

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 1:24-cv-21983-JB

CUBANOS PA'LANTE, *et al.*,

Plaintiffs,

v.

FLORIDA HOUSE OF REPRESENTATIVES
and CORD BYRD, in his official capacity as
Florida Secretary of State,

Defendants.

JOINT NOTICE OF FILING DEPOSITION DESIGNATIONS

Pursuant to this Court's Order Providing Instructions for Bench Trial (ECF No. 153), the parties jointly file for use at trial the attached transcript of the deposition of Xavier Pichs as corporate representative of the Miami-Dade County Supervisor of Elections Office.

The table below sets forth each party's designated testimony by line and page. The parties do not assert any objections to the designated testimony.

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Dated December 22, 2025.

Respectfully submitted,

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EXHIBIT 1

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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA (MIAMI)

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CUBANOS PA'LANTE, et al.,

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Plaintiffs,

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Civil Action No.

v.

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1:24-cv-21983

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FLORIDA HOUSE OF

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REPRESENTATIVES, et al.,

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Defendants.

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July 8, 2025

10:02 a.m. EDT

Remote deposition of MIAMI-DADE COUNTY
SUPERVISOR OF ELECTIONS OFFICE, BY XAVIER PICHES,
DESIGNEE, held via remote videoconference and taken
stenographically by Misty Klapper, Registered Merit
Reporter, Certified Shorthand Reporter, Registered
Professional Reporter, Realtime Systems
Administrator and Notary Public.

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18 ALSO PRESENT:
 19 TEGAN OLIVER
 20 JUSTIN NUNEZ

Page 4

1 PROCEEDINGS
 2 XAVIER PICHES,
 3 The designated witness herein,
 4 called for examination by the Plaintiffs,
 5 having been duly sworn, was examined and
 6 testified as follows:
 7 EXAMINATION BY COUNSEL FOR PLAINTIFFS
 8 BY MS. MURPHY:
 9 Q. Good morning, Mr. Pichs. My name is
 10 Emily Murphy. I'm an attorney at
 11 O'Melveny & Myers and I'm representing the
 12 plaintiffs in this case.
 13 Can you please state and spell your
 14 name for the record, please.
 15 A. Sure. Xavier, X-A-V-I-E-R, last name
 16 Pichs, P-I-C-H-S.
 17 Q. Have you been deposed before?
 18 A. No.
 19 Q. Okay. So before we jump into the
 20 deposition, there's some ground rules that I
 21 would like to go over.
 22 So as you just heard, we have a court

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1 reporter present. And so it's important that you
 2 give verbal answers. It's also important that we
 3 speak slowly and we don't speak over each other.
 4 Do you understand that?
 5 A. Understood.
 6 Q. If you don't understand my question,
 7 just let me know and I can rephrase and clarify
 8 what I meant.
 9 If you answer my question, I'm going
 10 to assume you understand what I meant.
 11 Does that make sense?
 12 A. Yes.
 13 Q. If you need to take a break, just let
 14 me know and we can take a break at any time. I'd
 15 just ask if there's a question pending, you
 16 answer the question before we go on break.
 17 A. Okay.
 18 Q. And this is a corporate
 19 representative deposition. You've been
 20 designated by the Miami-Dade County Supervisor of
 21 Elections Office to answer questions on its
 22 behalf. This means you're testifying not in your

Page 6	<p>1 personal capacity, but as if you, yourself, are</p> <p>2 the Miami-Dade County Supervisor of Elections</p> <p>3 Office.</p> <p>4 Do you understand that?</p> <p>5 A. Yes.</p> <p>6 Q. I may refer to the Miami-Dade County</p> <p>7 Supervisor of Elections Office as your office or</p> <p>8 SOE office.</p> <p>9 Do you understand that if I refer to</p> <p>10 the Miami-Dade Supervisor of Elections Office, as</p> <p>11 such I'm referring to the Miami-Dade County</p> <p>12 Supervisor of Elections Office?</p> <p>13 A. Yes.</p> <p>14 Q. Have you taken any medications or</p> <p>15 substances today that would impede your ability</p> <p>16 to testify truthfully today?</p> <p>17 A. No.</p> <p>18 Q. Is there any other reasons why you</p> <p>19 would not be able to give your full and best</p> <p>20 testimony today?</p> <p>21 A. No.</p> <p>22 Q. Do you understand that you're under</p>	Page 8	<p>1 MR. ROSENTHAL: Subject to any</p> <p>2 appropriate redactions for privilege, yes.</p> <p>3 MS. MURPHY: Understood.</p> <p>4 BY MS. MURPHY:</p> <p>5 Q. When did you learn that you'd be</p> <p>6 testifying on behalf of Miami-Dade County</p> <p>7 Supervisor of Elections?</p> <p>8 A. I would say close to a month ago.</p> <p>9 Q. And who told you?</p> <p>10 A. Oren Rosenthal.</p> <p>11 Q. How did they tell you?</p> <p>12 A. Verbally.</p> <p>13 Q. After being told, what did you do to</p> <p>14 prepare for today's deposition?</p> <p>15 A. He provided the E-mail of the -- the,</p> <p>16 I guess, deposition and the questions and then we</p> <p>17 met with our deputies and they provided their</p> <p>18 answers to the questions that were asked.</p> <p>19 Q. What deputies did you meet with?</p> <p>20 A. We met with -- I'm going to read</p> <p>21 their names so I don't get it wrong -- Angela</p> <p>22 Rivera, Erika Sierra-Trujillo, Gilbert Yurubi,</p>
Page 7	<p>1 oath and that you must give your full and</p> <p>2 truthful testimony today?</p> <p>3 A. Yes.</p> <p>4 Q. Where are you testifying today from?</p> <p>5 A. In the office of the elections</p> <p>6 department in Doral, specifically Oren</p> <p>7 Rosenthal's office.</p> <p>8 Q. Is anyone else in the room with you?</p> <p>9 A. Yes, Oren Rosenthal and Justin Nunez.</p> <p>10 Q. Are there any materials in the room</p> <p>11 in front of you?</p> <p>12 A. Yes.</p> <p>13 Q. What materials are there?</p> <p>14 A. I have the information that was</p> <p>15 provided by our deputies of the office of</p> <p>16 elections.</p> <p>17 Q. What information is that?</p> <p>18 A. The questions that were provided to</p> <p>19 us and answers to those questions.</p> <p>20 Q. We ask that we get a copy of those</p> <p>21 documents after today's deposition.</p> <p>22 A. Okay.</p>	Page 9	<p>1 Jose Ponce, Michelle McClain, Robert Villar,</p> <p>2 Vanessa Innocent and Vanessa Ramirez and also</p> <p>3 Elizabeth Prieto, who is our elections operations</p> <p>4 administrator.</p> <p>5 Q. And when did you meet with these</p> <p>6 individuals?</p> <p>7 A. They provided E-mail responses to the</p> <p>8 questions and then we met with Oren to review the</p> <p>9 information that was provided.</p> <p>10 Q. What questions did you ask them?</p> <p>11 A. The questions that were provided in</p> <p>12 the subpoena.</p> <p>13 Q. Let's take a look at that. Do you</p> <p>14 have the Exhibit Share up?</p> <p>15 A. Me?</p> <p>16 Q. Yes.</p> <p>17 A. No.</p> <p>18 Q. Okay.</p> <p>19 MS. MURPHY: Can we go off the</p> <p>20 record just a moment so we can get that</p> <p>21 set up correctly.</p> <p>22 ///</p>

Page 18

1 S310.31.
 2 Q. And what does ArcGIS stand for, if
 3 anything?
 4 A. ArcGIS is the software that we do the
 5 GIS work. And GIS stands for geographic
 6 information systems.
 7 Q. You are currently employed by the
 8 Miami-Dade Supervisor of Elections Office,
 9 correct?
 10 A. Yes.
 11 Q. And I believe you said earlier you've
 12 worked there 16 years?
 13 A. 16 years, correct -- 17.
 14 Q. When did you start working at the
 15 Miami-Dade Supervisor of Elections Office?
 16 A. I was a temporary employee as of
 17 November 2007 and I've been full time since
 18 December of 2008.
 19 Q. What are the various roles you've had
 20 at the office?
 21 A. I was an elections GIS specialist for
 22 ten years. I was a supervisor for, I want to

Page 19

1 say, two years. I was a section manager. And
 2 I've been in my current position since 2022,
 3 which is elections GIS development manager.
 4 Q. And what are your responsibilities as
 5 elections GIS development manager?
 6 A. Primarily responsible for anything
 7 that has to do with tracing boundaries, district
 8 assignments, redistricting, address verification,
 9 verifying residential addresses, business
 10 addresses. Besides that, my team and I are
 11 responsible for opening the elections, creating
 12 the elections, extracting data for vote by mail
 13 requests, posting election night results, a lot
 14 of the systematic administration portions of
 15 conducting an election.
 16 Q. Do you report to anyone within your
 17 office?
 18 A. Yes, my assistant deputy. His name
 19 is Javier Vazquez.
 20 Q. And then does anyone report to you?
 21 A. Yes. I have three staff members.
 22 Q. What are their names?

Page 20

1 A. Yanett Sardinas, Dyanne Cardenas and
 2 Kashanie Eversley.
 3 Q. Before working for the Miami-Dade
 4 Supervisor of Elections Office, what was your
 5 previous work experience?
 6 A. I worked as a temporary employee
 7 training, being a technical trainer for elections
 8 through an agency.
 9 Prior to that, I was customer service
 10 tech support for AT&T. And I was then a store
 11 trainer at Bed, Bath & Beyond, a bank software --
 12 or bank, I guess, clerk, printing bank statements
 13 at a third-party company called Arris JV (ph.), a
 14 bag boy at Publix supermarket and cashier, but
 15 preferred bag boy.
 16 Q. And who in the Miami-Dade Supervisor
 17 of Elections Office do you regularly work with?
 18 A. I'm kind of a loner. I kind of stick
 19 to myself and my team. So when we're not fully
 20 engaged in elections, I do a lot of research on
 21 addresses and valid addresses and new
 22 developments, trying to maintain our system up to

Page 21

1 date.
 2 Q. Are there times of the year that
 3 you're more busy with elections or it really
 4 depends on a given year?
 5 A. Yeah, we have -- we have busier
 6 cycles than others.
 7 Q. What are those busier cycles?
 8 A. The even years are -- are either
 9 presidential years or gubernatorial years.
 10 Q. So typically the odd number years are
 11 less busy for your office?
 12 A. You would think so, but something
 13 always comes up.
 14 Q. And earlier you said that you've
 15 never been deposed before, correct?
 16 A. Correct.
 17 Q. Have you ever been party to a
 18 lawsuit?
 19 A. No.
 20 Q. Have you ever testified as a
 21 corporate representative in any capacity?
 22 A. No.

Page 22

1 Q. Okay. So I'd like to briefly discuss
 2 some background on your office.
 3 Where is your office located?
 4 A. 2700 Northwest 87th Avenue, Doral,
 5 Florida 33172.
 6 Q. Are there any other offices?
 7 A. There is another office. Can't tell
 8 you the address, but it's close by us.
 9 Q. But you would say the 2700 location
 10 is the main office?
 11 A. Correct.
 12 Q. Okay. What services does your office
 13 provide?
 14 A. Everything election related. We
 15 provide public records for candidates in our
 16 public service counter. We conduct elections,
 17 create maps when we have new precinct boundaries,
 18 training. It's a training location. We have
 19 early voting. Basically anything election
 20 related.
 21 We used to do financial disclosures
 22 and other county-related functions, but since we

Page 23

1 went constitutional, we no longer have those
 2 responsibilities under us.
 3 Q. And what do you mean by went
 4 constitutional?
 5 A. In January of this year we went
 6 constitutional, which means we branched off from
 7 Miami-Dade County into our own office.
 8 Q. And after that time, Alina Garcia was
 9 elected the Miami-Dade Supervisor of Elections;
 10 is that correct?
 11 A. Correct.
 12 Q. Have you observed any changes in the
 13 operation of your office since you went
 14 constitutional?
 15 A. Not in my field.
 16 Q. Are you aware of any other fields
 17 where there have been changes?
 18 A. I'm not aware. I kind of stick to
 19 my -- my maps.
 20 Q. Are you aware if the office has
 21 changed any of its practices from previous years?
 22 A. To my knowledge, no changes have been

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1 implemented.
 2 Q. Have the number of employees changed
 3 since Supervisor Garcia was elected?
 4 A. There is a good possibility. We
 5 constantly have employees leave hot positions
 6 that were vacant, being filled, and sometimes new
 7 positions, depending on the different tasks that
 8 we -- we inherit from different statutes. So
 9 there could be either a growth or -- or a decline
 10 in employees. But to my knowledge, we haven't
 11 changed in the number of staff.
 12 Q. What is the current level of
 13 full-time employees at your office?
 14 A. I would honestly say over 100, close
 15 to 100.
 16 Q. And is that number consistent with
 17 previous years, to your knowledge?
 18 A. Yes.
 19 Q. How many part-time staff does the
 20 Miami-Dade County Supervisor of Elections Office
 21 have?
 22 A. I can't tell you that honestly right

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1 now, but I know that when we are in an elections
 2 cycle or when we're ramping up for elections, we
 3 do hire a lot of temporary staff.
 4 Q. So what is the number right now?
 5 A. Right now I'm not aware of the number
 6 of temps. I kind of stay in the GIS world.
 7 Q. When your office is hiring part-time
 8 staff, like what is the process that it follows
 9 in order to do that?
 10 A. To my knowledge, we reach out to an
 11 agency. We let them know the type of positions
 12 we need and for the period of time that we need
 13 and the skill sets that are required. And then
 14 they post the position. They provide us the
 15 candidates. We interview. And if hired, they go
 16 through the hiring process of the background
 17 screening and onboarding.
 18 Q. Would you say that your office
 19 employs competent staff?
 20 A. Yes.
 21 Q. Would you say that your office
 22 employs skilled staff?

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1 A. Yes.

2 Q. Does Miami-Dade County Supervisor of

3 Elections Office have an annual budget?

4 A. Yes.

5 Q. What is the annual budget for fiscal

6 year 2024 to 2025?

7 MR. ROSENTHAL: Ms. Murphy, this is

8 Oren Rosenthal. I'm going to object to

9 this line of questioning. It's beyond the

10 corporate 30(b)(6) designations in this

11 matter.

12 I've allowed a lot of it for

13 background, but, you know, you're asking

14 him to testify on behalf of the office.

15 And these are subjects, either the --

16 employment practices or the fiscal

17 practices of this office was not noticed.

18 He can answer, but I just want to

19 make sure we understand that this is not

20 on the subjects that he was asked to

21 answer.

22 Go ahead, Mr. Pichs. Answer, if

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1 you can.

2 BY MS. MURPHY:

3 Q. Are you aware of the current annual

4 budget for the office?

5 A. I am not.

6 Q. All right. So the Miami-Dade County

7 Supervisor of Elections Office administers

8 elections, correct?

9 A. Correct.

10 Q. What does it mean that your office

11 administers elections?

12 A. We code the election. We receive the

13 information either from municipalities or from

14 the Division of Elections for their elections.

15 We code it. We program it. We mail out the

16 ballots. We print the ballots. We tabulate the

17 ballots. Then we provide the results.

18 Q. Your office administers both regular

19 elections and special elections, correct?

20 A. Can you specify what you mean by

21 regular elections?

22 Q. Yeah. Your office holds regularly

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1 scheduled elections, correct?

2 A. We have municipal elections. We have

3 statewide elections. We have special elections.

4 Q. And for municipal and statewide

5 elections, are these scheduled in advance or --

6 are these scheduled in advance?

7 A. We have both scheduled elections

8 based on their charter and the different Florida

9 statutes. And then they could also have special

10 elections, if needed.

11 Q. And in what instances would there be

12 a special election?

13 A. A charter question, amendment, a

14 vacancy in a position that they need to have

15 filled.

16 Q. Would there be a special election if

17 the court ordered it?

18 A. I would say yes.

19 Q. Other than these elections that are

20 scheduled based on the charter and different

21 Florida statutes and the special elections we

22 discussed, are there any other general categories

Page 29

1 of elections that your office administers?

2 A. Besides municipals, statewide,

3 special elections, no. Those are the only ones I

4 am aware of.

5 They have the mock elections for the

6 kids, the high school kids, to learn the process.

7 And we have take a kid to work day.

8 Q. And I believe earlier we covered

9 this, but just to confirm, your office does not

10 have any written policies or procedures that

11 outline the process of administering elections;

12 is that correct?

13 A. Each division within our office of

14 elections has various procedures on administering

15 elections. I believe previously you asked if

16 there is a procedure for redistricting.

17 Q. How many divisions are within your

18 office?

19 A. One for each deputy. So we have --

20 one, two, three, four, five, six, seven -- eight

21 divisions.

22 Q. And what are those divisions?

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1 A. We have Operations, Voter Services,
 2 Vote by Mail, Information Systems,
 3 Administration, Finance and Poll Worker
 4 Recruitment and Training. They call it PWRT.
 5 Q. So each of those eight divisions has
 6 its own policy for administering elections; is
 7 that correct?
 8 A. They each have various procedures and
 9 policies on conducting their specific task
 10 leading up to an election.
 11 Q. Are these procedures written?
 12 A. I would assume so.
 13 Q. Do these divisions have different
 14 policies depending on the type of election it is?
 15 A. Yes.
 16 Q. And how so?
 17 A. There's different requirements for
 18 municipalities. Even within the municipalities,
 19 each municipality has their own charter on rules
 20 on how to conduct their elections.
 21 Q. Would you say that your office
 22 succeeds at administering elections?

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1 A. Yes.
 2 Q. And why is that?
 3 A. We're Miami-Dade County. We have
 4 done very complex elections, very time-restricted
 5 processes that have given us a lot of accolades
 6 in the community. We have a lot of experienced
 7 staff. We have excellent personnel. We're
 8 really good at what we do.
 9 Q. When you're referring to very
 10 time-restricted processes, what do you mean by
 11 that?
 12 A. Specifically I would say the 2018
 13 recount. We had to do a massive recount for, I
 14 believe it was, two different offices. And we
 15 have to prepare, sort and be able to rescan
 16 ballots for up to 1.6 million voters, which then
 17 led to a manual recount, which is another process
 18 in its own.
 19 Q. And so your -- your office has
 20 experience dealing with, you know, situations
 21 that include time pressures?
 22 A. Yes.

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1 Q. And successfully, you know, executing
 2 even -- even with those time pressures?
 3 A. We have succeeded many times with the
 4 time restraints and the pressure.
 5 Q. Your office administers congressional
 6 and state legislative elections, among others,
 7 correct?
 8 A. Correct.
 9 Q. Let's first discuss congressional
 10 elections. And how often do -- does Miami-Dade
 11 County hold congressional elections?
 12 A. We hold congressional elections
 13 even-numbered years. I know we have our
 14 gubernatorial elections with the congressional on
 15 the even number years that we don't have the
 16 presidentials. I believe they're also on the
 17 presidential ballots.
 18 Q. The last congressional election in
 19 Miami-Dade County was in November of 2024; is
 20 that correct?
 21 A. Correct.
 22 Q. And the next congressional election

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1 in Miami-Dade County is in August 2026?
 2 A. Correct. That's the primary.
 3 Q. What is the process that your office
 4 follows to prepare for a congressional election?
 5 A. We receive the call of elections from
 6 the Division of Elections or the division -- from
 7 the Department of State. Then they go through
 8 their candidate qualifying. Once the candidate
 9 qualifying period is over, the state provides us
 10 the candidates for the election.
 11 We then start coding the election,
 12 putting the names on the -- the ballot. We proof
 13 the positioning of the names. They quality
 14 assure the translations of the ballot.
 15 Once the election -- once the ballot
 16 is proofed and ready, then they start preparing
 17 the optical scanners. Those are the ADA
 18 equipment for -- for voters. Same process, they
 19 have to code. They have to test, make sure
 20 everything is set up correctly.
 21 Once those are complete, then they
 22 start preparing enhanced ballot, which is the ADA

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1 option for voters online and for UOCAVA voters,
 2 again testing, quality assuring, making sure
 3 everything is correct.
 4 We also -- we have a list here in
 5 more detail. Confirm election logistics, such as
 6 dates, EV schedule, polling place, precinct
 7 counts, registered voters, book closing dates.
 8 We inform staff of election and add election to
 9 the calendar on the Supervisor of Elections
 10 website.
 11 We commence election questionnaire to
 12 map out election cycle; inform staff of elections
 13 logistics via elections cliff notes; prepare
 14 division's MS project to track all steps
 15 necessary to conduct the election; prepare
 16 election order form; summarizing election
 17 logistic footprint.
 18 At conclusion of qualifying and upon
 19 receipt of the ballot certification from the
 20 Division of Elections, prepare and proof master
 21 ballot.
 22 Once election is coded, proof optical

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1 ballot followed by express vote ballot and
 2 enhanced ballot; process and proof divisional
 3 required translations; request canvassing board
 4 members from Chief Judge, 11th Judicial Circuit;
 5 create, translate and publish on the Supervisor
 6 of Elections website; legal advertisement on
 7 Canvassing Board schedule, per Florida Statute
 8 101.5612 and Florida Statute 102.141; create,
 9 translate and publish on the Supervisor of
 10 Elections website; legal advertisement of notice
 11 of temporary and permanent polling place changes,
 12 as applicable, per Florida Statute 101.71;
 13 create, translate and publish on the Supervisor
 14 of Elections website; legal advertisement of
 15 sample ballot, per Florida Statute 101.20; order
 16 printed sample ballots and prepare distribution
 17 lists; prepare election staffing assignments;
 18 procure any necessary supplies or resources; post
 19 all necessary election-related documents on the
 20 Supervisor of Elections website; public
 21 inspection of VBM ballots; canvass VBM ballot
 22 returns; recruit seasonal -- seasonals as

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1 necessary to assist with duplication; conduct
 2 machine/manual recount if applicable;
 3 certification of election; send certification
 4 letter, along with one set of EL45, the official
 5 result summary, to the clerk of courts; capture
 6 election-related costs; prepare and compile all
 7 necessary documents for billing of
 8 election-related cost; and then prepare for
 9 run-off as warranted.
 10 Q. What was the document that you were
 11 reading off of?
 12 A. The document that we first discussed,
 13 the answers that were provided by the deputies.
 14 Q. And that was a summary of all
 15 responses provided by the deputies?
 16 A. Yes.
 17 Q. I want to go back to the beginning of
 18 your answer. You said that we receive a call of
 19 elections from the Division of Elections.
 20 What do you mean by call of
 21 elections?
 22 A. They let us know when the election is

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1 going to be held, the date and which districts
 2 are going to be on the ballot. So it's going to
 3 be all congressional districts and the date of
 4 the election.
 5 Q. And how early would you receive that
 6 call?
 7 A. I would need to go back to give you a
 8 specific date, but I know they give it to us --
 9 the -- the predefined elections are provided with
 10 ample time.
 11 Q. And do you have a sense of how early
 12 your office typically starts preparing for a
 13 congressional election?
 14 A. The scheduled elections we can start
 15 as early as two years prior, when we start
 16 preparing our budget. And then we start with
 17 plenty of time, just to give room for any
 18 obstacles that might come up. So if we know the
 19 election is going to be happening, let's say, in
 20 August, we could be starting as early as December
 21 the year prior.
 22 Q. And what sort of work would you be

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1 doing in December of the year prior?

2 A. Securing polling places; updating

3 contracts; make sure that we have those locations

4 secured; letting them know the dates we're going

5 to need it so they can update or, you know,

6 manage their own calendars.

7 We start reaching out to poll workers

8 to inform them of the upcoming elections and

9 securing their involvement in the elections. We

10 start testing the equipment. We start reviewing

11 any changes in laws, updating our procedures as

12 necessary. A lot of prep -- prep work.

13 Q. When does the Division of Elections

14 provide the list of qualifying candidates to your

15 office?

16 A. The qualification, I believe it's

17 120 days before the election.

18 Q. Would it be fair to say that once you

19 get the list of qualified candidates, your work

20 begins in earnest to, you know, finish

21 preparations for a congressional election?

22 A. Can you rephrase the question?

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1 Q. Yeah. When would you say is your

2 busiest time preparing for a congressional

3 election?

4 A. Before qualification.

5 Q. And why is that?

6 A. We have to make sure that all our

7 equipment is ready, that we have the right amount

8 of equipment for the number of polling places

9 that we expect to use. We need to make sure that

10 we have all our data in our various systems

11 correct and uniform so the number of precincts,

12 the number of polling places, the district

13 assignments to all the precincts.

14 We verify that all the voters are

15 assigned to the correct precinct, every voter has

16 received a voter ID card and they've been

17 informed of the upcoming elections. So we do a

18 lot of prep work beforehand to make sure that we

19 are ready and we have adequate equipment and

20 staff way before we start even candidate

21 qualifying.

22 Q. You mentioned systems.

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1 What systems are involved from your

2 office in administering elections?

3 A. So we use a vendor called VR Focus.

4 That's where we have our voter database and

5 different programs for conducting the elections.

6 For tabulation, we use ES&S. That's where the

7 ballots are created, defined, tabulated, ballots

8 are read as well.

9 And then we have Relia-Vote, which is

10 for vote by mail. That's where the ballots are

11 folded, placed into the envelopes, mailed out to

12 the voters. When they come back, they scan a

13 signature for signature verification. They sort

14 the ballots based on address for -- I think for

15 cost savings, they group it by zip code. It also

16 separates the accepted and rejected ballots for

17 opening.

18 And then we have enhanced ballot,

19 which is our ADA version, online version, for

20 voters.

21 We have BOT. BOT is the software

22 that our operations department uses for inventory

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1 management.

2 Q. Any other systems that are related to

3 administering elections?

4 A. Our GIS system, make sure we have all

5 the districts correctly defined, our precincts

6 defined and our quality assurance measures in

7 place.

8 Q. Let's talk about GIS. Can you remind

9 me of what that stands for again?

10 A. Sure. Geographic information

11 systems.

12 Q. And who is responsible for that

13 system?

14 A. I am the manager that oversees it and

15 I have an elections GIS specialist that primarily

16 deals with any address issues or questionable new

17 developments. I handle more of the district

18 assignments, the precinct assignments and

19 verifying that all the voters are assigned to the

20 correct precinct.

21 Q. And in advance of a congressional

22 election, what type of work do you do within GIS?

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1 A. We have a process that we've named
 2 Yellow Dot. What that process does is capture
 3 all the voters' residential addresses. And
 4 through a process called geocoding, it places a
 5 dot on a map of where that residential address
 6 is.
 7 It compares the tabular district data
 8 for that voter, all their districts, their
 9 precinct assignment, and it does what is called a
 10 geospatial analysis. Using that point, it pulls
 11 the district values on a GIS map and then it
 12 compares the district values that the GIS system
 13 identifies with that point against what our voter
 14 system has in a tabular dataset.
 15 Q. And this Yellow Dot process, is that
 16 something that was developed by your office or is
 17 it used by many different supervisors of
 18 elections?
 19 A. I have seen different supervisor of
 20 elections have similar processes, but the Yellow
 21 Dot process is something that we developed back
 22 in '08.

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1 Q. And who in your office developed it?
 2 A. I was one of the main parties
 3 involved in the development and the designing of
 4 the Yellow Dot process, as well as our
 5 counterparts in our county's ITT GIS section,
 6 Alejandro Guzman.
 7 And we had internal programmers that
 8 also assisted in connecting our databases to the
 9 county's GIS databases and creating what's called
 10 the model builders that automate the process of
 11 verifying the addresses and producing the reports
 12 of any exceptions.
 13 Q. And once you follow the Yellow Dot
 14 process and you receive a report of any
 15 exceptions, what happens?
 16 A. We verify any exceptions to see if
 17 there was a geocoding issue. Miami-Dade -- I
 18 don't know if you're aware -- is very complex.
 19 And there's addresses that could live -- exist in
 20 different parts of the county. So sometimes the
 21 zip code is -- is wrong or the voter puts the
 22 wrong address or the data entry clerk will

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1 misread a number.
 2 So we take various steps. We either
 3 make sure that we have the street ranges and the
 4 precincts correctly defined. Or if we identify
 5 any kind of issue on the voter's record, we
 6 notify Voter Services to address the voter and
 7 reach out to them to see if the address they
 8 provided was invalid or a mistake.
 9 Q. And Voting Services is one of the
 10 departments within your office?
 11 A. Correct, one of our divisions.
 12 Q. When does the Yellow Dot process
 13 happen in advance of a congressional election?
 14 A. We are constantly running Yellow Dot.
 15 The process runs every day, twice a day. It
 16 updates the database twice a day.
 17 We typically do a large verification,
 18 I would say about 120 days before a major
 19 election. But as soon as we generate a vote by
 20 mail file, there is always a Yellow Dot process
 21 ran on those voters specifically before any
 22 ballot is mailed out to make sure that every vote

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1 by mail ballot has the correct precinct and
 2 district assignment.
 3 Q. And who is responsible for overseeing
 4 the Yellow Dot process?
 5 A. Primarily my staff, Kashanie
 6 Eversley. And if she's busy or it's a large
 7 volume, I would assist as well.
 8 Q. Who are the primary people
 9 responsible in your office for -- for being
 10 involved in administering congressional
 11 elections?
 12 A. I would say the entire division. The
 13 entire Office of Elections has a role in
 14 conducting the elections.
 15 Q. Are there particular people within
 16 the office that focus only on congressional
 17 elections?
 18 A. No.
 19 Q. Are there any roles in your office
 20 that only focus on a particular type of election?
 21 A. All hands on deck.
 22 Q. Is anyone outside of your office

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1 involved in administering congressional
 2 elections?
 3 A. Can you rephrase the question?
 4 Q. Yeah. Do you work with any
 5 individuals outside of your office in your work
 6 administering congressional elections?
 7 A. Such as the print shop to print the
 8 ballots and our IT support for the servers and
 9 the network.
 10 Q. Any other entities that you can think
 11 of?
 12 A. We outsource the delivery of the
 13 equipment to a vendor. I think we've used Belkin
 14 before. I think that it's outsourced to whoever
 15 wins the bid. We have our staff agency that
 16 hires our temporary employees.
 17 Q. How much does it cost -- or go ahead.
 18 A. I'm sorry.
 19 Q. How much does it cost to run
 20 congressional elections in Miami-Dade County?
 21 A. Congressional -- just congressional
 22 election for all districts?

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1 Q. That's right.
 2 A. What I was provided was a ballpark
 3 for conducting a stand-alone congressional
 4 district election would be an estimated
 5 \$1.8 million.
 6 Q. And that's \$1.8 million for one
 7 congressional district?
 8 A. That's a stand-alone congressional
 9 election. I would say that includes all
 10 congressional districts.
 11 Q. And do you have an understanding as
 12 to what that cost encompasses?
 13 A. That encompasses the posting in the
 14 newspapers and the outreach for the election.
 15 That encompasses the operational cost of coding
 16 the election, the temporary employees, a lot of
 17 mailing of notices to either poll workers, to
 18 voters, printing out the ballots, maintaining the
 19 equipment.
 20 It's a very lengthy operational
 21 process.
 22 Q. Are there any factors that can

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1 influence the cost of administering congressional
 2 elections?
 3 A. Depending on which districts are
 4 going to be on a ballot, that would tell us which
 5 precincts. And the precincts will let us know
 6 which polling places or how many polling places.
 7 And if early voting is going to be
 8 used, how many early voting sites will be
 9 assigned, how many staff for early voting sites
 10 based on the estimated voter turnout, the number
 11 of voters registered in that district, how many
 12 have a vote by mail request on file, and then
 13 just the number of voters to have the ample
 14 amount of ballots printed and ready at their
 15 polling places.
 16 And then the poll workers needed to
 17 support the polls on election day, the staff
 18 needed for early voting and then the internal
 19 staff to reach out to that staff to book them for
 20 training, conduct their poll worker training
 21 beforehand, printing out their manuals, as
 22 required by Florida statute. It's -- the main

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1 variable is the size, how many precincts and how
 2 many voters.
 3 Q. So generally the greater the size of
 4 the district and the greater the size of
 5 precincts, the greater the cost of administering
 6 that election?
 7 A. Correct.
 8 Q. Do you have a sense of whether -- the
 9 estimate you gave of 1.8 million, is that based
 10 on historical practice as well? Is that the
 11 historical cost of administering congressional
 12 elections in Miami-Dade County?
 13 A. That's what was provided to me from
 14 our deputy. I would say that's a combination of
 15 historical and also projected with inflation and
 16 increase in the cost for temporary workers and
 17 the cost per ballot and the number of extra
 18 voters that we currently have. They have
 19 formulas in place to project what -- what an
 20 election would cost.
 21 Q. Can you tell me more about these
 22 formulas.

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1 A. They're driven based on the factors
 2 that we discussed previously, the number of
 3 voters; the number of polling places; the number
 4 of -- not just voters, of vote by mail requests,
 5 because those are going to require vote by mail
 6 ballots to be mailed; the number of precincts.
 7 So that tells us how many poll workers are going
 8 to be needed. Collection centers to receive the
 9 equipment.
 10 So everything is derived by a
 11 combination of number of voters, number of vote
 12 by mail requests, precincts and polling places
 13 and early voting sites.
 14 Q. Is there someone within your office
 15 that's responsible for estimating the cost of
 16 elections?
 17 A. Yes. That would be our finance
 18 division.
 19 Q. And who is -- who leads your finance
 20 division?
 21 A. Right. His name is Robert Villar.
 22 Q. Do you have an understanding of

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1 whether the formulas you mentioned are written
 2 down or part of a written document?
 3 A. I am not aware if he has it written
 4 down.
 5 Q. But you know there is a formula
 6 that's used, you're just -- you're not sure what
 7 the formula is exactly?
 8 A. Correct. And I know that a lot of
 9 their calculations are formula driven.
 10 Q. Do you have a sense of who bears the
 11 cost of congressional elections?
 12 A. Initially, our office bears the cost.
 13 And then we charge or bill back the Florida
 14 Department of State.
 15 Q. How do you charge -- charge back the
 16 Florida Department of State?
 17 A. Specifically, I'm not sure. I
 18 believe we send them an invoice and an itemized
 19 expense for the election and then they cut us a
 20 check. But that's not my level of expertise or
 21 questions that I was made knowledgeable purview
 22 of it prior.

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1 Q. To your knowledge, has the Florida
 2 Department of State ever not paid an invoice that
 3 you sent them for administering an election?
 4 A. I would not know.
 5 Q. Okay. Is the process that you just
 6 described for administering congressional
 7 elections the same for administering state
 8 legislative elections?
 9 A. Yes.
 10 Q. Are there any differences?
 11 A. To my knowledge, no.
 12 Q. Would the timing for when you start
 13 to prepare for a state legislative election
 14 change in any way from when you start preparing
 15 for a congressional election?
 16 A. For a scheduled election?
 17 Q. Yes.
 18 A. No.
 19 Q. So you would -- you could start
 20 preparing as early as the -- let me strike that.
 21 How early would you start preparing
 22 for a state legislative election?

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1 A. We start preparing our fiscal budget
 2 two years before any election. So I would say as
 3 early as two years.
 4 Q. And the work you previously described
 5 starting in December for congressional elections,
 6 would you -- would the same timetable apply for
 7 state legislative elections?
 8 A. Yes.
 9 Q. Do you have an understanding as to
 10 when you received the list of qualifying
 11 candidates for state legislative elections?
 12 A. Can you rephrase that?
 13 Q. Do you receive -- do you receive a
 14 list of qualified candidates for state
 15 legislative elections?
 16 A. Not me directly, but one of our
 17 offices, which is the office of governmental
 18 affairs, they receive that information.
 19 Q. And do you have an understanding as
 20 to when they receive that information?
 21 A. I don't have that exact date with me.
 22 Sorry.

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1 MR. ROSENTHAL: Counsel, we've been
 2 going for about an hour. And the last
 3 thing on the court reporter says to take
 4 breaks regularly.
 5 Whenever you finish whatever line
 6 of questioning you're on, I think it's
 7 appropriate we take a break in a little
 8 bit.
 9 MS. MURPHY: Yeah, we can take a
 10 break right now. I agree.
 11 (Thereupon, a brief recess was
 12 taken.)
 13 BY MS. MURPHY:
 14 Q. Before the break we were discussing
 15 scheduled state legislative elections, correct?
 16 A. Correct.
 17 Q. What deadlines govern your office's
 18 administration of scheduled state legislative
 19 elections?
 20 A. We follow the Florida Statutes.
 21 Q. Which Florida statutes are those?
 22 A. Specifically, I don't have it written

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1 down. I know they're -- I believe Florida
 2 Statute 100. There's a long list of Florida
 3 statutes. We normally have that provided to us
 4 from the Florida Department of State as well
 5 prior to an election.
 6 Q. Besides Florida Statutes, are there
 7 any other internal policies or other documents
 8 that govern deadlines for your office's
 9 administration of scheduled state legislative
 10 elections?
 11 A. We tend to make whatever deadlines
 12 are given to us by the state. We add a buffer to
 13 make sure that we include a quality assurance
 14 aspect. So whatever information we're going to
 15 be providing the state or any requirements that
 16 we have, that we have ample time to quality
 17 assure the information that's going to be
 18 provided or given to us.
 19 Q. And how much of a buffer do you
 20 typically add?
 21 A. That varies, depending on the
 22 requester's requirement. Some tasks that are

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1 labor intensive, such as translations or proofing
 2 a ballot, will take longer, whereas a
 3 reconciliation of an election that sounds
 4 cumbersome could be done with technology to just
 5 quality assure that the numbers add up and
 6 everything lines up.
 7 Q. What would be the largest buffer that
 8 you would add for -- for a task?
 9 A. You know, I know translations, when I
 10 do the proofing of the translations, that process
 11 is pretty lengthy. I would say it could take
 12 anywhere from a couple days up to a week,
 13 depending on any difficulties they might have.
 14 Q. And when in the process is the
 15 proofing of the translations?
 16 A. Once we receive the candidates from
 17 whichever entity and the ballots are created,
 18 then they go through the proofing process.
 19 Q. How much does it cost to run a
 20 scheduled Miami-Dade County state legislative
 21 election?
 22 A. Similar to the congressional

Page 57

1 election?
 2 Q. Yes.
 3 A. I would say the same -- the same
 4 provided ballpark previously, 1.8 million.
 5 Q. So it would cost 1.8 million to run a
 6 scheduled state legislative election for all
 7 districts in Miami-Dade County?
 8 A. Correct, because -- because those are
 9 normally county-wide. That includes all
 10 precincts, all polling places, all early voting
 11 sites.
 12 Q. And the same factors that we
 13 discussed before for congressional elections that
 14 could influence the cost apply the same way to
 15 state legislative elections?
 16 A. Correct.
 17 Q. Who bears the cost of state
 18 legislative elections?
 19 A. We initially cover the cost and then
 20 we bill the Florida Department of State.
 21 Q. Now let's discuss special elections.
 22 Who notifies your office that a

Page 58

1 special election will occur?
 2 A. Can you specify, please?
 3 Q. An entity will notify you that
 4 there's going to be a special election, correct?
 5 A. If it's a municipal, it would be the
 6 municipality's clerk. If it's a state election,
 7 we would receive that notification from the
 8 Florida Department of State.
 9 Q. And who from the Florida Department
 10 of State would notify you that there would be a
 11 special state legislative election?
 12 A. I'm not familiar with the title, but
 13 it's definitely somebody from the Division of
 14 Elections.
 15 Q. Is there someone within your office
 16 that is typically the point of contact for the
 17 Division of Elections?
 18 A. I would say our Supervisor of
 19 Elections coordinates with the Division of
 20 Elections. And we also have our elections --
 21 what was her title -- it was -- our elections
 22 operations administrator, Elizabeth Prieto.

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1 Q. And what is the elections operations
 2 administrator's responsibilities?
 3 A. They coordinate with the state or the
 4 different city clerks when they want to have an
 5 election and they prepare the election order form
 6 with all the specific requirements on conducting
 7 that election.
 8 Q. How does the Division of Elections
 9 notify you that there would be a special
 10 election? Is that an E-mail or a call?
 11 A. If it's previously scheduled, like a
 12 regular primary, that would be an E-mail. I'm
 13 sure they call as well to -- you know, hey, how
 14 are you, getting ready for the season.
 15 Q. And if it's going to be a special
 16 election, would the method of communication
 17 differ?
 18 A. I don't deal with the state directly,
 19 but I would assume that they would call first and
 20 coordinate with our office to make sure that
 21 whatever special elections they're going to be
 22 having that it -- it kind of works with our

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1 schedule and it's not going to conflict or have
 2 any issues.
 3 Q. How does your administration of
 4 special elections differ from scheduled
 5 elections?
 6 A. Special elections can fall on the
 7 same date as the scheduled elections. But
 8 sometimes they are needed based on either Florida
 9 statute or any charter requirements of a vacancy
 10 or whenever they want to conduct an election.
 11 So it's either governed by a statute
 12 or a charter rule. Or if it's, let's say, a
 13 question on we want to change the color of the
 14 lights, if that's not a scheduled election, it
 15 could be done whenever it's convenient or
 16 whenever we're able to conduct them.
 17 Q. So a special election could be either
 18 concurrent with other scheduled elections or it
 19 could be on a completely different date where no
 20 scheduled elections were planned?
 21 A. Correct.
 22 Q. Is it more typical for a special

Page 61

1 election to be held concurrent with a scheduled
 2 election or to be on its own date?
 3 A. I've seen all varieties. I've seen
 4 them fall on scheduled elections and I've seen
 5 them have their own stand-alone dates.
 6 Q. Is it easier to administer a special
 7 election if it's concurrent with a scheduled
 8 election or if it's on a stand-alone date?
 9 A. If it's a scheduled election and it
 10 has the exact same precincts and districts, yes.
 11 Q. It would be easier if it fell on the
 12 same date as a scheduled election?
 13 A. Correct.
 14 Q. How does your office prepare for a
 15 special election that is not concurrent with
 16 another scheduled election?
 17 A. I would say the same process as a
 18 scheduled election. The only difference would be
 19 seeing what scheduled elections we have on our
 20 calendar and seeing if there's any conflict with
 21 that election and the proposed scheduled
 22 elections.

Page 62

1 Q. And if there's a conflict between the
 2 proposed scheduled election and another election,
 3 what happens?
 4 A. Can you specify?
 5 Q. You said earlier that the only
 6 difference would be seeing what scheduled
 7 elections we have on our calendar and see if
 8 there's any conflict with that election and the
 9 proposed special elections.
 10 What did you mean by that?
 11 A. If it's a municipal election, we
 12 have, I believe, more leniency to deal or work
 13 with a municipality on how we handle their
 14 election, but we won't have that leniency for a
 15 state or a county-wide election.
 16 Q. So a state legislative special
 17 election, there's not as much flexibility on when
 18 the election could be held?
 19 A. Well, the flexibility would come in
 20 changing what we have scheduled for a state
 21 primary or general election to prepare for -- for
 22 a special.

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1 Q. So you constantly would change the
 2 date of a scheduled election to accommodate this
 3 other special election?
 4 A. I believe there is a process, if
 5 there is a municipal election and we can't
 6 administer, that the municipality can administer
 7 their own election as long as we provide them, I
 8 believe, their voter registers or their --
 9 their -- their voter data.
 10 Q. For special elections, are there
 11 individuals in your office that are primarily
 12 responsible for administering those special
 13 elections?
 14 A. The same staff that does regular
 15 elections.
 16 Q. Is there a point person for
 17 coordinating special elections?
 18 A. The same elections administrator.
 19 Q. Were -- a special election that is
 20 not concurrent with another election, what
 21 deadlines govern your office's administration of
 22 that election?

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1 A. There are statutory requirements for
 2 state elections. I believe there are different
 3 statutes for special elections. But that
 4 information would be provided to us by the
 5 Department of State.
 6 Q. And so you would follow the state
 7 statutes governing special elections and any
 8 deadlines that are in those statutes for
 9 administering those elections?
 10 A. Correct.
 11 Q. Does the Department of State provide
 12 any other information related to special
 13 elections to you?
 14 A. To my knowledge, they provide
 15 initially the election date and which districts
 16 would be in that election. And subsequently they
 17 would provide us the list of qualified candidates
 18 once their qualification period is over.
 19 Q. And then your process of
 20 administering that special state legislative
 21 election would be similar to what we discussed
 22 before for scheduled elections?

Page 65

1 A. Correct.
 2 Q. How much does it cost to administer a
 3 special election in Miami-Dade County?
 4 A. Can you rephrase that question?
 5 Q. Yeah. So is there a cost to
 6 administering a special election in Miami-Dade
 7 County?
 8 A. The cost is dependent on the number
 9 of registered voters, precincts, polling places
 10 and then staff to operate the election
 11 internally. So staffing training.
 12 Q. Does the cost depend on whether a
 13 special election is held concurrent with another
 14 scheduled election or on its own?
 15 A. I believe if the election is already
 16 scheduled, for example, a primary or general
 17 statewide election or county-wide election, the
 18 only additional cost would be if the question
 19 causes an additional page on the ballot, that
 20 cost of the additional page of printing and
 21 proofing whatever the additional page is, that
 22 would be the only separate cost operationally for

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1 that election.

2 Q. So if a special election is going to

3 be held the same day as a scheduled election and

4 the only cost would be, you know, the additional

5 page that needs to be printed on the ballot?

6 Otherwise, there are no additional costs for

7 holding that special election?

8 A. Correct.

9 Q. So if a special election is going to

10 be held on its own date with no other scheduled

11 elections being held on that date, what is the

12 cost?

13 A. That cost is dependent on the number

14 of registered voters in those districts or that

15 district; the number of precincts, polling places

16 and staff needed to conduct the election.

17 Q. Would you anticipate that holding a

18 state legislative election, the special state

19 legislative election on its own date with no

20 other scheduled elections, that date would cost

21 around 1.8 million?

22 A. That was what was provided to -- to

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1 me regarding the cost of, I believe, a

2 county-wide stand-alone election.

3 Q. Do you have an understanding as to

4 whether or not it's more expensive to hold

5 special elections on an even number year versus

6 an odd number year?

7 A. On odd number years, there are no

8 scheduled statewide elections. So there would be

9 no already scheduled elections that's already

10 budgeted for and paid for to reduce the cost of

11 adding a special election.

12 Q. So if a special election was held on

13 an odd number year for a state legislative

14 election, you would anticipate it costs more than

15 on an even number year because you couldn't add

16 it to an already scheduled state legislative or

17 already scheduled election on that date?

18 A. Correct. If it's a stand-alone

19 special election, it's going to be the full cost

20 versus if it's an already scheduled state

21 election.

22 Q. And is it your office's preference to

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1 avoid having stand-alone special elections?

2 A. As far as preference, it's additional

3 work. I believe it makes it easier for our

4 office if the elections are congruent with the

5 already established elections. It's easier for

6 us to add to an existing ballot operationally

7 than have to secure polling places, poll workers

8 and train for an election that's not already

9 scheduled.

10 Q. For state legislative special

11 elections, who bears the cost of those?

12 A. That's the Department of State. We

13 initially bear the cost and then we bill the

14 Department of State the costs.

15 Q. And then if there was a special

16 congressional election, who would bear the cost

17 of that?

18 A. Same.

19 Q. Your office administered special

20 state elections in 2017, 2018 and 2023, correct?

21 A. Correct.

22 Q. Let's talk about each one of those.

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1 Why did your office administer a

2 special state election in 2017?

3 A. July 25th 2017 we had the State

4 Senate District 40 and State Representative

5 District 116 election.

6 Q. And do you have an understanding as

7 to why that special election was held?

8 A. To my understanding, a vacancy.

9 Q. When did your office begin to plan

10 for that special election?

11 A. I don't have that information in

12 regards to the entire office, but as soon as we

13 are made aware that there is a call for a special

14 election, we'll start immediately.

15 Q. And what is the first step that your

16 office takes, once notified?

17 A. Same process as previously mentioned.

18 We find out the size, how -- how many precincts,

19 how many polling places. Each division does

20 their due diligence to prepare their part of the

21 election. So the same steps as mentioned

22 previously for conducting an election would apply

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1 once we have a date and the districts.

2 Q. Your office successfully administered

3 the special state election in 2017, correct?

4 A. Yes.

5 Q. And do you have an understanding as

6 to what the cost of administering that special

7 state legislative election in 2017 was?

8 A. \$1,044,104.72.

9 Q. And who bore the cost of that?

10 A. That cost was billed back to the

11 Department of State.

12 Q. Let's talk about the special state

13 legislative election held in 2018.

14 Do you have an understanding as to

15 why there was a special state legislative

16 election in 2018?

17 A. That was the February 20, 2018

18 election for State Representative District 114.

19 Q. And do you have an understanding as

20 to why that special election was held?

21 A. I believe for a vacancy.

22 Q. And your office followed the same

Page 71

1 process that we discussed before in administering

2 that special election, correct?

3 A. Correct.

4 Q. Your office successfully administered

5 the special state legislative election in 2018?

6 A. Yes.

7 Q. And what was the cost of the special

8 state legislative election in 2018?

9 A. \$434,919.46.

10 Q. Do you have an understanding as to

11 why the cost of the special state legislative

12 election in 2018 was less than the one in 2017?

13 A. I would assume it is due to the

14 number of registered voters, the number of

15 polling places, the number of precincts, the

16 number of poll workers needed, possibly early

17 voting sites dates and time to administer the

18 different elections and the size of the

19 elections.

20 Q. Is there one primary factor that

21 drives the cost of administering special state

22 legislative elections?

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1 A. The cost is associated with the same

2 factors: the number of registered voters,

3 precincts, polling places, early voting dates,

4 times, the locations and whatever internal

5 factors we need to prepare for that, which would

6 be staffing for training, testing equipment.

7 It's all based on the size and the

8 number of voters that we have to prepare for.

9 Q. Do you have an understanding as to

10 the number of voters that were impacted by the

11 special state legislative election in 2018?

12 A. I don't have those figures with me.

13 Q. And who bore the cost of the special

14 state legislative election in 2018?

15 A. Same. We -- we bear the cost and

16 then we charge the Florida Department of State.

17 Q. You also administered a special state

18 legislative election in 2023, correct?

19 A. Correct, December 8th 2023, State

20 Representative District 118.

21 Q. And do you have an understanding as

22 to why you administered a special state

Page 73

1 legislative election in 2023?

2 A. I believe due to a vacancy.

3 Q. Did your office follow the same

4 process we discussed before in administering the

5 special state legislative election in 2023?

6 A. Yes.

7 Q. And your office successfully

8 administered the special state legislative

9 election in 2023?

10 A. Yes.

11 Q. What was the cost of holding the

12 special state legislative election in 2023?

13 A. 553,000 -- well, there might be a

14 typo here -- I think there's an extra number. So

15 I would say over \$553,000.

16 Q. Do you have an understanding as to

17 whether the special state legislative election in

18 2023 was held concurrent with another election?

19 A. Can you repeat the question?

20 Q. Do you have an understanding as to

21 whether the special state legislative election in

22 2023 was held concurrent with another election?

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1 A. Why was it held concurrent?
 2 Q. If it was.
 3 A. I don't have that information in
 4 front of me. I just have that it was a special
 5 state representative district election in
 6 District 118. This is an odd number year. We
 7 wouldn't have had a scheduled state election
 8 during that time.
 9 Q. Is there anything else that your
 10 office does when holding a special election that
 11 we have not discussed today?
 12 A. Besides notifying the voters and
 13 making them aware of the special election.
 14 Q. Tell me about that process.
 15 A. That process is handled by our
 16 outreach division. They're the ones responsible
 17 for the newspaper ads, reaching out to the
 18 voters, any social events that they have
 19 scheduled and updating our website with the
 20 information.
 21 Q. And who leads your outreach division?
 22 A. Outreach falls under governmental

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1 affairs, which the deputy for that division is
 2 Vanessa Innocent.
 3 Q. And what methods does your office use
 4 to inform voters of a special election?
 5 A. I would have to discuss that with
 6 her. But to my understanding, it is they update
 7 our website. They put the notice of elections on
 8 our website. We also post it in our
 9 headquarters. And as far as directly reaching
 10 out to the voters, I am not aware or I'm not
 11 privy to how they do their outreach for -- to
 12 find the voters.
 13 Q. Would the voters that are directly
 14 reached out to, would these only be the voters
 15 that would be able to vote in that special
 16 election?
 17 A. Correct.
 18 Q. Besides notifying voters, is there
 19 anything else that we haven't discussed related
 20 to special elections that you think is relevant?
 21 A. Not to my knowledge.
 22 Q. Okay. Let's discuss when

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1 redistricting happens.
 2 How are you notified that
 3 congressional districts within Miami-Dade County
 4 have been redrawn?
 5 A. For the scheduled redistricting which
 6 would be after a census, we follow the state's
 7 website and we track when they're going to be
 8 voted on, whether they've been approved and
 9 adopted or if they're going to reconvene. So we
 10 kind of just track the website to see all the
 11 different districts that we're responsible for,
 12 when they've been approved and available for us
 13 to download.
 14 Q. For nonscheduled redistricting, how
 15 are you notified?
 16 A. We are notified from the Department
 17 of State if there's any change to the districts.
 18 Q. And is there a particular person at
 19 Department of State that would be responsible for
 20 notifying you?
 21 A. I am not aware. The last time I
 22 believe that was provided to me by our supervisor

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1 of elections. So I'm not certain who gave her
 2 that information.
 3 Q. And would these same -- was the same
 4 information applied to when state legislative
 5 maps are redrawn?
 6 A. When they're redrawn after a census,
 7 we are tracking it on their website. So we're
 8 expecting to -- to receive an approved file. And
 9 then we download -- each county downloads their
 10 own copy of the file for their redistricting
 11 needs.
 12 Q. Who sends you this file?
 13 A. We download it. We go on the
 14 website. And the website, once it's approved,
 15 they provide the file for download and we
 16 download it and we go through our process.
 17 Q. And is this both for state
 18 legislative and congressional redistricting,
 19 you're able to download a file off of the
 20 website?
 21 A. Yes.
 22 Q. What type of file is it?

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1 A. I believe it is a GIS shapefile.
 2 Q. And can you explain what a GIS
 3 shapefile is?
 4 A. It's the type of file format that the
 5 GIS software interprets and converts it to a map.
 6 Q. And what sort of data is included in
 7 this GIS shapefile?
 8 A. If it's not defined district boundary
 9 lines, it could be a list of census blocks and
 10 which, when you consolidate them together, define
 11 that district's boundary.
 12 Q. So once you download this GIS
 13 shapefile from the website, what happens next?
 14 A. We overlay those boundaries with our
 15 existing precinct boundaries and then we analyze
 16 any district boundaries that intersect our
 17 existing precinct boundaries. And we see the
 18 relationship with the other, what we call, core
 19 boundaries or any other districts that define our
 20 precincts.
 21 If there is a core boundary defining
 22 that precinct boundary, we can't move or modify

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1 that precinct line. If the new district line
 2 intersects a precinct that's not defined by a
 3 core boundary, then we have the ability to move
 4 one of the adjacent precinct boundaries up to
 5 that district line and then shift voters from one
 6 precinct to the other so everybody in that
 7 precinct boundary is defined by the same
 8 districts.
 9 Q. And who is responsible for -- for
 10 implementing this process you just described?
 11 A. We have various staff members in our
 12 team that are responsible for different aspects.
 13 I primarily am responsible for identifying where
 14 the lines intersect our precincts and what
 15 options we have as an office of elections in
 16 remedying that, either adding a precinct or
 17 modifying a precinct boundary to encompass that
 18 new district.
 19 Q. Who else from your office is involved
 20 in this process?
 21 A. Operations gets involved in
 22 identifying the impacted polling places; whether

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1 a new polling place needs to be added; whether
 2 the shift of the number of voters from one
 3 precinct to the other can be handled by the
 4 existing polling place; is there sufficient
 5 equipment assigned or can be assigned to that
 6 location to efficiently allow voters to vote and
 7 not create a delay.
 8 They handle the operational side of
 9 our -- the decisions we would make in changing
 10 precinct boundaries.
 11 Q. What system do you use for changing
 12 precinct boundaries?
 13 A. We do the GIS analysis in ArcGIS Pro.
 14 And then we update the street tables, the voter
 15 information, the district and precinct
 16 assignments in our VR Focus software.
 17 Q. And the ArcGIS Pro, that was the same
 18 system we discussed earlier today?
 19 A. Correct, for GIS.
 20 Q. Are there a set number of precincts
 21 that you're allowed to have in Miami-Dade County?
 22 A. There's no set number, but we try to

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1 keep it under a thousand. We do have the ability
 2 to add what are called split precincts, in which
 3 we could subdivide an existing precinct using a
 4 decimal, .1, .2 and define a -- whole number
 5 precincts that way.
 6 Q. Can you explain more what you mean by
 7 split precincts?
 8 A. Sure.
 9 A precinct is normally defined -- a
 10 defined area. So imagine a block, a block of a
 11 neighborhood. And if we need to separate a
 12 portion of that precinct for, let's say, a
 13 special election or if half the neighbors want to
 14 paint their house red and they want to know who
 15 is in favor, we create what's called a split
 16 precinct in which we assign a decimal or a .1 to
 17 that precinct number and we could change the
 18 district values for that split, similar to a
 19 precinct.
 20 Now, the way our office uses splits
 21 is normally for temporary purposes. We don't
 22 like to have precincts as splits.

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1 Q. And why is that?

2 A. Operationally with the other

3 equipment, it makes it difficult to handle splits

4 on select reports. It makes it difficult to see

5 the information. A lot of stuff normally is

6 rolled up to the solid precinct number. And we

7 only leave splits for temporary situations.

8 Q. Can you give me an example of one of

9 these temporary situations?

10 A. Community development districts or

11 special taxing districts. We have over 2,000

12 special taxing districts in Miami-Dade County.

13 And a lot of times they'll vote on we want to

14 change our lightbulbs from fluorescent to LED.

15 Well, every voter in that special taxing district

16 will receive a ballot, asking if they're in favor

17 or against it. And then, depending on the

18 outcome, that impacts those voters specifically,

19 their tax -- or their special taxing -- military.

20 So what we'll do is we'll ask the

21 split precinct. We'll move those voters into

22 that temporary split so they could conduct their

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1 election. And then once it's over, we put the

2 voters back into their whole number precinct.

3 Q. Have you administered congressional

4 or state legislative elections with split

5 precincts?

6 A. So depending on the time in which we

7 receive all the redistricting, we, by Florida

8 statute, cannot modify our precinct boundaries or

9 either the number or the boundaries without going

10 in front of the Board of County Commissioners.

11 And they have to approve it.

12 So if the time in which we receive

13 all the new district boundaries is too close to

14 an upcoming election, we would implement splits

15 and apply split precincts to run those elections.

16 And then as soon as we have the opportunity,

17 we'll go in front of the board with a

18 well-designed plan to have them approve us

19 modifying our precinct boundaries to make it more

20 efficient.

21 Q. Does the Board of County

22 Commissioners always need to approve any changes

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1 to precincts for congressional or state

2 legislative districts?

3 A. The Board of County Commissioners

4 have to approve any changes to our precinct

5 boundaries, precinct numbers or polling places.

6 Q. So if it was too close in time to an

7 upcoming election, you would administer an

8 election with split precincts and then later on,

9 after the election, go before the board and get

10 their approval?

11 A. Correct.

12 Q. Okay. So the first step, it seems

13 like, after you receive the shapefile is you go

14 in and decide what the new precincts are; is that

15 correct?

16 A. The first step is to analyze the

17 impact of the new district boundaries and what do

18 we need to do to facilitate it, either add splits

19 or just change district values in existing

20 precincts.

21 Q. And what is the output of that

22 process?

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1 A. Can you specify what you mean by

2 output?

3 Q. Yeah. After you analyze the impact

4 of the new district boundaries and decide, you

5 know, if you're going to add splits or change

6 district values, what's the final, you know,

7 conclusion of that process?

8 A. If we're going to do splits, we would

9 identify the number of splits that are being

10 added, the number of voters that are being

11 impacted and the amount of street ranges that

12 have to be moved into the new split districts.

13 If it's an entire precinct that is

14 changing district value, changing that district

15 value and how many voters were impacted with just

16 a district value change that we also have to

17 notify.

18 So I guess that's the output you're

19 referencing?

20 Q. Yeah. So after the changes you

21 described are made, is the next step then to

22 notify voters of changes in their precincts?

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1 A. After we implement or once we
 2 identify where the splits need to be added and we
 3 make the changes in our system, we have to update
 4 our GIS layers in production. We have to notify
 5 the state of our new precinct boundaries within
 6 ten days of making the changes. We have to
 7 generate all new maps, both for the public
 8 service counter and our websites.
 9 And then we go through the process of
 10 scheduling voter ID cards for all the voters that
 11 have new districts.
 12 Q. What do you mean by GSI layers in
 13 production?
 14 A. GIS layers. So those are the layers
 15 that our system uses to verify the voters are in
 16 the correct district. So we would update the new
 17 congressional or whichever district had -- had a
 18 new boundary. We provide that to our ITT -- ITD
 19 department to upload it into the county's
 20 production layer. That's where all the districts
 21 are held.
 22 We also provide them our new precinct

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1 file, which is the precinct lines and the
 2 precinct numbers or splits. And that goes into
 3 production, which is used by the system to verify
 4 that everything is set up correctly.
 5 Q. What does ITD stand for?
 6 A. ITD, it was information technology
 7 department. Now, I believe, the county has
 8 rebranded or changed the name to PIOD. I don't
 9 know what PIOD stands for, but it's an acronym to
 10 say we've changed more of the same.
 11 Q. And what file or what type of file do
 12 you provide to ITD?
 13 A. We provide a GIS shapefile.
 14 Q. And what system does ITD then upload
 15 the shapefile to?
 16 A. They upload it into the county's
 17 production server. And that server, I'm not
 18 familiar the server number, but it's maintained
 19 by the county's GIS department.
 20 Q. And what is the purpose of uploading
 21 it to the county production server?
 22 A. That production server uses those

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1 layers for anything the county references
 2 those -- those layers. For example, if there's
 3 any applications or any other data that uses our
 4 precinct information, by putting it into
 5 production, that information is available to any
 6 county entity. It has access to our -- our
 7 layers.
 8 Q. You said that you needed to notify
 9 the state of new precinct boundaries within ten
 10 days of making changes.
 11 Is that by statute?
 12 A. Yes.
 13 Q. Do you know what statute that is?
 14 A. That is Florida Statute 101.001.
 15 Q. And who from -- who from the state do
 16 you notify?
 17 A. We upload the shapefile into their
 18 FTP or their file transfer protocol server.
 19 Q. Does -- and this is the Florida
 20 Department of State?
 21 A. Yes.
 22 Q. Do they then approve the changes that

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1 you made to precincts?
 2 A. The only approval of the changes when
 3 we modify precinct boundaries is done by the
 4 Board of County Commissioners. The state
 5 receives it as, I guess, a file update or
 6 knowledge of any changes in our county's precinct
 7 definition of boundaries.
 8 Q. So once you upload the precinct
 9 changes to the Department of State website or to
 10 their file share and then send the shapefile to
 11 ITD, what does your office do next?
 12 A. Then we generate new maps. These
 13 maps are either sold by the public service
 14 counter and there are some district-wide maps
 15 that are on our website. So we update all our
 16 maps that are available to the public.
 17 Q. And how do you generate these maps?
 18 A. Very labor-intensive. We literally
 19 have to go into the software, ArcGIS Pro. If we
 20 don't have it existing, the design, we have to
 21 create a brand-new map, identify the new
 22 districts or the new -- the new precincts,

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1 extract it into a PDF and store it into a shared
 2 folder for the public service counter to utilize.
 3 Q. And who is responsible for generating
 4 these maps within your office?
 5 A. My staff and I, primarily our
 6 elections GIS specialist and myself.
 7 Q. Once you generate the new maps, what
 8 is the next step?
 9 A. In reference to the maps?
 10 Q. In reference to implementing a new
 11 redistricting map.
 12 A. So once we have new districts and new
 13 precincts, that data is shared with our
 14 tabulation team to update their system. That
 15 data is shared with operations to update their
 16 inventory software, the BOT. And that
 17 information is shared with Relia-Vote for the
 18 vote by mail software so they can set up their
 19 pockets and whatever they have to do in their
 20 system to accommodate the new districts and the
 21 new precinct assignments.
 22 We share that information with poll

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1 worker recruitment and training so they know how
 2 many precincts or splits the polling places are
 3 going to need and if they need to provide any
 4 additional poll workers.
 5 We share that information with --
 6 basically every division has to be made aware of
 7 the changes because everyone's role is affected
 8 or tied to the number of precincts, whether
 9 they're splits or whole numbers.
 10 Q. Is there a schedule that's set up
 11 relating to, you know, when these various
 12 subtasks need to be completed by?
 13 A. I'm normally told as soon as
 14 possible. And then the pressure is on us
 15 100 percent to provide that data to our different
 16 divisions.
 17 Q. How long does the process of
 18 implementing a new congressional map normally
 19 take?
 20 A. That depends on the number of
 21 precincts that are impacted and, even within each
 22 precinct, the number of street ranges that are

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1 defined by the precinct. And if any of those
 2 street ranges will be dissected by the new
 3 boundary, we have to split the street range in
 4 our system and correctly define each new segment
 5 of that existing street range to its either split
 6 or precinct.
 7 Q. Is there anything that could speed up
 8 the process of implementing a new congressional
 9 map?
 10 A. I can't think of a way to speed up
 11 the process with not -- without affecting the
 12 quality of the checks and balances that we put
 13 into verifying that the job is done correctly.
 14 Q. So, for example, if the number of
 15 precincts impacted were less because that was
 16 taken into consideration when drawing the new
 17 map, would that make the process easier on your
 18 end?
 19 A. It's not so much the number of
 20 precincts. It's more the precincts that need to
 21 be dissected and how do we efficiently make that
 22 dissection.

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1 Whenever a precinct has to be
 2 modified, that's where the thought process gets
 3 affected and that's when we have to modify
 4 streets ranges. If an entire precinct changes
 5 district values, that's just changing a district
 6 value in the table. We don't have to move any
 7 street ranges.
 8 It's whenever we have to redraw that
 9 precinct boundary, both visually on a map using
 10 GIS and in a tabular form by moving street ranges
 11 in one precinct to the other.
 12 Q. What is the quickest that your office
 13 has ever implemented a new congressional map
 14 after redistricting?
 15 A. We took about -- and I have it here
 16 in my notes -- about five and a half weeks the
 17 last time we had to do a nonscheduled
 18 redistricting and with that, an additional, like,
 19 three or four days of quality assurance.
 20 Q. In what context was this?
 21 A. This was in 2016 when we had to copy
 22 the production of VR to our redistricting

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1 database, set up the splits in a precinct table
 2 in VR and QA, assign the districts to the split
 3 precincts, analyze street segments that need to
 4 be assigned to split precincts.
 5 Then we had to assign street ranges
 6 to split precincts in the redistricting database,
 7 quality assure the street moves, run a process
 8 called redistricting and move split precincts and
 9 streets into production.
 10 And then we had to quality assure the
 11 redistricting run in production, split precincts
 12 and street moves and voter totals. And then ITD,
 13 which is our county's IT department, they extract
 14 the new Yellow Dot files. We run Yellow Dot, and
 15 then we go live with the split precincts in
 16 production and then exporting all the tables into
 17 the district softwares that we have.
 18 Q. And is it correct that you were able
 19 to implement a new congressional map within six
 20 weeks of the election? Is that what you
 21 testified?
 22 A. That's how much time it took us to do

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1 our process. But that is done before we could
 2 define the election in our system. So that's
 3 separately from conducting the election. That's
 4 just implementing the redistricting.
 5 Q. Do you have an understanding as to
 6 the additional time that it took to actually --
 7 for the election to take place?
 8 A. I believe that that work was done
 9 sometime -- I'll tell you right now.
 10 That work was done between April of
 11 2016 leading into, like, May. And the election
 12 was the August primary. That was the following
 13 election in which those districts applied.
 14 Q. Okay. So your office implemented the
 15 new maps in -- starting in April of 2016 and that
 16 election was held in August of 2016?
 17 A. Correct.
 18 Q. What is the quickest that your office
 19 has ever implemented a state legislative map
 20 after redistricting?
 21 A. A county-wide, every precinct being
 22 impacted?

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1 Q. Yes.
 2 A. We don't only do the state districts
 3 after redistricting. We wait until all the
 4 electoral entities have completed their
 5 redistricting to do a one-time review of the
 6 impact to our precincts. Just because we have so
 7 many precincts and it's so labor-intensive, we
 8 wait until we have all the new district
 9 boundaries to see the total impact to our
 10 precincts.
 11 Q. And so you wouldn't do -- you
 12 wouldn't implement only certain state legislative
 13 districts before you have all the districts'
 14 information; is that correct?
 15 A. Correct.
 16 Q. Would it be possible to do that or
 17 it's not possible under the current system you
 18 have in place?
 19 A. It would be possible. It's just not
 20 efficient.
 21 Q. And why is that?
 22 A. We have over 700 precincts. And that

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1 type of analysis is very lengthy in time. And
 2 the impacts of that one district may or may not
 3 impact the other precincts until we know all the
 4 other changes that need to be made, do we know --
 5 what can we do with the precinct lines.
 6 So I'll give you an example. If we
 7 plan on moving a precinct boundary solely based
 8 on one district value, that effort might be lost
 9 once we learn that another district is going to
 10 use that precinct boundary that historically
 11 wasn't needed to be defined but now is.
 12 So we could potentially be doing more
 13 work that's going to be counterintuitive to the
 14 entire process once we have all the districts.
 15 Q. How long does it typically take you
 16 to implement state legislative -- a redistrict's
 17 state legislative map for all the districts?
 18 A. Every district taken into
 19 consideration doing a full redistricting? That
 20 process, without looking up historical timelines,
 21 I would say takes us up to, like, three months.
 22 Q. Is that three months from when you're

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1 first notified that the districts have been
 2 redrawn to election day?
 3 A. That's three months from when we get
 4 all the districts that are being changed. We
 5 consolidate them into one file so we have all the
 6 new boundaries that are being impacted. We do a
 7 full analysis of all our precincts that are being
 8 dissected. We assign temporary splits to all
 9 the -- the -- the intersections within our
 10 precincts.
 11 We then do a geospatial analysis and
 12 we do what's called a spatial join of the
 13 district values, all the district values to these
 14 temporary points with splits. And then we do a
 15 comparison of which unique pockets share the
 16 exact same district assignments as the other
 17 splits to see which polygons or pockets can be
 18 consolidated into one precinct number, to then
 19 have a full list of split precincts within each
 20 one of the districts as granular as we can get
 21 without having any -- any kind of duplications
 22 or -- or precincts that had the same district

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1 assignments with different precinct numbers.
 2 And then we have to analyze all the
 3 street ranges that need to get dissected and
 4 moved into the new precinct values while also
 5 adding the new precincts into our system, making
 6 the district assignment changes or -- or, you
 7 know, modifying the composition of the polling
 8 places.
 9 So if it had, let's say, three
 10 precincts, now it has eight precincts because of
 11 the changes and then, within polling places, do
 12 we need to find new locations to outsource or to
 13 fit these multiple precincts that are currently
 14 assigned to a polling place.
 15 Q. And then what additional amount of
 16 time is required before election day then?
 17 A. All this is done prior to candidate
 18 qualifying. This is all done as soon as we have
 19 all the districts. We know that it's a lengthy
 20 process and we try to complete it at least a
 21 month, maybe a few weeks before candidate
 22 qualifying to allow that group -- that division

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1 to prepare whatever data they need, whatever
 2 information they need to define their -- their
 3 districts correctly for qualification.
 4 Q. When there are -- when redistricting
 5 happens, is it the case that all precincts are
 6 affected or only ones that are bordering the --
 7 the new districts?
 8 A. Typically when redistricting is done,
 9 it's to balance the population within the
 10 districts as equally as -- as they can. So as
 11 it's done every ten years normally, and
 12 Miami-Dade County will take a shopping center and
 13 turn it into a condominium, there's a lot of
 14 growth.
 15 So once you start balancing districts
 16 that are only defined every ten years, that
 17 causes changes. Sometimes it follows existing
 18 precincts. Sometimes it cuts through precincts.
 19 I would say that depending on the
 20 different districts, it could be a lot.
 21 Sometimes we get lucky and they follow existing
 22 precincts. We've seen -- we've seen both. We've

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1 seen situations where they don't follow our
 2 precinct lines. We've seen situations where they
 3 do.
 4 Q. And would your office have a
 5 preference for following precinct lines that are
 6 reestablished?
 7 A. If there's ever a time in which all
 8 our precincts are used for whatever changes are
 9 made, the least change we have to do to our
 10 precinct boundaries, the easier it is for our
 11 office to make the changes. It reduces the
 12 moving of street ranges and modifying of precinct
 13 boundaries and it keeps voters in the same
 14 boundary, even though they're defined by
 15 different districts.
 16 Q. So there's less burden on your office
 17 when the new district lines follow the same
 18 precincts?
 19 A. Correct.
 20 Q. If a precinct stays in the same
 21 district during redistricting, does your office
 22 need to do anything with respect to that precinct

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1 as a result of redistricting?

2 A. If there's any change in the district

3 values or the polling place to that voter, we

4 would mail them a new voter ID card.

5 Q. If a precinct moves into a different

6 district but isn't split, is that a -- less of a

7 burden on your office?

8 A. As far as voter ID cards? We would

9 have to send them a voter ID card regardless.

10 Q. But that would be the only action

11 that your office would need to take?

12 A. In regards to voter ID cards, if

13 there's a change in district, we have to send

14 them a card. The split affects the GIS side of

15 modifying the precinct boundaries and moving the

16 street ranges prior to voter ID cards being

17 mailed out.

18 Q. Would moving a whole precinct require

19 changing a polling place?

20 A. Not necessarily.

21 Q. And why is that?

22 A. Because those voters are already

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1 assigned to a location. They're used to going to

2 that location. It's just changing what

3 information will appear on that voter's ballot.

4 Q. Is it your understanding that the

5 requirement to send a voter a new information

6 card when their district changes, that that

7 requirement comes from Florida law?

8 A. Yes.

9 Q. Do you understand what Florida law

10 that is?

11 A. I don't have it with me.

12 Q. But Florida law would be the best

13 place to look for that requirement, if there is

14 one?

15 A. There is a Florida statute

16 referencing when we have to mail out a voter ID

17 card for a voter. And our office has sent out

18 voter ID cards for different reasons. For

19 example, when we went constitutional and we

20 changed the branding, we would send out new voter

21 ID cards to all voters so they have the new

22 branding with our new office.

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1 Q. Are there any county requirements

2 related to sending new voter ID cards?

3 A. Not to my knowledge.

4 Q. We are challenging one congressional

5 district and seven state House districts. If the

6 court were to order the implementation of new

7 maps, would your office comply with that order?

8 A. Of course.

9 Q. When would your office need the final

10 maps by in order to implement for the 2026

11 regular session?

12 A. For the August primary?

13 Q. Yes.

14 A. It would depend on the impact, as we

15 discussed, whether whole precincts are moved or

16 if there is a lot of dissection or splitting of

17 existing precincts.

18 If it's laborious, I believe for the

19 August primary candidate qualifying starts

20 April 30th. So we would need it as soon as

21 possible. March -- March -- mid-march would be a

22 safe time in which I think our office should be

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1 able to analyze it, without knowing what the

2 impacts are, and come up with a solution before

3 candidate qualifying.

4 Q. Do you believe that your office could

5 effectively implement new maps if ordered in this

6 case?

7 A. I have full faith and confidence in

8 our office.

9 Q. And why is that?

10 A. We've been doing this for a while, so

11 we're comfortable with the steps that it takes.

12 The staff that would be responsible for making

13 this -- these decisions, they're familiar with

14 the process. But, like everything in life, we

15 could be very comfortable with something that we

16 do every single day; and if something changes the

17 way we do stuff, we have to stop and analyze

18 what's the best approach to handle these changes.

19 Q. Has your office ever been unable to

20 successfully implement a new redistricting map?

21 A. Not to my knowledge.

22 Q. When would your office need new maps

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1 by to hold special elections in the first half of
 2 2027?
 3 A. On an odd number year? That would --
 4 that would be for a special election?
 5 Q. Yes.
 6 A. Again, the date and time in which the
 7 Department of State provides us for that election
 8 we would need ample time prior, depending on the
 9 impact to our precincts and how much work is
 10 needed on our side.
 11 I would say that we would normally
 12 start our process about 120 days prior to the
 13 election of prepping. And that is depending on
 14 how many districts, is it a county-wide versus a
 15 couple districts, one district, two districts.
 16 Depending on the size, we could -- no sooner than
 17 120 days. And then that's just for implementing
 18 the election.
 19 To -- to do the changes, the
 20 redistricting changes, I would say three months,
 21 if we can, prior to the election -- prior to the
 22 120 days.

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1 Q. So if there was a special election,
 2 you would need three months to implement the
 3 changes to the redistrict maps and 120 days for
 4 implementation of the election?
 5 A. Correct.
 6 Q. Who would be in charge of the process
 7 of -- of implementing a redistrict map and
 8 holding a special election within your office?
 9 A. The redistricting portion would be
 10 my -- my team, myself and the elections GIS
 11 specialist. And then operations would be
 12 responsible for the impacts to polling places.
 13 The actual election, conducting the special
 14 elections, would be governmental affairs. It
 15 would be our elections administrator, Elizabeth
 16 Prieto. She would coordinate with or get the
 17 information from the state and would start the
 18 coordination of the special election.
 19 Q. Are there any other factors that come
 20 into play for your office in administering a
 21 special election for the districts at issue in
 22 this case?

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1 A. We have scheduled municipal elections
 2 based on their charters. We might already have
 3 the 2027 electoral calendar on our website. If
 4 not, it -- it kind of goes in a cycle. The same
 5 municipalities have their elections scheduled
 6 throughout the year. Those precincts, once we
 7 define the election until we close the election,
 8 we can't modify those precinct boundaries or move
 9 those street ranges.
 10 So those -- those precincts stay
 11 intact once we open an election and close an
 12 election.
 13 Q. So you wouldn't be able to make any
 14 changes to precincts before those municipal
 15 elections?
 16 A. For those specific precincts,
 17 depending on the municipality.
 18 Q. And in that case, would you have to
 19 use split precincts if you were trying to
 20 implement a -- a, you know, state legislative
 21 redistrict map?
 22 A. Even the split precincts, we wouldn't

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1 be able to split any of the precincts that are in
 2 that election because once the election is opened
 3 and coded, all those district assignments are
 4 tied to those precincts until we close the
 5 election.
 6 Q. If the court were to order a special
 7 election to be held in this case, would you
 8 comply?
 9 A. Yes.
 10 Q. And if the court ordered a special
 11 election to be held in this case, do you believe
 12 that your office could successfully administer
 13 such election?
 14 A. Without knowing the dates or any
 15 other factors, such as municipal elections or
 16 timelines in preparation, our office is always
 17 going to do our due diligence to succeed.
 18 Q. And is --
 19 A. Our goal is always to provide
 20 transparent, clear and efficient elections for
 21 all -- for all voters. So we always are going to
 22 try our hardest.

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1 Q. Has your office ever not been able to
 2 successfully administer a special election when
 3 ordered by the court?
 4 A. Not to my knowledge.
 5 Q. Is there a cost to Miami-Dade County
 6 associated with implementing new redistricting
 7 maps?
 8 A. The cost associated would be the
 9 mailing of the voter ID cards and any internal
 10 cost of doing the work of modifying the precinct
 11 boundaries and street ranges, dependent on what
 12 other tasks we have going on at a time. So if we
 13 have scheduled projects or things that we have to
 14 work on and we have to add on a redistricting,
 15 that might incur either more staff to complete or
 16 additional hours for our staff to complete the
 17 task.
 18 Q. So in that case, it would be possible
 19 that your office would have to hire additional --
 20 additional staff or pay overtime?
 21 A. Correct.
 22 Q. What is the cost of mailing voter ID

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1 cards typically?
 2 A. I don't have that number with me.
 3 Q. Do you have a general sense of how
 4 much it typically costs to send voter ID cards?
 5 A. I'm not sure. I know that there's a
 6 special card stock used for the voter ID card.
 7 There's the postage rate. And that gets printed
 8 by our print shop and outsourced to whatever
 9 company does the -- the mailing. But the actual
 10 final cost of per voter ID card, I don't have
 11 that with me.
 12 Q. How many times has your office
 13 implemented a new map after redistricting since
 14 2022 -- pardon me -- since 2020?
 15 A. So we did the redistricting November
 16 of 2022. We did the repincincting June of 2023.
 17 Then we did City of Miami Gardens, the Democratic
 18 Executive Committee and Republican Executive
 19 Committee May of 2024. And then we had City of
 20 Miami commission districts August of '23, and
 21 then January of '25.
 22 MS. MURPHY: Let's take a break.

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1 (Thereupon, a brief recess was
 2 taken.)
 3 BY MS. MURPHY:
 4 Q. We were talking earlier today about
 5 when your office would need the final maps in
 6 this case in order to implement for the 2026
 7 August primary. And I believe you said mid-March
 8 because congressional qualifying starts in April;
 9 is that correct?
 10 A. The qualification dates, from what I
 11 believe the state has in, like, their calendar
 12 says that some qualification -- qualifying dates
 13 are in April, April 20-something.
 14 Q. And so you would need final maps
 15 for -- final congressional maps by mid-March; is
 16 that correct?
 17 A. Correct. That's without knowing how
 18 many precincts/districts impacted and the amount
 19 of work that would be needed for the
 20 implementation of the changes.
 21 Q. And what would you need final state
 22 House maps by?

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1 A. Same. We need it sometime prior to
 2 qualifying, so we could do the updates that we
 3 need in the various systems so everyone is in
 4 sync before we start.
 5 Q. If candidate qualifying was delayed,
 6 would your time that you need the maps be delayed
 7 by the same amount?
 8 A. I would assume that the same amount
 9 of time would be needed to do the changes in
 10 redistricting. So the qualification date would
 11 kind of steer by when we need the files prior to.
 12 Q. And so if the qualifying date was not
 13 April, but later in the year, you would be able
 14 to receive the maps later?
 15 A. I would say for the August primary,
 16 mid-March makes it easier for the other divisions
 17 to complete their tasks, because they have to do
 18 a lot of recruitment for poll workers, for
 19 different polling places. And those changes
 20 would change the numbers that they need to start
 21 their process. And they start way sooner because
 22 of, you know, reaching out to the people,

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1 locations available, how many training sites
 2 they're going to have.
 3 There's a lot of elements that
 4 changes affect. And because there is so many
 5 different divisions, it's hard to speak on
 6 everyone to know what their tasks are prior to an
 7 election.
 8 So mid-March for an August election I
 9 feel would be a safe time for us to be able to
 10 implement the changes effectively.
 11 Q. My understanding is that in 2022 the
 12 congressional map was finalized in late April,
 13 early May.
 14 Is that your understanding as well?
 15 A. In 2022?
 16 Q. Um-hmm.
 17 A. The redistricting was done in 2022 in
 18 November. When it was adopted, I don't have that
 19 with me.
 20 Q. For the redistricting that took place
 21 in 2022, did you have any issues with
 22 implementing the maps?

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1 A. To my knowledge, no.
 2 Q. My understanding is that
 3 qualifying -- candidate qualifying for state
 4 House elections typically is done in June.
 5 Does that sound right to you?
 6 A. I believe so.
 7 Q. Would you then need finalized maps
 8 in -- at least by, you know, May, following the
 9 same deadlines that you gave for the
 10 congressional maps?
 11 A. In May for 2026?
 12 Q. Yes.
 13 A. That would be tight. I think what
 14 makes it easier in 2022 is that redistricting is
 15 expected. So it's easier to understand that
 16 there's changes and we kind of start our outreach
 17 sooner saying hey, this is -- every ten years we
 18 do this redistricting, so expect changes and
 19 there's a lot of changes coming.
 20 Doing it so close before an election,
 21 I'm not sure how that would affect our ability to
 22 outreach and provide the -- the changes to the

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1 community without having the ample time and there
 2 not being expected redistricting.
 3 Q. And so you would need final maps for
 4 both congressional and state House districts for
 5 the 2022 August primary by mid-March?
 6 A. I think March would be a safe time
 7 for us to expect it. Can we do it sooner if
 8 there's not a lot of impact to our precincts?
 9 Yes. But without seeing what is the impact to
 10 our precincts, it's hard to give a definitive
 11 date by when we need it.
 12 Q. If there wasn't much impact to
 13 precincts, what do you think is the latest date
 14 that you would be able to implement the
 15 redistrict's map by?
 16 A. Based on the previous 2016
 17 redistricting, the process of assigning the
 18 street ranges to split precincts took about two
 19 and a half weeks. So if there were no street
 20 ranges that had to be moved and entire precinct
 21 boundaries were respected, I would shave off two
 22 and a half weeks from the time needed.

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1 Q. And would these same parameters apply
 2 for the 2028 August primary?
 3 A. 2028 we're in a presidential year, I
 4 believe.
 5 Q. I believe that's right.
 6 A. And then we don't just have an August
 7 primary and a general, we also have the
 8 presidential preference primary. So that would
 9 have to be taken into consideration as well.
 10 Q. How would that impact when you would
 11 need the maps by?
 12 A. That would impact when we could
 13 modify precincts once the election is open and
 14 closed. Once we have the election open, we
 15 cannot modify the precinct boundaries until we're
 16 able to close that election.
 17 Q. And so you would need the maps before
 18 the presidential election is open?
 19 A. I think when the changes were made in
 20 2016, the ruling was adopted in -- January 5th,
 21 but it wasn't implemented until after the
 22 presidential preference primary. So knowing that

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1 those precincts couldn't be changed, after the
 2 presidential preference primary was when we
 3 implemented those new changes.
 4 Q. And when is the presidential
 5 preference primary typically?
 6 A. January or March. I think in 2016,
 7 it was March 15th.
 8 Q. So you would -- strike that.
 9 Are you aware of any problems with
 10 the timeline of -- of implementing the redistrict
 11 maps in 2016?
 12 A. I know that we were given until after
 13 the presidential preference primary to implement,
 14 which gave us ample time before the August
 15 primary.
 16 Q. Before the break we were discussing
 17 times that your office has implemented a new map
 18 after redistricting since 2020, correct?
 19 A. Correct.
 20 Q. And I believe you listed off five
 21 different instances.
 22 A. Well, the first one was the main

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1 redistricting that happens after a census. The
 2 second one is when we go in front of the Board of
 3 County Commissioners to reprecinct. And then we
 4 had the redistricting for City of Miami Gardens.
 5 And the other two districts, the Democratic
 6 Executive Committee and the Republican Executive
 7 Committee, those are defined by our precincts,
 8 but they changed their -- their maps.
 9 And then the two other ones were City
 10 of Miami commission districts.
 11 Q. And did your office successfully
 12 implement new maps in all of these instances we
 13 discussed since 2020?
 14 A. Yes.
 15 Q. Did you face any issues in
 16 implementing any of these maps?
 17 A. No.
 18 Q. And did you follow the process that
 19 we have discussed today for implementing new
 20 maps?
 21 A. In the implementation process, yes,
 22 the same process.

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1 Q. In the City of Miami Gardens
 2 instance, how long prior to the election did you
 3 receive the redistrict maps?
 4 A. If I recall, it was done in May. Off
 5 the top of my head I want to say we received it
 6 January. I know we had -- we had ample time and
 7 they didn't have an election coming up for -- for
 8 that year. So we had time to go in front of the
 9 board to modify our precincts for their
 10 districts.
 11 Q. What about the instance in August
 12 2023? What was the context of that audit effort?
 13 A. The August was the City of Miami
 14 redistricting of their commission districts.
 15 Q. And how far in advance did you
 16 receive -- excuse me.
 17 How far in advance of election did
 18 you receive the redistrict maps?
 19 A. Their election, if I recall, used the
 20 existing precinct boundaries. They haven't had
 21 an election with their newly drawn commission
 22 district boundaries in their -- in their

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1 municipality.
 2 Q. So since these districts have been
 3 redrawn, there hasn't been an election?
 4 A. Correct.
 5 Q. What about the instance in January
 6 2025? What was the context of that?
 7 A. That was the second redrawing of
 8 their -- their boundaries.
 9 Q. And what districts does this relate
 10 to?
 11 A. City of Miami.
 12 Q. Has there been an election since
 13 those districts have been redrawn?
 14 A. That election would be for November
 15 of this year.
 16 Q. Can you describe the relationship
 17 between your office and the Florida Department of
 18 State relating to elections administration?
 19 A. We're governed by the Florida
 20 Statutes. They provide us dates, districts and
 21 candidate qualification for elections. And by
 22 statute, there is data we have to provide them,

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1 such as the precinct boundaries we discussed,
 2 polling places, early voting
 3 dates/times/schedules, and numerous reports,
 4 before an election and during the election voter
 5 counts.
 6 So by -- by statute, they notify us
 7 of elections and then we are providing them data
 8 as -- as required.
 9 Q. Does Florida Department of State have
 10 any control over the operations of your office?
 11 A. They govern us by the Florida
 12 Statutes.
 13 Q. And what Florida statutes are you
 14 referring to?
 15 A. There's various. There's a lot of
 16 statutes.
 17 Q. How often does your office
 18 communicate with the Florida Department of State?
 19 A. We're in constant communication.
 20 They send out E-mails if there's any changes or
 21 updates to all counties. If there's any
 22 questions, they talk to us or we can talk to

Page 123

1 them. So we would have constant communication.
 2 Q. And who are you typically
 3 communicating with from Florida Department of
 4 State?
 5 A. Me directly, the most communication I
 6 have with the Department of State as one of my
 7 tasks are posting the results on the web. I
 8 communicate with -- it's changed throughout the
 9 time, but it's the -- the person responsible with
 10 uploading the results.
 11 So I communicate when we have to do
 12 test files to make sure that it's uploading
 13 correctly; on election night, that we're
 14 uploading the files on a timely manner; and, once
 15 we're done, they verify that the data that we
 16 have in our system matches their system.
 17 So I have different contact points
 18 based on my tasks and I'm sure other people in my
 19 division have different contacts, depending on
 20 what they need from the state.
 21 Q. Does your office have any agreements
 22 with the Florida Department of State relating to

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1 elections administration?
 2 A. Besides the Florida Statutes, not to
 3 my knowledge.
 4 Q. And we discussed earlier that the
 5 state compensates Miami-Dade County for
 6 administering its elections, correct?
 7 A. Correct.
 8 Q. Are there any factors that affect the
 9 cost that the state will pay for election
 10 administration?
 11 A. Not to my knowledge.
 12 Q. And after you invoice the state, does
 13 the -- does the state typically pay -- strike
 14 that.
 15 Have there been any disputes between
 16 your office and the Florida Department of
 17 Elections related to administering elections?
 18 A. Not that I'm privy to.
 19 Q. Do you wish to correct any statements
 20 you made today?
 21 A. I was reviewing the cost of holding
 22 special elections for congressional and state


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1 districts. The ballpark number that was provided
 2 is an estimated cost per district, not for a
 3 county-wide. So for the state House seat it
 4 would be 1.1 million. And for the congressional
 5 seat it would be 1.8 million per district.
 6 Q. And so if there were two -- two state
 7 districts that were special elections that were
 8 being administered, it would be 2.2 million?
 9 A. Unless there's some kind of cost
 10 savings in creating the election that could be
 11 absorbed into the process. But that was the
 12 number that was given to me per district, not
 13 county-wide.
 14 Q. Anything else you want to correct?
 15 A. Not to my knowledge.
 16 Q. Okay. Those are all my questions.
 17 MS. MURPHY: We can go off the
 18 record.
 19 MS. REPORTER: Who would like a
 20 copy of this deposition?
 21 MS. MURPHY: Andy, I saw that you
 22 un-muted yourself. Do you wish to say

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1 something.
 2 MR. BARDOS: No. Thanks for
 3 asking.
 4 I will take a copy though.
 5 (Thereupon, signature having not been
 6 waived, at 1:05 p.m. EDT, the
 7 deposition concluded.)
 8
 9
 10 _____
 11 XAVIER PICHS, DESIGNEE
 12 Subscribed and sworn to before me this ____
 13 day of _____, 2025.
 14
 15 _____
 16 NOTARY PUBLIC
 17
 18
 19
 20
 21
 22

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1 CERTIFICATE OF NOTARY
 2 I, MISTY KLAPPER, the officer before
 3 whom the foregoing deposition was taken, do
 4 hereby certify that the witness whose testimony
 5 appears in the foregoing deposition was duly
 6 sworn by me; that the testimony of said witness
 7 was taken by me in shorthand and thereafter
 8 reduced to typewriting by me; that said deposition
 9 is a true record of the testimony given by said
 10 witness; that I am neither counsel for, related
 11 to, nor employed by any of the parties to the
 12 action in which this deposition was taken; and,
 13 further, that I am not a relative or employee
 14 of any attorney or counsel employed by the
 15 parties hereto, nor financially or otherwise
 16 interested in the outcome of this action.
 17
 18
 19 
 20
 21 Misty Klapper, RMR, CSR, RPR,
 22 RSA and Notary Public

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1 EXHIBITS
 2 NO.: DESCRIPTION: PAGE:
 3 Exhibit 1 Subpoena to Testify at a
 4 Deposition in a Civil Action
 5 dated 5/28/25 10
 6
 7
 8
 9
 10 INDEX
 11 WITNESS: EXAMINATION BY: PAGE:
 12 Xavier Pichs Ms. Murphy 4
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22

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1 ERRATA SHEET
 2 CASE: Cubanos Pa'lante, et al. v. Florida House of
 3 Representatives, et al.
 4 DEPOSITION OF: Miami-Dade County Supervisor of
 5 Elections Office, by Xavier Pichs,
 6 Designee
 7 TAKEN: July 8, 2025
 8
 9 PAGE LINE NOW READS SHOULD READ REASON
 10 _____
 11 _____
 12 _____
 13 _____
 14 _____
 15 _____
 16 _____
 17 _____
 18 XAVIER PICHS, DESIGNEE
 19 Sworn and subscribed to before me
 20 this ____ day of _____, 2025.
 21 My commission expires: Notary Public:
 22 _____