12/21 Map, & Enacted Map) | | | State: X, per FRE 1006 Int/Garcia: X |
| 488 | Summary Compilation Comparing Final Commission LD15 Map with Final LD15 Map Enacted by Legislature | | | State: X, per FRE 1006 Int/Garcia: X |
| 489 | WITHDRAWN | | | |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|---|--|---|---------------------------|
| 490 | Ten-Year Plan to End Homelessness in Yakima County, 2012 Update | | | State: X Int/Garcia: X |
| 491 | 2/14/12 "Immigracion, Seguridad, y Comunidad (Immigration, Security, and Community): The Effect of Secure Communities on Latinos and Local Law Enforcement in Eastern Washington State" | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |
| 492 | Expert Report of Luis Ricardo Fraga in Montes v. City of Yakima, February 22, 2013 | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |
| 493 | 8/20/14 Sunnyside Sun Article "Councilman taken to task for on-line posting" and Accompanying 5/22/10 Jason Raines Blog Sunnyside Post "Political Humor: A Mexican, An Arab, and an Arizona Girl" | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |
| 494 | February 16, 2015 article, Killing in Washington State Offers "Ferguson" Moment for Hispanics, New York Times | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |
| 495 | 3/29/2017 Email and Attachment from Susan Soto Palmer (hotmail) to herself (gmail) re: KKK Flyer from YWCA Racial Justice forum | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |
| 496 | WITHDRAWN | | | |
| 497 | March 15, 2018 article, Franklin County coroner posted a 'white power' meme. Some say his apology isn't enough, Yakima Herald | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |
| 498 | Steve Gonzalez faces Nathan Choi in Washington Supreme Court re-election bid, September 17, 2018, The Spokesman-Review | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |
| 499 | November 19, 2019 article, The Divide in Yakima is the | | State: X - FRE 802; lack of foundation | |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|---|--|--|---------------------------|
| | Divide in America, New York Times | | Int/Garcia: X FRE 802; lack of foundation | |
| 500 | 7/16/2020 NYT Article "Seeing 'Black Lives Matter' Written in Chalk, One City Declares It a Crime" | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |
| 501 | Excerpt of January 29, 2021 Deposition of Yakima County Commissioner Ron Anderson in Aguilar v. Yakima County | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |
| 502 | 01/25/2021 Email from Graves to Kincaid | | | State: X Int/Garcia: X |
| 503 | February 22, 2021 article, Latino voters being silenced in Franklin commission races, voting rights group claims, Tri-City Herald | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |
| 504 | Affidavit of Susan Soto Palmer in Aguilar v. Yakima County, April 29, 2021 | | State: X - FRE 802; lack of foundation Int/Garcia: X FRE 802; lack of foundation | |
| 505 | 2012 Executive Director Bonnie B. Bunning's Advice to the Future | | | State: X Int/Garcia: X |
| 506 | 7/21/21 Email and Attachment from Lisa McLean to Sarah Augustine, Justin Bennett, Maria Garza, Jamie Nixon, Daniel Pailthorp; and Aminta Spencer re: Research on Redistricting Negotiations | | | State: X Int/Garcia: X |
| 507 | Oct. 21, 2021 Email from Sims to Davis, "Re: RELEASE: New analysis shows final Washington state legislative map must include a VRA-compliant district in the Yakima Valley" | | | State: X Int/Garcia: X |
| 508 | 10/30/21 Email from ONeil to Walkinshaw re FW: Voting Rights Act Advice | | State: X - Attorney-client privileged communication Int/Garcia: X State maintains attorney-client communication | |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 509 | RCW 44.05 | | | State: X Int/Garcia: X |
| 510 | Constitution of the State of Washington Section 43 Redistricting | | | State: X Int/Garcia: X |
| 511 | Summary Compilation of Fain 9.21.21 Proposal | | | State: X Int/Garcia: X |
| 512 | Summary Compilation of Graves 9.21.21 Proposal | | | State: X Int/Garcia: X |
| 513 | Summary Compilation of Sims 9.21.21 Proposal | | | State: X Int/Garcia: X |
| 514 | Summary Compilation of Walkinshaw 9.21.21 Proposal | | | State: X Int/Garcia: X |
| 515 | Summary Compilation of Sims 10.25.21 Proposal | | | State: X Int/Garcia: X |
| 516 | Summary Compilation of Walkinshaw 10.25.21 Proposal | | | State: X Int/Garcia: X |
| 517 | Summary Compilation of Graves Nov. 7 Draft Map Proposal | | | State: X Int/Garcia: X |
| 518 | Summary Compilation of Walkinshaw Nov. 10 Map Proposal | | | State: X Int/Garcia: X |
| 519 | Summary Compilation of BW - Fain 11.10 new VRA Archive in DRA | | | State: X Int/Garcia: X |
| 520 | Summary Compilation of 11-16-21 Final Commission Legislative District Plan | | | State: X Int/Garcia: X |
| 521 | Summary Compilation of 2-2-22 Final Enacted Legislative District Plan | | | State: X Int/Garcia: X |
| 522 | Washington 2012-2020 State Legislative District Map block-assignments | | | State: X Int/Garcia: X |
| 523 | Summary Compilation of Washington 2012-2020 State Legislative District Map | | | State: X Int/Garcia: X |
| 524 | 12/27/11 Video Recording of 2011 Redistricting Commission Meeting | | | State: X Int/Garcia: X |
| 525 | 12/28/11 Video Recording of 2011 Redistricting Commission Meeting | | | State: X Int/Garcia: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|---|--|--|---------------------------|
| 526 | 12/29/11 Video Recording of 2011 Redistricting Commission Meeting | | | State: X Int/Garcia: X |
| 527 | 12/30/11 Video Recording of 2011 Redistricting Commission Meeting | | | State: X Int/Garcia: X |
| 528 | 12/31/11 Video Recording of 2011 Redistricting Commission Meeting | | | State: X Int/Garcia: X |
| 529 | 1/1/12 Video Recording of 2011 Redistricting Commission Meeting | | | State: X Int/Garcia: X |
| 530 | 3/4/22 WashCOG v. State of Washington Judgment and Consent Decree | | | State: X Int/Garcia: X |
| 531 | Dr. Loren Collingwood CV | | | State: X Int/Garcia: X |

STATE DEFENDANT'S EXHIBITS

Pursuant to Local Civil Rule 16(i), the State of Washington below lists only those exhibits which are not listed by another party in *Soto Palmer v. Hobbs* or *Garcia v. Hobbs*:

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|--------------------------------|
| 601 | Expert Report of John Alford | | | Plaintiffs: X Int/Garcia: X |
| 602 | <i>Montes v. City of Yakima</i> , 40 F. Supp. 3d 1377 (E.D. Wash. 2014) | | | Plaintiffs: X Int/Garcia: X |
| 603 | Partial Consent Decree, <i>Glatt v. City of Pasco</i> , Case No. 4:16-05108-LRS (E.D. Wash. Sep. 2, 2016) (ECF #16) | | | Plaintiffs: X Int/Garcia: X |
| 604 | Memorandum Opinion and Order, <i>Glatt v. City of Pasco</i> , Case No. 4:16-05108-LRS (E.D. Wash. Jan. 27, 2017) (ECF #40) | | | Plaintiffs: X Int/Garcia: X |

| | | | | |
|-----|--|--|--|--------------------------------|
| 605 | Settlement Agreement in <i>Aguilar v. Yakima County</i> , Case No. 20-2.00180-19 (Kittitas Cnty) | | | Plaintiffs: X Int/Garcia: X |
| 606 | Order Approving Settlement and Entering Judgment, <i>Aguilar v. Yakima County</i> , Case No. 20-2.00180-19 (Kittitas Cnty Oct. 29, 2021). | | | Plaintiffs: X Int/Garcia: X |
| 607 | Release: Commissioner Joe Fain releases draft 2021 legislative redistricting plan | | | Plaintiffs: X Int/Garcia: X |
| 608 | Nov. 13, 2021 email from Adam Hall to Brady Walkinshaw re: "Matt Barreto's advice and availability" | | | Plaintiffs: X Int/Garcia: X |
| 609 | Nov. 14, 2021 email from Adam Hall to Brady Walkinshaw re: "FW: Republican claims in Washington state" | | | Plaintiffs: X Int/Garcia: X |
| 610 | Nov. 21, 2021 Sworn Declaration of Sarah Augustine, Chair of the Washington State Redistricting Commission, Washington Supreme Court No. 25700-B-675 | | | Plaintiffs: X Int/Garcia: X |

SECRETARY OF STATE'S EXHIBITS

Secretary Hobbs does not intend to offer any exhibits at the time of trial.

INTERVENOR-DEFENDANTS' EXHIBITS

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|---|--|--|---------------------------|
| 1001 | Expert Report of Dr. Mark Owens | | | Plaintiffs: X State: X |
| 1002a | Supplemental Report of Dr. Mark Owens – 12/16/2022 | | | Plaintiffs: X State: X |
| 1002b | Supplemental Response Report of Dr. Mark Owens – 2/6/2023 | | | Plaintiffs: X State: X |
| 1003 | Intervenor-Defendants' First Set of Requests for Production of Documents to Plaintiffs (Palmer) | | | Plaintiffs: X State: X |
| 1004 | Intervenor-Defendants' First Set of Requests for Production of | | | Plaintiffs: X State: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|----------------|---|---|---|---------------------------------|
| | Documents to Defendant State of Washington (Palmer) | | | |
| 1005 | Intervenor-Defendants' First Set of Requests for Production of Documents to Defendant Steven Hobbs (Palmer) | | | Plaintiffs: X State: X |
| 1006 | Intervenor-Defendants' First Set of Interrogatories to Plaintiffs (Palmer) | | | Plaintiffs: X State: X |
| 1007 | Intervenor-Defendants' First Set of Interrogatories to Defendant State of Washington (Palmer) | | | Plaintiffs: X State: X |
| 1008 | Intervenor-Defendants' First Set of Interrogatories to Defendant Steven Hobbs (Palmer) | | | Plaintiffs: X State: X |
| 1009 | Intervenor-Defendants' First Requests for Admissions to Plaintiffs (Palmer) | | | Plaintiffs: X State: X |
| 1010 | Intervenor-Defendants' First Requests for Admissions to Defendant State of Washington (Palmer) | | | Plaintiffs: X State: X |
| 1011 | Intervenor-Defendants' First Requests for Admissions to Defendant Steven Hobbs (Palmer) | | | Plaintiffs: X State: X |
| 1012 | Plaintiffs' Responses and Objections to Intervenor-Defendants' First Set of Requests for Documents | | | Plaintiffs: X State: X |
| 1013 | Defendant State of Washington's Objections and Responses to Intervenor-Defendants' First Set of Requests for Production | | | Plaintiffs: X State: X |
| 1014 | Defendant Steve Hobbs' Objections and Responses to Intervenor-Defendants' First Set of Requests for Production | | | Plaintiffs: X State: X |
| 1015 | Plaintiffs' Responses and Objections to Intervenor-Defendants' First Set of Interrogatories | | | Plaintiffs: X State: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|----------------|--|---|---|---------------------------------|
| 1016 | Defendant State of Washington's Objections and Responses to Intervenor-Defendants' First Set of Interrogatories | | | Plaintiffs: X State: X |
| 1017 | Defendant Steve Hobbs' Objections and Responses to Intervenor-Defendants' First Set of Interrogatories | | | Plaintiffs: X State: X |
| 1018 | Plaintiffs' Responses and Objections to Intervenor-Defendants' First Requests for Admission | | | Plaintiffs: X State: X |
| 1019 | Defendant State of Washington's Objections and Responses to Intervenor-Defendants' First Requests for Admissions | | | Plaintiffs: X State: X |
| 1020 | Defendant Steve Hobbs' Objections and Responses to Intervenor-Defendants' First Requests for Admissions | | | Plaintiffs: X State: X |
| 1021 | WITHDRAWN | | | |
| 1022 | WITHDRAWN | | | |
| 1023 | WITHDRAWN | | | |
| 1024 | WITHDRAWN | | | |
| 1025 | WITHDRAWN | | | |
| 1026 | WITHDRAWN | | | |
| 1027 | WITHDRAWN | | | |
| 1028 | WITHDRAWN | | | |
| 1029 | WITHDRAWN | | | |
| 1030 | WITHDRAWN | | | |
| 1031 | WITHDRAWN | | | |
| 1032 | WITHDRAWN | | | |
| 1033 | WITHDRAWN | | | |
| 1034 | WITHDRAWN | | | |
| 1035 | WITHDRAWN | | | |
| 1036 | WITHDRAWN | | | |
| 1037 | WITHDRAWN | | | |
| 1038 | WITHDRAWN | | | |
| 1039 | WITHDRAWN | | | |
| 1040 | WITHDRAWN | | | |
| 1041 | WITHDRAWN | | | |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 1042 | WITHDRAWN | | | |
| 1043 | Currently Enacted Map | | | Plaintiffs: X State: X |
| 1044 | State of WA Members of the Legislature | | | Plaintiffs: X State: X |
| 1045 | WITHDRAWN | | | |
| 1046 | Order re: WA Redistricting Commission's Letter to the Supreme Court and the Commission Chair's Declaration - 12.3.21 | | | Plaintiffs: X State: X |
| 1047 | WITHDRAWN | | | |
| 1048 | WITHDRAWN | | | |
| 1049 | WITHDRAWN | | | |
| 1050 | WITHDRAWN | | | |
| 1051 | WITHDRAWN | | | |
| 1052 | WITHDRAWN | | | |
| 1053 | WITHDRAWN | | | |
| 1054 | WITHDRAWN | | | |
| 1055 | November 8, 2022, General Election – Legislative District 15 | | | Plaintiffs: X State: X |
| 1056 | Washington State Legislative Map – Final | | | Plaintiffs: X State: X |
| 1057 | WITHDRAWN | | | |
| 1058 | WITHDRAWN | | | |
| 1059 | WITHDRAWN | | | |
| 1060 | 3.11.22 Seattle Times Op Ed from Sarah Augustine | | Plaintiffs' Objections: 802 hearsay | State: X |
| 1061 | Members of the Wash. Legislature 1889-2019 | | | Plaintiffs: X State: X |
| 1062 | Emails between various state officials regarding preparation of HCR 4407—01/24/2022-01/25/2022 | | | Plaintiffs: X State: X |
| 1063 | Emails between various state officials regarding preparation of HCR 4407—12/09/2021 | | | Plaintiffs: X State: X |
| 1064 | Trapped Polygon and Problematic Boundary Analysis regarding HCR 4407 | | | Plaintiffs: X State: X |

| Ex. No. | Description | Authenticity & Admissibility Contested | Authenticity Stipulated, Admissibility Contested | Admissibility Stipulated |
|---------|--|--|--|---------------------------|
| 1065 | 02/02/2022—Washington House Floor Debate on HCR 4407 (Video) | | | Plaintiffs: X State: X |
| 1066 | Seattle Times article on Death of Rep Mary Skinner | | Plaintiffs' Objections: FRE 802, lack of foundation State: X - FRE 802, lack of foundation | |

VIII. ACTION BY THE COURT

(a) This case is scheduled for trial without a jury on June 2, 2023, at 8:30 a.m.

(b) Trial briefs shall be submitted to the Court on or before May 31, 2023.

This order has been approved by the parties as evidenced by the signatures of their counsel. This order shall control the subsequent course of the action unless modified by a subsequent order. This order shall not be amended except by order of the court pursuant to agreement of the parties or to prevent manifest injustice.

Dated this ____ day of _____, 2023.

United States District Judge Robert S. Lasnik

FORM APPROVED

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