

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

GLORIA PERSONHUBALLAH, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No.: 3:13-cv-678
)	
JAMES B. ALCORN, et al.,)	
)	
Defendants.)	

**DEFENDANTS’ STATEMENT OF POSITION REGARDING
SPECIAL MASTER’S USE OF DR. HANDLEY’S DATA**

Defendants support the Special Master’s consideration of Dr. Handley’s report and the data included in it.

Dr. Handley has decades of professional experience in voting rights and redistricting and is well-recognized as an expert in those areas. *See* ECF No. 231-3 at 1-2 & App. A. Critically, her report contains the only functional analysis of CD3 submitted by any of the parties or non-parties in this remedial phase—analysis that this Court and the U.S. Supreme Court have said is appropriate to determine the BVAP level needed to avoid retrogression. Her report is also more comprehensive than the analysis conducted by Plaintiffs’ trial expert, but it similarly concludes that a remedial district with a BVAP of 30-34% will avoid retrogression. *See* ECF No. 231-3; Pls.’ Trial Ex. 30 (reply report of Dr. Michael P. McDonald) at 4-6; Trial Tr. 196-97. As the Supreme Court recognized in *Alabama Legislative Black Caucus v. Alabama*, 135 S. Ct. 1257 (2015), such information is important in formulating a redistricting plan that complies with legal requirements.

