

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

Common Cause Florida, FairDistricts
Now, Florida State Conference of the
National Association for the
Advancement of Colored People
Branches, Cassandra Brown, Peter
Butzin, Charlie Clark, Dorothy Inman-
Johnson, Veatrice Holifield Farrell,
Brenda Holt, Rosemary McCoy, Leo R.
Stoney, Myrna Young, and Nancy
Ratzan,

Plaintiffs,

v.

Cord Byrd, in his official capacity as
Florida Secretary of State,

Defendant.

Case No. 4:22-cv-109-AW-MAF

**PLAINTIFFS' MEMORANDUM IN OPPOSITION TO DEFENDANT'S
PARTIAL MOTION FOR SUMMARY JUDGMENT**

I. Introduction

This case is, at its core, about the Legislature's enacted congressional map that unlawfully discriminates against Black Floridians by intentionally destroying former CD-5 ("Benchmark CD-5"). The Secretary concedes that all of the Individual Plaintiffs have standing and, in particular, that there is at least one Plaintiff with standing to bring claims with respect to districts in North Florida that

resulted from the destruction of Benchmark CD-5. That renders the Secretary's partial motion for summary judgment largely irrelevant.

Nevertheless, the Secretary argues that the Organizational Plaintiffs either lack standing altogether (D.E. 161, Br. at 12) (Organizational Plaintiffs "can't establish organizational standing") or lack standing to challenge districts that are largely not at issue in this case (Br. at 1) (Organizational Plaintiffs have no "standing to challenge the remaining congressional districts").¹ None of this warrants this Court's time. It suffices, as the Court noted in denying the Secretary's earlier motion to dismiss, that at least one Plaintiff undisputedly has demonstrated standing to bring the claims on which this case is based.

And even if that were not the case, the Secretary's argument is based on his own failure to conduct discovery on the facts supporting the Organizational Plaintiffs' standing. Indeed, the Organizational Plaintiffs were prepared to submit to depositions on the very standing-related topics on which the Secretary now seeks partial summary judgment. The Secretary chose not to pursue those

¹ On the Secretary's list of largely irrelevant remaining districts for which he claims there is no party with standing are CD's 3 and 5. These districts are among the four districts created by the destruction of Benchmark CD-5. There is no need for a plaintiff to have standing to sue over those districts in order to challenge the demolition of Benchmark CD-5 because the Secretary concedes there are Plaintiffs with standing to challenge CD's 2 and 4, which are also resulting districts. In any event, as set forth below, the Organizational Plaintiffs have members in CD's 2 and 4 (as well as 3 and 5) and so have associational standing.

depositions, however, and now claims the Organizational Plaintiffs are barred from ever offering the evidence that those depositions would have revealed if he had taken them. Because that argument runs contrary to the Federal Rules of Civil Procedure, this Court should deny the Secretary’s motion.

II. Statement of Facts

As the Court is aware, this case is brought by ten individual Floridians (the “Individual Plaintiffs”) and three public-interest organizations (Common Cause Florida, FairDistricts Now, and Florida State Conference of the National Association for the Advancement of Colored People Branches) (collectively, the “Organizational Plaintiffs”).²

As the Secretary concedes, one or more of the Individual Plaintiffs reside in districts 2, 4, 10, 11, 13, 19, and 24 (and therefore have standing to challenge unlawful acts that led to the creation of those districts). Specifically, the following Individual Plaintiffs live in the following districts:

Plaintiff’s Name	County of Residence	Previous Congressional District	Congressional District in Enacted Plan
Dorothy Inman-Johnson	Leon	2	2
Cassandra Brown	Lake	11	11
Peter Butzin	Leon	2	2

² For purposes of this motion, Plaintiffs do not rely upon the standing of Fair Districts Now.

Charlie Clark	Leon	5	2
Veatrice Holifield Farrell	Pinellas	13	13
Brenda Holt	Gadsden	5	2
Rosemary McCoy	Duval	5	4
Leo R. Stoney	Orange	10	10
Myrna Young	Lee	19	19
Nancy Ratzan	Miami-Dade	27	24

D.E. 131, SAC ¶ 6.

As for the Organizational Plaintiffs, the Second Amended Complaint explained that they are all organizations devoted to protecting the voting rights of Black Floridians. SAC ¶¶ 3-5. Apparently believing that they might have information relevant to his defense—and in particular, to the topic of “standing to sue” as highlighted below—the Secretary included the Organizational Plaintiffs in his Rule 26(a)(1) disclosures:

A. Individuals Likely to Have Discoverable Information Supporting Defendant’s Claims or Defenses.

1. Plaintiffs, both Individuals and Organizations
c/o Patterson Belknap Webb & Tyler LLP
1133 Avenue of the Americas
New York, NY 10036
(212) 336-2000
Subjects: standing to sue

Ex. 1 at 1 (Defendant’s Rule 26(a)(1) disclosures).

Additionally, the Secretary served both document requests and interrogatories on each of the Organizational Plaintiffs. In response to those broad requests, the Organizational Plaintiffs made objections, and then produced certain documents and provided sworn responses.

In his document requests, the Secretary sought a variety of documents, but did not pose a single document request asking for materials identifying the Organizational Plaintiffs' members. *See* D.E. 161-1, 161-2, 161-3 (Organizational Plaintiffs' responses to the Secretary's Requests for Production).

In his interrogatories, the Secretary asked each Organizational Plaintiff a broad range of questions about its members, including the number of members, the districts in which those members reside, and the dates on which certain members became members. *See* Ex. 2 at 18 (Common Cause Responses), Ex. 3 at 16 (Florida NAACP Responses), Ex. 4 at 17 (FairDistricts Now Responses). In addition to objecting that the Interrogatory was overbroad, unduly burdensome, and irrelevant, among other issues, each Organizational Plaintiff also objected that:

[t]o the extent this Interrogatory requests information for the purposes of establishing standing, this interrogatory is not proportional to that objective for several reasons. In multiplaintiff cases, if there is one plaintiff "who has demonstrated standing to assert these rights as his own," it is unnecessary to "consider whether the other individual and corporate plaintiffs have standing to maintain the suit." *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 264 & n.9. Furthermore, to satisfy associational standing, organizations need only show that at least one member of the association has standing to

sue in his or her own right. *See Doe v. Stincer*, 175 F.3d 879, 884 (11th Cir. 1999).

Ex. 2 at 18–19 (Common Cause Responses), Ex. 3 at 16–18 (Florida NAACP Responses), Ex. 4 at 18–19 (FairDistricts Now Responses).

Subject to that and other objections, Plaintiff Common Cause Florida responded under oath “that it has approximately 93,700 members and supporters in Florida and approximately 1.5 million members nationwide and that its members have undergone and will undergo a variety of harms and injuries, including the unconstitutional disadvantaging of the voting power of Black Floridians as a result of the claims in this litigation.” Ex. 2 at 19. Similarly, the Florida NAACP responded under oath “that it has approximately 12,000 members across its many branches and chapters. Among the Florida NAACP’s members are registered voters who have undergone and will undergo a variety of harms and injuries, including the unconstitutional disadvantaging of the voting power of Black Floridians as a result of the claims in this litigation.” Ex. 3 at 17–18.

Additionally, all the Organizational Plaintiffs listed “All Organizational Plaintiffs” in response to the Interrogatory asking for the names of those who might have knowledge about this action. Ex. 2 at 8 (Common Cause Responses), Ex. 3 at 7 (Florida NAACP Responses), Ex. 4 at 8 (FairDistricts Now Responses).

After the Organizational Plaintiffs served these responses, the parties met and conferred on May 8 and May 31, 2023. While the parties discussed documents relating to *the Individual Plaintiffs'* standing, at no point did the Secretary's counsel indicate that the various objections raised in the *Organizational Plaintiffs'* responses were inappropriate, or that their responses or productions were inadequate. Instead, counsel for the Secretary informed counsel for the Plaintiffs that they intended to notice Rule 30(b)(6) depositions of the Organizational Plaintiffs and would follow up with proposed topics for those depositions. Ex. 5 at 1 (May 31, 2023 Beato Email).

Counsel for the Secretary soon after outlined the proposed deposition topics, including “the number of members of each organization, and the number of those members in each district of Florida’s enacted congressional map.” Ex. 6 at 1 (June 5, 2023 Beato Email). Plaintiffs awaited the anticipated deposition notices and began preparing the appropriate Rule 30(b)(6) witnesses to testify on these subjects. Ultimately, though, counsel for the Secretary changed course and informed counsel for the Plaintiffs that the Secretary would no longer seek to depose the Organizational Plaintiffs. Ex. 7 at 1 (June 13, 2023 Beato Email).

This motion followed.

III. Argument

As this Court held in its order denying in part the Secretary's motion to dismiss, as long as one plaintiff has standing to bring a particular claim, there is no need to assess the standing of the other plaintiffs. D.E. 115, Order on Defs.' Mot. to Dismiss at 2; *see also Ga. Ass'n of Latino Elected Officials, Inc. v. Gwinnet Cnty. Bd. of Registration & Elections*, 36 F.4th 1100, 1113-14 (11th Cir. 2022) ("We need not parse each Plaintiff's standing, however, because one—GALEO—has standing . . . to assert all of the claims in the second amended complaint."). After conducting discovery, Plaintiffs have determined to narrow their case to the intentional destruction of Benchmark CD-5 in violation of the Fourteenth and Fifteenth Amendments. The Individual Plaintiffs living in new districts CD-2 and 4 (which are remnants of Benchmark CD-5) have standing to challenge Benchmark CD-5's unlawful dissolution. *See Gill v. Whitford*, 138 S. Ct. 1916, 1930 (2018). As the Secretary concedes, certain Individual Plaintiffs live in those districts and accordingly have standing to bring these claims. This is true even without Individual Plaintiffs living in new CD-3 and 5, which also form the residue of Benchmark CD-5. (And, as set forth below, the Organizational Plaintiffs have members in all four districts that were carved out of Benchmark CD-5.) That alone is reason for this Court to deny the motion.

Plaintiffs do not need to demonstrate standing to sue on behalf of the voters in various other districts to prove that the destruction of Benchmark CD-5 violates the Constitution. Nor do Plaintiffs need to demonstrate standing to challenge other districts in order to introduce *evidence* concerning those districts at trial to prove their claims about Benchmark CD-5: “Voters, of course, can present statewide *evidence* in order to prove racial gerrymandering in a particular district.” *Ala. Legislative Black Caucus v. Alabama*, 575 U.S. 254, 263 (2015). Similarly, this is true when plaintiffs bring a challenge of intentional discrimination under the Fourteenth Amendment, as here. *Vill. of Arlington Heights v. Metro Housing Dev. Corp.*, 429 U.S. 252, 265 (1977). Facts relating to those districts (as spelled out in the Second Amended Complaint and the expert reports) remain relevant as circumstantial evidence. The Plaintiffs do intend to offer this evidence, although they will not seek relief as to those districts specifically. In any event, Plaintiffs *do* have standing to challenge, as alleged in the Complaint, that racial discrimination was a motivating factor in the drawing of Districts 2, 4, 10, 13, and 24. *See* SAC ¶¶ 83-101. The Secretary does not dispute that at least one Individual Plaintiff resides in each of those districts. *See* SAC ¶ 6. Because, as the Secretary concedes, at least one Individual Plaintiff has standing to bring claims of intentional racial discrimination in dismantling Benchmark CD-5, the Court need not reach the standing of the Organizational Plaintiffs.

But if the Court were to reach the question of the Organizational Plaintiffs' standing to challenge the destruction of CD-5, or even every single district in the state, the Secretary has failed to carry his burden of demonstrating that there is no genuine dispute. *See* Fed. R. Civ. P. 56(a). By affirming under oath in their interrogatory responses that they have thousands of members throughout the state, the Organizational Plaintiffs have presented real, non-conclusory evidence of standing through an associational theory.³ That is enough to survive summary judgment.

To counter that conclusion, the Secretary suggests that “unsubstantiated interrogatory responses can’t be used to avoid summary judgment.” Br. at 12. Yet the cases the Secretary cites contain no such holding. None holds that a *sworn* interrogatory response cannot defeat summary judgment unless it is “substantiated” by other evidence. In fact, none involved interrogatory responses at all. Those cases merely confirm the black-letter proposition that purely conclusory allegations of harm are insufficient to avoid summary judgment.

That is not what we have here. The Organizational Plaintiffs' interrogatory responses to the Secretary's requests, sworn to under oath, were sufficient to at

³ For purposes of this motion, Plaintiffs do not rely on a diversion-of-resources theory, but do not concede that they would be unable to prove such a theory at trial.

least create a genuine dispute as to their standing. When reviewing a summary-judgment motion, this Court must “view all of the evidence in the light most favorable to the nonmoving party and draw all reasonable inferences in that party’s favor.” *FindWhat Investor Grp. v. FindWhat.com*, 658 F.3d 1282, 1307 (11th Cir. 2011). In the redistricting context, this Court can draw the “common sense inference” – sufficient for standing – that a statewide organization with many thousands of members, and whose purpose is devoted to voting rights, will have members in most every district. *See Ala. Legislative Black Caucus*, 575 U.S. at 270. Common Cause Florida has 93,700 members in Florida, while the Florida NAACP has 12,000. Those organizations, therefore, have, respectively, an average of over 3,300 and 428 members per district, surely at least one in each of Florida’s 28 districts. And such organizations “need not provide additional information such as a specific membership list” to support this inference, at least at the summary judgment stage. *Id.* at 270.

If the Secretary were unsatisfied with Plaintiffs’ interrogatory responses relating to membership and standing, he could have raised that issue during the meet-and-confers or at any other point before filing this motion. Or, he could have taken Rule 30(b)(6) depositions as he originally planned to do (and as Plaintiffs agreed he could do) and asked the representatives of the Organizational Plaintiffs for information about the locations of their members. Instead, the Secretary

rescinded his Rule 30(b)(6) deposition requests without explanation, and now claims that the Plaintiffs are barred from answering the questions he declined to ask.

As outlined in the attached affidavits, Exhibits 8 and 9, the Organizational Plaintiffs do not maintain records of their members in a way that makes identifying members by congressional district readily feasible. Because the Plaintiffs concededly have standing to continue pressing their claims, the additional burden required to identify organizational members in specific districts is disproportionate to the needs of the case. Nevertheless, out of an abundance of caution, Common Cause Florida and the Florida NAACP have undertaken the burden to demonstrate that they have at least one identifiable member in each of the districts that were created by the destruction of Benchmark CD-5: CD's 2, 3, 4, and 5. Ex. 8 ¶ 5; Ex. 9 ¶ 5. The Court can comfortably rely on this affidavit evidence in denying summary judgment: "Evidentiary material which is acceptable in opposition to a motion for summary judgment includes sworn affidavits" *Skipper v. Potter*, No. 3:07cv525/MCR/EMT, 2009 WL 10675301, at *1 (N.D. Fla. Feb. 2, 2009) (mag. op.) (citing Fed. R. Civ. P. 56(e)); *Bethel v. Escambia Cnty. Sheriff's Office*, No. 3:05cv376/MD, 2006 WL 8444813, at *1 (N.D. Fla. Nov. 1, 2006) (mag. op.) (same).

The Secretary argues that, despite his failure to pursue this evidence during discovery, Plaintiffs are now precluded by Rule 37 from offering these affidavits because the Organizational Plaintiffs were not identified in Plaintiffs' Rule 26 disclosures. That is incorrect. The Organizational Plaintiffs are not new, non-disclosed *witnesses* offering new evidence of racial discrimination. They are the plaintiffs in this case being asked about their own qualification to be plaintiffs, which they already described in the complaint that they filed. This testimony can come as no surprise to anyone. Indeed, the Organizational Plaintiffs all identified themselves as persons with knowledge in response to the Secretary's interrogatories. Ex. 2 at 8 (Common Cause Responses), Ex. 3 at 7 (Florida NAACP Responses), Ex. 4 at 8 (FairDistricts Now Responses). We are unaware of any case holding that exclusionary sanctions under Rule 37 have any application to a plaintiff's failure to disclose *itself* as a source of information in a Rule 26 disclosure, let alone information about standing that appears in the complaint itself and the plaintiff's interrogatory answers.

And in any event, Rule 37 excuses a failure to disclose a witness in a Rule 26 disclosure when that failure is "harmless." Fed. R. Civ. P. 37(c)(1). While the Eleventh Circuit has not yet "settled the meaning of harmlessness under Rule 37 and, in particular, its relationship to prejudice," the technical omission of the Organizational Plaintiffs from the Organizational Plaintiffs' own Rule 26

disclosures was assuredly harmless here. *Circuitronix, LLC v Kinwong Electr. (Hong Kong) Co., Ltd.*, 993 F.3d 1299, 1307 (11th Cir. 2021). The Secretary cannot possibly claim unfair surprise that the Organizational Plaintiffs have knowledge of their own membership. Indeed, the Secretary served detailed discovery requests and sought to depose the Organizational Plaintiffs on this very topic. For that matter, he also named the Organizational Plaintiffs in *his own* Rule 26 disclosures. Ex. 1 at 1. That the Secretary unilaterally decided not to pursue the Organizational Plaintiffs' Rule 30(b)(6) depositions does not mean the Organizational Plaintiffs are forever barred from providing the information those depositions would have revealed had they been taken. *See Benjamin v. Home Depot U.S.A., Inc.*, No. 09-82381-CIV, 2011 WL 90317, at *3 (S.D. Fla. Jan. 11, 2011) ("Plaintiff never sought to compel the taking of the deposition during discovery which is now closed. Therefore, they cannot now be heard to complain of a lack of evidence.") (internal citation omitted).

So while this Court need not reach the issue of whether the Organizational Plaintiffs have standing to challenge the destruction of Benchmark CD-5, those plaintiffs have in fact offered sufficient evidence of their standing to survive summary judgment.

IV. Conclusion

For the foregoing reasons, Plaintiffs respectfully request that the Court deny the Secretary's motion for partial summary judgment. In any event, the Court should not dismiss for lack of standing claims arising from the destruction of Benchmark CD-5.

Respectfully submitted,

/s/ Gregory L. Diskant

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Date: July 21, 2023

LOCAL RULE CERTIFICATION

I hereby certify that this memorandum contains 3,113 words and complies with Local Rules 56.1(B) and 5.1(C).

/s/ Gregory L. Diskant
Gregory L. Diskant

CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2023, I electronically filed the foregoing with the Clerk of Court by using CM/ECF, which automatically serves all counsel of record for the parties who have appeared.

/s/ Gregory L. Diskant
Gregory L. Diskant

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

Common Cause Florida, FairDistricts Now, Florida State Conference of the National Association for the Advancement of Colored People Branches, Cassandra Brown, Peter Butzin, Charlie Clark, Dorothy Inman-Johnson, Veatrice Holifield Farrell, Brenda Holt, Rosemary McCoy, Leo R. Stoney, Myrna Young, and Nancy Ratzan,

Plaintiffs,

v.

Cord Byrd, in his official capacity as Florida Secretary of State,

Defendant.

Case No. 4:22-cv-109-AW-MAF

Exhibits

<u>Exhibit No.</u>	<u>Description</u>
1.	Secretary of State Byrd's Rule 26(a)(1) Initial Disclosures
2.	Common Cause Florida's Responses to the Secretary's First Set of Interrogatories
3.	Florida NAACP's Responses to the Secretary's First Set of Interrogatories
4.	FairDistricts Now's Responses to the Secretary's First Set of Interrogatories
5.	May 31, 2023 Email from Michael Beato to Alvin Li and Michael Halper
6.	June 5, 2023 Email from Michael Beato to Alvin Li and Michael Halper
7.	June 13, 2023 Email from Michael Beato to Alvin Li, Catherine Djang and Michael Halper

8.	Declaration of Amy Keith
9.	Declaration of Adora Nweze

Exhibit 1

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

COMMON CAUSE FLORIDA, et al.,

Plaintiffs,

v.

CORD BYRD, in his official capacity
as Florida Secretary of State, et al.,

Defendant.

CASE NO. 4:22-CV-109-AW/MAF

FLORIDA SECRETARY OF STATE'S INITIAL DISCLOSURES

Pursuant to Federal Rule of Civil Procedure 26(a)(1), Defendant Florida Secretary of State Cord Byrd (“Defendant”) makes the following initial disclosures:

- A. Individuals Likely to Have Discoverable Information Supporting Defendant’s Claims or Defenses.
1. Plaintiffs, both Individuals and Organizations
c/o Patterson Belknap Webb & Tyler LLP
1133 Avenue of the Americas
New York, NY 10036
(212) 336-2000
Subjects: standing to sue
 2. The 67 State Supervisors of Elections
Contact information can be found at the following link:
<https://www.myfloridaelections.com/Contact-your-SOE>
Subjects: implementation and appropriateness of any remedy

B. Description of Documents in the Possession, Custody or Control of Defendant that Defendant May Use to Support its Claims or Defenses.

All discoverable information is publicly available at the following links:

<https://www.floridaredistricting.gov/>,

https://fleog.sharepoint.com/sites/Open_Gov/Public%20Record%20Request/Forms/AllItems.aspx?id=%2Fsites%2FOpen%5FGov%2FPublic%20Record%20Request%2FPublic%20Records%20Requests&p=true&ga=1. Otherwise, all other material

in the possession, custody, and control of Defendant is protected by the executive privilege, the legislative privilege, the deliberative process privilege, the attorney-client privilege, and the work-product doctrine.

C. Damages.

Plaintiffs claim the following damages:

1. Attorneys' fees, costs, disbursements, and reasonable attorneys' fees as provided by law.

D. Insurance Agreements.

Not applicable.

E. Reservation of Defendant's Right to Supplement.

Defendant reserves the right to supplement these initial disclosures as discovery progresses.

Dated: December 20, 2022

Respectfully submitted by:

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CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2022, the foregoing document was served via e-mail on the following counsel:

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/s/ Mohammad O. Jazil

Exhibit 2

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

Common Cause Florida, FairDistricts
Now, Florida State Conference of the
National Association for the
Advancement of Colored People
Branches, Cassandra Brown, Peter
Butzin, Charlie Clark, Dorothy Inman-
Johnson, Veatrice Holifield Farrell,
Brenda Holt, Rosemary McCoy, Leo R.
Stoney, Myrna Young, and Nancy
Ratzan,

Plaintiffs,

v.

Cord Byrd, in his official capacity as
Florida Secretary of State,

Defendant.

Case No.: 4:22-cv-109-AW-MAF

**PLAINTIFFS' OBJECTIONS AND RESPONSES TO DEFENDANT'S
FIRST SET OF INTERROGATORIES TO ORGANIZATIONAL
PLAINTIFFS**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Common Cause Florida hereby objects and responds to the first set of interrogatories to the Organizational Plaintiffs (the "Interrogatories") served by Defendant Cord Byrd, in his official capacity as Florida Secretary of State, as follows:

GENERAL OBJECTIONS

Common Cause Florida makes the following General Objections, which apply to each and every Interrogatory, and are incorporated by reference in each and every response below as if set forth fully therein. Failure to reiterate a General Objections below does not constitute a waiver of that or any other objections.

1. Common Cause Florida generally objects to the Interrogatories, Definitions, and Instructions to the extent that they purport to impose obligations on Common Cause Florida in excess of those imposed by Federal Rules of Civil Procedure 26, 33, and 34 and any other applicable rule or law. Common Cause Florida will respond in accordance with their obligations under the applicable rules.

2. Common Cause Florida generally objects to the Interrogatories to the extent that they seek information that is not relevant to any party's claim or defense. To the extent the Interrogatories seek information not relevant to any party's claim or defense, Common Cause Florida further objects to the Interrogatories as unduly burdensome and/or oppressive.

3. Common Cause Florida objects to the Interrogatories to the extent that they are vague, ambiguous, overly broad or confusing and therefore not susceptible to a clear and definitive answer. To the extent possible, Common Cause Florida has interpreted vague and ambiguous requests. However, Common Cause Florida cannot guarantee that their interpretation is in all cases consistent with the intent of the drafter.

4. The responses to the Interrogatories are given without prejudice to Common Cause Florida's right to use facts, witnesses or documents discovered after service of

these responses or omitted from these responses by oversight, inadvertence, or other good faith error or mistake. The information furnished by Common Cause Florida may include hearsay and other forms of evidence which are neither reliable nor admissible.

5. Common Cause Florida objects to the Interrogatories to the extent that they seek information from beyond the time period relevant to this action on the grounds that such information is not relevant to any party's claim or defense.

6. Common Cause Florida reserves all objections to the admissibility at trial of any information or documents identified herein. The supplying of any information will not constitute an admission by Common Cause Florida that such information is relevant to or admissible in the pending litigations. Common Cause Florida reserves the right to objects to further inquiry with respect to any subject matter.

7. Common Cause Florida objects to the Interrogatories to the extent they seek information not contained in documents that currently exist and require Common Cause Florida to create, compile, or develop new documents or databases.

8. Common Cause Florida objects to the Interrogatories to the extent they seek disclosure of any information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protective doctrine. The inadvertent production by Common Cause Florida of material protected by any privilege, immunity, or protective doctrine shall not constitute, or be considered as a factor suggesting, a waiver or impairment of any claims of such protection.

9. Common Cause Florida objects to the Interrogatories to the extent they

seek information that is not in the possession, custody, or control of Common Cause Florida.

10. Common Cause Florida objects to the Interrogatories to the extent they seek information in the possession, custody, or control of Defendant or are publicly available to Defendant, or to the extent that the documents or information is obtainable from sources other than Common Cause Florida that are more convenient, less burdensome, or less expensive.

11. Common Cause Florida objects to the Interrogatories as overly broad, unduly burdensome, and not proportional to the needs of the case to the extent that they call for the identification of “each,” “any,” or “all” when relevant information can be obtained from fewer than “each,” “any,” or “all.”

12. Common Cause Florida objects to any implications and to any explicit or implicit characterization of facts, events, circumstances, or issues in the Interrogatories. Common Cause Florida’s responses to the Interrogatories shall not be construed as admissions to any legal conclusion or that any explicit or implicit characterizations of the facts, events, circumstances, or issues contained in the Interrogatories are relevant to this action.

13. Common Cause Florida objects to the Interrogatories to the extent they concern questions of law or call for legal conclusions. By making these responses, Common Cause Florida do not concede that the Interrogatories or the responses solely concern questions of fact, as opposed to mixed questions of fact and law or questions of law.

14. Common Cause Florida objects to the Interrogatories to the extent that they seek production of information that cannot be located as a result of a reasonable search of reasonably available sources. Each Interrogatory will be considered separately in making a

determination about where reasonably to look for responsive information.

15. Common Cause Florida reserves the right to assert additional objections to the Interrogatories as appropriate and to amend or supplement these objections and responses in accordance with the applicable rules and court orders. Common Cause Florida also reserves the right to object to the use of any of its responses at trial or other hearing or proceeding, as the Organizational Plaintiffs deem necessary and appropriate. To the extent that Common Cause Florida may provide information or documents in response to any Interrogatory herein, Common Cause Florida do so without limiting or waiving any of the substantive objections that it may otherwise have available.

16. Common Cause Florida objects to these Interrogatories to the extent they seek information protected from disclosure under the First Amendment because such disclosure would intrude on or chill Common Cause Florida's First Amendment rights, including the right to associate and to engage in the exchange of ideas, and no compelling need for the information exists. *See, e.g., NAACP v. Alabama*, 357 U.S. 449, 460 (1958); *Whole Woman's Health v. Smith*, 896 F.3d 362 (5th Cir. 2018), as revised (July 17, 2018); *Perry v. Schwarzenegger*, 591 F.3d 1147 (9th Cir. 2010).

17. Common Cause Florida objects to the definitions of "Plaintiff," "you," and "your" as referring to any entities other than Common Cause Florida. Common Cause Florida objects to Instruction 2 for seeking information outside Common Cause Florida's possession, custody, or control. Common Cause Florida will respond to the Interrogatories only as to information within the possession, custody, or control of Common Cause Florida.

18. Common Cause Florida objects to Instructions 5, 6, and 7 to the extent they impose a requirement to describe objections to responses in greater specificity than required by law. These Instructions seek to require Common Cause Florida to incur substantial expense far outweighing any conceivable benefit to the Defendant (which will be negligible), and seek to impose burdens beyond those imposed by the Federal Rules of Civil Procedure and applicable case law.

SPECIFIC RESPONSES AND OBJECTIONS

INTERROGATORY NO. 1

Please provide the name, address, telephone number, place of employment, job title, and relationship to the Organizational Plaintiff for any person answering or assisting in answering these interrogatories, and identify the specific interrogatories each person responded to or assisted in the preparation of

RESPONSE TO INTERROGATORY NO. 1

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Subject to the General Objections, Common Cause Florida responds that, in addition to counsel to Plaintiffs, the following individuals assisted in responding to each interrogatory:

- Kathay Feng
 - 430 S. Garfield Ave. Suite 418, Alhambra, CA 91801 (LA Office address)
 - 310-880-6668
 - Place of employment: Common Cause
 - Title: Vice President of Programs
- Alton Wang
 - 430 S. Garfield Ave. Suite 418, Alhambra, CA 91801 (LA Office address)
 - 626-623-3725
 - Place of employment: Common Cause
 - Title: Equal Justice Works Fellow

INTERROGATORY NO. 2

Please identify any person who has, claims to have, or who you believe may have knowledge or information pertaining to any fact alleged in your Second Amended Complaint or any fact

underlying the subject matter of this action, and state the specific nature and substance of the knowledge you believe each person identified may have.

RESPONSE TO INTERROGATORY NO. 2

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida further objects to this Interrogatory as premature; discovery is in its initial stages, and Common Cause Florida has not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. Common Cause Florida will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. Common Cause Florida further objects to this Interrogatory as overly broad, unduly burdensome, lacking an express temporal limitation, and not proportional to the needs of the case as it requests the Organization Plaintiffs to identify any person who has “knowledge or information pertaining to any fact” underlying this litigation. Common Cause Florida further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. Common Cause Florida further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. Common Cause Florida will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules.

Subject to the foregoing General and Specific Objections, Common Cause Florida responds that the following may have relevant information:

Name	Title	Contact Information	Subjects of Relevant Information
All Individual Plaintiffs		c/o Patterson Belknap Webb & Tyler LLP	Individual Plaintiffs have knowledge of their residency and

		1133 Avenue of the Americas, New York, NY 10036 (212) 336-2000	voter registration at the time relevant to the complaint.
All Organizational Plaintiffs		c/o Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas, New York, NY 10036 (212) 336-2000	Organizational Plaintiffs have knowledge of the effects of SB 2-C on the state of Florida
Adam Foltz		c/o Holtzman Vogel Baran Torchinsky & Josefiak PLLC 119 S. Monroe Street, Suite 500, Tallahassee, FL 32301 850-270-5938	Mr. Foltz was engaged by the office of Governor DeSantis to draw Congressional maps.
J. Alex Kelly	Deputy Chief of Staff, Office of the Governor	c/o Holtzman Vogel Baran Torchinsky & Josefiak PLLC 119 S. Monroe Street, Suite 500, Tallahassee, FL 32301 850-270-5938	Mr. Kelly was involved in drawing the Congressional map endorsed by Governor DeSantis. Mr. Kelly also testified before the Senate Redistricting Committee.
Ray Rodrigues	Former Chair, Senate Reapportionment Committee	c/o Shutts & Bowen LLP 215 South Monroe Street, Suite 804,	Chancellor Rodrigues was chair of the Reapportionment Committee.

		Tallahassee, FL 32301	
Governor Ron DeSantis	Governor of Florida	c/o Holtzman Vogel Baran Torchinsky & Josefiak PLLC 119 S. Monroe Street, Suite 500, Tallahassee, FL 32301 850-270-5938	Governor DeSantis was the chief executive of the State of Florida during the reapportionment process.
Kaylee Tuck	Representative, Florida House of Representatives	c/o GrayRobinson, P.A. 301 South Bronough Street, Suite 600, Tallahassee, FL 32301 850-577-9090	Representative Tuck was a member of the Redistricting Committee.
Randy Fine	Representative, Florida House of Representatives	c/o GrayRobinson, P.A. 301 South Bronough Street, Suite 600, Tallahassee, FL 32301 850-577-9090	Representative Fine was vice-chair of the Redistricting Committee.
Tom Leek	Representative, Florida House of Representatives	c/o GrayRobinson, P.A. 301 South Bronough Street, Suite 600, Tallahassee, FL 32301 850-577-9090	Representative Leek was chair of the Redistricting Committee.

Tyler Sirois	Representative, Florida House of Representatives	c/o GrayRobinson, P.A. 301 South Bronough Street, Suite 600, Tallahassee, FL 32301 850-577-9090	Representative Sirois was a member of the Redistricting Committee.
Robert Popper	Senior Attorney, Judicial Watch	c/o Driscoll & Seltzer, PLLC 2000 Duke Street, Suite 300, Alexandria, VA 22314 703-879-2601	Mr. Popper testified before the House Redistricting Committee in connection with a map proposed by the Governor's office.
Ryan Newman	General Counsel, Office of the Governor	c/o Holtzman Vogel Baran Torchinsky & Josefiak PLLC 119 S. Monroe Street, Suite 500, Tallahassee, FL 32301 850-270-5938	Mr. Newman authored a memorandum in connection with the Governor's veto of Congressional maps passed by both chambers of the Florida Legislature.
Jennifer Bradley	Senator, Florida Senate	c/o General Counsel for the Florida State Senate 302 The Capitol, 404 South Monroe Street, Tallahassee, FL 32399	Senator Bradley was chair of the Select Subcommittee on Congressional Reapportionment.
Wilton Simpson	Former President, Florida Senate	c/o Shutts & Bowen LLP	Mr. Simpson was President of the Senate.

		215 South Monroe Street, Suite 804, Tallahassee, FL 32301 850-241-1725	
Chris Sprowls	Former Speaker, Florida House of Representatives	c/o GrayRobinson, P.A. 301 South Bronough Street, Suite 600, Tallahassee, FL 32301 850-577-9090	Mr. Sprowls was Speaker of the House.
Valdez V. Demings	Former United States Representative	Unknown at this time.	Former Representative Demings previously represented CD-10.
Maxwell Alejandro Frost	United States Representative	Unknown at this time.	Representative Frost represents CD-10.
Alfred J. Lawson, Jr.	Former United States Representative	Unknown at this time.	Former Representative Lawson previously represented in CD-5.
John H. Rutherford	United States Representative	Unknown at this time.	Representative Rutherford previously represented CD-4 and currently represents CD-5.
Kathy Castor	United States Representative	Unknown at this time.	Representative Castor is the incumbent representative in CD-14.

Anna Paulina Luna	United States Representative	Unknown at this time.	Representative Luna represents CD-13.
Charlie Crist	Former United States Representative	Unknown at this time.	Governor Crist was previously the representative in CD-13.
John Gore	Jones Day	Unknown at this time.	Mr. Gore was approached by the Governor's office to assist in the redistricting process.
Hans A. von Spakovsky	Heritage Foundation	Unknown at this time.	Mr. von Spakovsky was approached by the Governor's office to assist in the redistricting process.
Scott Kellar	Unknown at this time.	Unknown at this time.	Mr. Kellar was approached by the Governor's office to assist in the redistricting process.
Michael Barley	Unknown at this time.	Unknown at this time.	Mr. Barley was approached by the Governor's office to assist in the redistricting process.
Ben Albritton	Senator, Florida Senate	c/o Office of the Senate General Counsel 302 The Capitol, 404 South Monroe Street, Tallahassee, FL 32399	Current senator for FL Senate District 27, successor to former Senator Rodrigues; his office may have records retained from Senator Rodrigues.
Karen Gonzalez Pittman	Representative, Florida House of Representatives	c/o GrayRobinson, P.A.	Current representative for FL House District 65,

		301 South Bronough Street, Suite 600, Tallahassee, FL 32301 850-577-9090	successor to former Representative Sprowls; her office may have records retained from Representative Sprowls.
Anna Eskamani	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Made public statements regarding the redistricting process.
Christine Hunschofsky	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Representative Hunschofsky was a member of the Congressional Redistricting Subcommittee.
Dan Daley	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Representative Daley was the ranking member of the State Legislative Redistricting Subcommittee.
Daryl Campbell	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Made public statements regarding the redistricting process.

Dotie Joseph	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Representative Joseph was a member of the Congressional Redistricting Subcommittee.
Fentrice Driskell	Minority Leader, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Leader Driskeel was a member of the Congressional Redistricting Subcommittee.
Kelly Skidmore	Representative, Florida House of Representatives	Unknown at this time.	Representative Skidmore was the Ranking Member of the Congressional Redistricting Subcommittee.
Michael Gottlieb	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Made public statements regarding the redistricting process.
Susan Valdes	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Representative Valdes was a member of the State Legislative Redistricting Subcommittee.

Yvonne Hayes Hinson	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Made public statements regarding the redistricting process.
Randolph Bracy	Senator, Florida Senate	c/o Office of the Senate General Counsel 302 The Capitol, 404 South Monroe Street, Tallahassee, FL 32399 305-858-2900	Senator Bracy was a member of the Committee on Reapportionment.
Tracie Davis	Senator, Florida Senate	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Made public statements regarding the redistricting process.
Joseph Geller	Former Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Mr. Geller was the Ranking Member on the Redistricting Committee.
Evan Jenne	Former Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133	Mr. Jenne was a member of the Redistricting Committee.

		305-858-2900	
Daisy Morales	Former Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Ms. Morales was a member of the Congressional Redistricting Subcommittee.
Anika Tene Omphroy	Former Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Ms. Omphroy was a member of the Redistricting Committee.

INTERROGATORY NO. 3

Other than the persons or entities identified above, identify any person or entity known to you who has possession or control of any documents pertaining to any facts or issues involved in this action, and with regard to each person, please indicate the type and nature of each such document or item.

RESPONSE TO INTERROGATORY NO. 3

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida further objects to this Interrogatory as premature; discovery is in its initial stages, and Common Cause Florida has not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. Common Cause Florida will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. Common Cause Florida further objects to this Interrogatory as overly broad, unduly burdensome, lacking an express temporal limitation, and not proportional to the needs of the case

as it as it requests the Organization Plaintiffs to identify any person who has “pertaining to any facts or issues” underlying this litigation and to “indicate the type and nature of each such document or item.” Common Cause Florida further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others.

Subject to the foregoing General and Specific Objections, Common Cause Florida responds that Common Cause Florida is unaware of any individuals apart from those identified in response to Interrogatory No. 2, excluding counsel.

INTERROGATORY NO. 4

Please identify the date you were founded and any and all principal and regional offices you may have, including when those offices were established

RESPONSE TO INTERROGATORY NO. 4

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida further objects to this Interrogatory as overly broad and unduly burdensome because the description of “principal and regional” offices is undefined and not reflective of how Common Cause Florida is organized. Moreover, only certain offices are party to this case and the dates that other offices were founded is irrelevant to this action.

Subject to the foregoing General and Specific Objections, Common Cause Florida responds that the national organization was founded in 1970, and is headquartered at 805 15th Street, NW, Suite 800 Washington, DC 20005. Common Cause Florida is located at 333 3rd Ave N, Unit 214, St Petersburg, FL 33701.

INTERROGATORY NO. 5

Please identify whether you have any members, and if so, please list the approximate number of members you have, the congressional districts in which your members are located, any members who are parties or witnesses in this case, the dates on which those individuals first became members, and the specific injuries that your members are alleged to have suffered or will suffer in the future related to the claims in this litigation.

RESPONSE TO INTERROGATORY NO. 5

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida further objects to this Interrogatory as overly broad, unduly burdensome, and not proportional to the needs of the case as it seeks information concerning all members, even members who are not party to this action. Common Cause Florida further objects to this Interrogatory as premature; discovery is in its initial stages, and Common Cause Florida has not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. Common Cause Florida will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. Common Cause Florida further objects to this Interrogatory to the extent it calls for a legal conclusion. Common Cause Florida further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. Common Cause Florida will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. Common Cause Florida further objects to this Interrogatory as unduly burdensome because it seeks information irrelevant to the underlying litigation.

To the extent this Interrogatory requests information for the purposes of establishing standing, this interrogatory is not proportional to that objective for several reasons. In multi-plaintiff cases, if there is one plaintiff “who has demonstrated standing to assert these rights as

his own,” it is unnecessary to “consider whether the other individual and corporate plaintiffs have standing to maintain the suit.” *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 264 & n.9. Furthermore, to satisfy associational standing, organizations need only show that at least one member of the association has standing to sue in his or her own right. *See Doe v. Stincer*, 175 F.3d 879, 884 (11th Cir. 1999)

Subject to the foregoing General and Specific Objections, Common Cause Florida responds that it has approximately 93,700 members and supporters in Florida and approximately 1.5 million members nationwide and that its members have undergone and will undergo a variety of harms and injuries, including the unconstitutional disadvantaging of the voting power of Black Floridians as a result of the claims in this litigation.

INTERROGATORY NO. 6

Please identify the type and/or specific amount of any and all resources that you will need to divert as a result of SB 2-C and identify the specific activities and/or items that any such resources will be diverted from.

RESPONSE TO INTERROGATORY NO. 6

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida further objects to this Interrogatory to the extent it calls for a legal conclusion. Common Cause Florida further objects to this Interrogatory as unduly burdensome because it seeks information irrelevant to the underlying litigation and that Common Cause Florida need not identify “specific” resources that will be diverted. Common Cause Florida further objects to this interrogatory to the extent it seeks information shielded from discovery by the attorney-client privilege, or communications protected under the work-product doctrine or the common-interest privilege.

Subject to the foregoing General and Specific Objections, Common Cause Florida responds that Common Cause Florida must divert resources including time and money on a variety of activities related to SB 2-C. But for SB 2-C, Common Cause Florida would use its funds to continue its broader voter education and voter-protection work that is not specific to SB 2-C's unlawful infirmities. One of Common Cause Florida's primary purposes is to promote and defend voters' rights to fair and legal congressional maps, and the right of every eligible voter to participate in the democratic process, and the Defendant's promulgation of an illegal map via SB 2-C frustrates that purpose and impairs Common Cause Florida's ability to fulfil its goals.

INTERROGATORY NO. 7

For every activity or item identified in response to Interrogatory No. 6, please identify your annual expenditures during each of the last five years on those activities or items.

RESPONSE TO INTERROGATORY NO. 7

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida further objects to this Interrogatory to the extent it calls for a legal conclusion. Common Cause Florida further objects to this Interrogatory as unduly burdensome because it seeks information irrelevant to the underlying litigation and its scope in time is unduly broad and not proportional to the needs of this matter as SB 2-C was enacted during the Special Legislative session in April 2022.

Subject to the foregoing General and Specific Objections, Common Cause Florida will not be responding to this Interrogatory.

INTERROGATORY NO. 8

Please identify the specific activities and/or items that will receive the diverted funds that you have identified in response to Interrogatory No. 6, and the type and/or specific amount that each activity or item will receive.

RESPONSE TO INTERROGATORY NO. 8

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida further objects to this Interrogatory to the extent it calls for a legal conclusion. Common Cause Florida further objects to this Interrogatory as unduly burdensome because it seeks information irrelevant to the underlying litigation and that Common Cause Florida need not identify “specific” resources that will be diverted.

Subject to the foregoing General and Specific Objections, Common Cause Florida responds that Common Cause Florida must divert resources including time and money on a variety of activities related to SB 2-C. But for SB 2-C, Common Cause Florida would use its funds to continue its broader voter education and voter-protection work that is not specific to SB 2-C’s unlawful infirmities. One of Common Cause Florida’s primary purposes is to promote and defend voters’ rights to fair and legal congressional maps, and the right of every eligible voter to participate in the democratic process, and the Defendant’s promulgation of an illegal map via SB 2-C frustrates that purpose and impairs Common Cause Florida’s ability to fulfil its goals.

INTERROGATORY NO. 9

Please identify all documents and evidence that relate to your allegation in paragraph 79 of the Second Amended Complaint that “Governor DeSantis acted with invidious intent to disadvantage Black Floridians.”

RESPONSE TO INTERROGATORY NO. 9

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida further objects to this Interrogatory as premature; discovery is in its initial stages, and Common Cause Florida have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. Common Cause Florida will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. Common Cause Florida further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. Common Cause Florida further objects to this Interrogatory as seeking a legal conclusion. Common Cause Florida further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. Common Cause Florida will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. Common Cause Florida further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, Common Cause Florida refers the Defendant to their responses and objections to Defendant's First Request for Production to Common Cause Florida.

INTERROGATORY NO. 10

Please identify all documents and evidence relating to your allegation in paragraph 87 of the Second Amended Complaint that Black voters in North Florida can no longer "elect a candidate of their choice."

RESPONSE TO INTERROGATORY NO. 10

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida further objects to this Interrogatory as premature; discovery is in

its initial stages, and Common Cause Florida have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. Common Cause Florida will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. Common Cause Florida further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. Common Cause Florida further objects to this Interrogatory as seeking a legal conclusion. Common Cause Florida further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. Common Cause Florida will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. Common Cause Florida further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, Common Cause Florida refers the Defendant to their responses and objections to Defendant's First Request for Production to Common Cause Florida.

INTERROGATORY NO. 11

Please identify all documents and evidence relating to your allegation in paragraph 96 of the Second Amended Complaint that SB 2-C "intentionally "cracks" and "packs" Black populations across the state."

RESPONSE TO INTERROGATORY NO. 11

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida further objects to this Interrogatory as premature; discovery is in its initial stages, and Common Cause Florida have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. Common Cause Florida will not be in a

position to provide full and useful answers to contention interrogatories until discovery is complete. Common Cause Florida further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. Common Cause Florida further objects to this Interrogatory as seeking a legal conclusion. Common Cause Florida further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. Common Cause Florida will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. Common Cause Florida further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, Common Cause Florida refers the Defendant to their responses and objections to Defendant's First Request for Production to Common Cause Florida.

INTERROGATORY NO. 12

Please identify all documents and evidence relating to your allegation in paragraph 97 of the Second Amended Complaint that “[t]he Black Population in the western half of St. Petersburg now has no chance of electing their candidate of choice or even exerting meaningful influence over the election process.”

RESPONSE TO INTERROGATORY NO. 12

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida further objects to this Interrogatory as premature; discovery is in its initial stages, and Common Cause Florida have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. Common Cause Florida will not be in a position to provide full and useful answers to contention interrogatories until discovery is

complete. Common Cause Florida further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. Common Cause Florida further objects to this Interrogatory as seeking a legal conclusion. Common Cause Florida further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. Common Cause Florida will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. Common Cause Florida further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, Common Cause Florida refers the Defendant to their responses and objections to Defendant's First Request for Production to Common Cause Florida.

INTERROGATORY NO. 13

Please identify all documents and evidence relating to your allegation in paragraph 112 of the Second Amended Complaint that “[t]he Enacted Plan bears most heavily on Black Floridians.”

RESPONSE TO INTERROGATORY NO. 13

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida further objects to this Interrogatory as premature; discovery is in its initial stages, and Common Cause Florida have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. Common Cause Florida will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. Common Cause Florida further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained

from others. Common Cause Florida further objects to this Interrogatory as seeking a legal conclusion. Common Cause Florida further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. Common Cause Florida will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. Common Cause Florida further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, Common Cause Florida refers the Defendant to their responses and objections to Defendant's First Request for Production to Common Cause Florida.

INTERROGATORY NO. 14

Please identify all documents and evidence relating to your allegation in paragraph 115 of the Second Amended Complaint that "Florida law required the preservation of a Black opportunity district in Northern Florida."

RESPONSE TO INTERROGATORY NO. 14

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida further objects to this Interrogatory as premature; discovery is in its initial stages, and Common Cause Florida have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. Common Cause Florida will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. Common Cause Florida further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. Common Cause Florida further objects to this Interrogatory as seeking a legal conclusion. Common Cause Florida further objects to this Interrogatory to the extent it seeks

disclosure of experts and/or expert testimony. Common Cause Florida will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules.

Common Cause Florida further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, Common Cause Florida refers the Defendant to their responses and objections to Defendant's First Request for Production to Common Cause Florida.

INTERROGATORY NO. 15

For each Count in your Second Amended Complaint, identify all documents and evidence that supports the rejection of SB 2-C in its entirety (as opposed to the rejection of a specific congressional district)

RESPONSE TO INTERROGATORY NO. 15

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida further objects to this Interrogatory as premature; discovery is in its initial stages, and Common Cause Florida have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. Common Cause Florida will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. Common Cause Florida further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. Common Cause Florida further objects to this Interrogatory as seeking a legal conclusion. Common Cause Florida further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. Common Cause Florida will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules.

Common Cause Florida further objects to this Interrogatory as seeking the production of documents. Common Cause Florida further objects to this Interrogatory as imposing an obligation to produce evidence relating to specific counts of the complaint. Common Cause Florida has no such obligation.

Subject to the foregoing General and Specific Objections, Common Cause Florida will not be producing documents in response to this Request.

INTERROGATORY NO. 16

Identify every congressional district that you claim you have standing in this lawsuit to challenge, and for each congressional district, identify the counts of the Complaint that apply to your challenge.

RESPONSE TO INTERROGATORY NO. 16

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. Common Cause Florida further objects to this Interrogatory as seeking a legal conclusion. Common Cause Florida further objects to this Interrogatory as vague and ambiguous, as it is unclear what Defendant means “to challenge” a congressional district and whether counts of the Second Amended Complaint “apply to” a “challenge.”

Subject to the foregoing General and Specific Objections, Common Cause Florida responds that it has standing in CD 13 at minimum and in no way admits to lack standing to challenge SB 2-C in any other district, to the extent relevant.

INTERROGATORY NO. 17

Identify all congressional districts and the respective affected minority population (Black, Hispanic, Asian) that you allege in Count I of the Second Amended Complaint were “intentionally discriminate[d] against” in violation of the Fourteenth Amendment to the U.S. Constitution.

RESPONSE TO INTERROGATORY NO. 17

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. Common Cause Florida further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. Common Cause Florida further objects to this Interrogatory as seeking a legal conclusion. Common Cause Florida further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. Common Cause Florida will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules.

Subject to the foregoing General and Specific Objections, Common Cause Florida responds by referring to districts identified in the Second Amended Complaint and that the affected minority population is Black Floridians.

INTERROGATORY NO. 18

Identify all documents and evidence relating to the alleged Constitutional violation in the congressional districts you identify in Interrogatory No. 17.

RESPONSE TO INTERROGATORY NO. 18

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida will not be in a position to provide full and useful answers to

contention interrogatories until discovery is complete. Common Cause Florida further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. Common Cause Florida further objects to this Interrogatory as seeking a legal conclusion. Common Cause Florida further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. Common Cause Florida will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. Common Cause Florida further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, Common Cause Florida refers the Defendant to their responses and objections to Defendant's First Request for Production to Common Cause Florida.

INTERROGATORY NO. 19

Identify all congressional districts and the respective affected minority population (Black, Hispanic, Asian) that you allege in Count II of the Second Amended Complaint that were "intentionally deni[ed]" the "right to vote on the basis of race" in violation of the Fifteenth Amendment to the U.S. Constitution.

RESPONSE TO INTERROGATORY NO. 19

Common Cause Florida incorporates all of the General Objections as if set forth fully herein. Common Cause Florida will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. Common Cause Florida further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. Common Cause Florida further objects to this Interrogatory as seeking a legal conclusion. Common Cause Florida further

objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. Common Cause Florida will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. Common Cause Florida further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, Common Cause Florida responds by referring to districts identified in the Second Amended Complaint and that the affected minority population is Black Floridians.

Dated: March 20, 2023

By: /s/ 
Common Cause Florida

Exhibit 3

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

Common Cause Florida, FairDistricts
Now, Florida State Conference of the
National Association for the
Advancement of Colored People
Branches, Cassandra Brown, Peter
Butzin, Charlie Clark, Dorothy Inman-
Johnson, Veatrice Holifield Farrell,
Brenda Holt, Rosemary McCoy, Leo R.
Stoney, Myrna Young, and Nancy
Ratzan,

Plaintiffs,

v.

Cord Byrd, in his official capacity as
Florida Secretary of State,

Defendant.

Case No.: 4:22-cv-109-AW-MAF

**PLAINTIFFS' OBJECTIONS AND RESPONSES TO DEFENDANT'S
FIRST SET OF INTERROGATORIES TO ORGANIZATIONAL
PLAINTIFFS**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Florida State Conference of the National Association for the Advancement of Colored People Branches ("FL NAACP") hereby objects and responds to the first set of interrogatories to the Organizational Plaintiffs (the "Interrogatories") served by Defendant Cord Byrd, in his official capacity as Florida Secretary of State, as follows:

GENERAL OBJECTIONS

FL NAACP makes the following General Objections, which apply to each and every Interrogatory, and are incorporated by reference in each and every response below as if set forth fully therein. Failure to reiterate a General Objections below does not constitute a waiver of that or any other objections.

1. FL NAACP generally objects to the Interrogatories, Definitions, and Instructions to the extent that they purport to impose obligations on FL NAACP in excess of those imposed by Federal Rules of Civil Procedure 26, 33, and 34 and any other applicable rule or law. FL NAACP will respond in accordance with their obligations under the applicable rules.

2. FL NAACP generally objects to the Interrogatories to the extent that they seek information that is not relevant to any party's claim or defense. To the extent the Interrogatories seek information not relevant to any party's claim or defense, FL NAACP further objects to the Interrogatories as unduly burdensome and/or oppressive.

3. FL NAACP objects to the Interrogatories to the extent that they are vague, ambiguous, overly broad or confusing and therefore not susceptible to a clear and definitive answer. To the extent possible, FL NAACP has interpreted vague and ambiguous requests. However, FL NAACP cannot guarantee that their interpretation is in all cases consistent with the intent of the drafter.

4. The responses to the Interrogatories are given without prejudice to FL NAACP's right to use facts, witnesses or documents discovered after service of these responses or omitted from these responses by oversight, inadvertence, or other good faith error or mistake. The information furnished by FL NAACP may include hearsay and other forms of evidence

which are neither reliable nor admissible.

5. FL NAACP objects to the Interrogatories to the extent that they seek information from beyond the time period relevant to this action on the grounds that such information is not relevant to any party's claim or defense.

6. FL NAACP reserves all objections to the admissibility at trial of any information or documents identified herein. The supplying of any information will not constitute an admission by FL NAACP that such information is relevant to or admissible in the pending litigations. FL NAACP reserves the right to objects to further inquiry with respect to any subject matter.

7. FL NAACP objects to the Interrogatories to the extent they seek information not contained in documents that currently exist and require FL NAACP to create, compile, or develop new documents or databases.

8. FL NAACP objects to the Interrogatories to the extent they seek disclosure of any information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protective doctrine. The inadvertent production by FL NAACP of material protected by any privilege, immunity, or protective doctrine shall not constitute, or be considered as a factor suggesting, a waiver or impairment of any claims of such protection.

9. FL NAACP objects to the Interrogatories to the extent they seek information that is not in the possession, custody, or control of FL NAACP.

10. FL NAACP objects to the Interrogatories to the extent they seek information in the possession, custody, or control of Defendant or are publicly available to Defendant, or to the extent that the documents or information is obtainable from sources other

than FL NAACP that are more convenient, less burdensome, or less expensive.

11. FL NAACP objects to the Interrogatories as overly broad, unduly burdensome, and not proportional to the needs of the case to the extent that they call for the identification of “each,” “any,” or “all” when relevant information can be obtained from fewer than “each,” “any,” or “all.”

12. FL NAACP objects to any implications and to any explicit or implicit characterization of facts, events, circumstances, or issues in the Interrogatories. FL NAACP’s responses to the Interrogatories shall not be construed as admissions to any legal conclusion or that any explicit or implicit characterizations of the facts, events, circumstances, or issues contained in the Interrogatories are relevant to this action.

13. FL NAACP objects to the Interrogatories to the extent they concern questions of law or call for legal conclusions. By making these responses, FL NAACP do not concede that the Interrogatories or the responses solely concern questions of fact, as opposed to mixed questions of fact and law or questions of law.

14. FL NAACP objects to the Interrogatories to the extent that they seek production of information that cannot be located as a result of a reasonable search of reasonably available sources. Each Interrogatory will be considered separately in making a determination about where reasonably to look for responsive information.

15. FL NAACP reserves the right to assert additional objections to the Interrogatories as appropriate and to amend or supplement these objections and responses in accordance with the applicable rules and court orders. FL NAACP also reserves the right to objects to the use of any of its responses at trial or other hearing or proceeding, as he Organizational Plaintiffs deem necessary and appropriate. To the extent that FL NAACP may

provide information or documents in response to any Interrogatory herein, FL NAACP do so without limiting or waiving any of the substantive objections that it may otherwise have available.

16. FL NAACP objects to these Interrogatories to the extent they seek information protected from disclosure under the First Amendment because such disclosure would intrude on or chill FL NAACP's First Amendment rights, including the right to associate and to engage in the exchange of ideas, and no compelling need for the information exists. *See, e.g., FL NAACP v. Alabama*, 357 U.S. 449, 460 (1958); *Whole Woman's Health v. Smith*, 896 F.3d 362 (5th Cir. 2018), as revised (July 17, 2018); *Perry v. Schwarzenegger*, 591 F.3d 1147 (9th Cir. 2010).

17. FL NAACP objects to the definitions of "Plaintiff," "you," and "your" as referring to any entities other than FL NAACP. FL NAACP objects to Instruction 2 for seeking information outside FL NAACP's possession, custody, or control. FL NAACP will respond to the Interrogatories only as to information within the possession, custody, or control of FL NAACP.

18. FL NAACP objects to Instructions 5, 6, and 7 to the extent they impose a requirement to describe objections to responses in greater specificity than required by law. These Instructions seek to require FL NAACP to incur substantial expense far outweighing any conceivable benefit to the Defendant (which will be negligible), and seek to impose burdens beyond those imposed by the Federal Rules of Civil Procedure and applicable case law.

SPECIFIC RESPONSES AND OBJECTIONS

INTERROGATORY NO. 1

Please provide the name, address, telephone number, place of employment, job title, and relationship to the Organizational Plaintiff for any person answering or assisting in answering these interrogatories, and identify the specific interrogatories each person responded to or assisted in the preparation of.

RESPONSE TO INTERROGATORY NO. 1

FL NAACP incorporates all of the General Objections as if set forth fully herein. Subject to the General Objections, FL NAACP responds that, in addition to counsel to Plaintiffs, the following individual assisted in responding to each interrogatory:

- Adora Nweze
 - P.O. Box 101060, Ft. Lauderdale, FL 33310 (Office address)
 - 407-843-5320
 - Place of Employment: FL NAACP
 - Title: President

INTERROGATORY NO. 2

Please identify any person who has, claims to have, or who you believe may have knowledge or information pertaining to any fact alleged in your Second Amended Complaint or any fact underlying the subject matter of this action, and state the specific nature and substance of the knowledge you believe each person identified may have.

RESPONSE TO INTERROGATORY NO. 2

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP further objects to this Interrogatory as premature; discovery is in its initial stages, and FL NAACP has not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FL NAACP will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FL NAACP further objects to this Interrogatory as overly broad, unduly burdensome, lacking an express temporal limitation, and not proportional to the needs of the case as it as it requests the Organization Plaintiffs to identify any person who has “knowledge or information pertaining to any fact” underlying this litigation. FL NAACP further objects to this Interrogatory as seeking information that is publicly available,

in the possession of the Defendant, and/or can be more easily obtained from others. FL NAACP further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FL NAACP will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules.

Subject to the foregoing General and Specific Objections, FL NAACP responds that the following may have relevant information:

Name	Title	Contact Information	Subjects of Relevant Information
All Individual Plaintiffs		c/o Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas, New York, NY 10036 (212) 336-2000	Individual Plaintiffs have knowledge of their residency and voter registration at the time relevant to the complaint.
All Organizational Plaintiffs		c/o Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas, New York, NY 10036 (212) 336-2000	Organizational Plaintiffs have knowledge of the effects of SB 2-C on the state of Florida
Adam Foltz		c/o Holtzman Vogel Baran Torchinsky & Josefiak PLLC 119 S. Monroe Street, Suite 500, Tallahassee, FL 32301 850-270-5938	Mr. Foltz was engaged by the office of Governor DeSantis to draw Congressional maps.

J. Alex Kelly	Deputy Chief of Staff, Office of the Governor	c/o Holtzman Vogel Baran Torchinsky & Josefiak PLLC 119 S. Monroe Street, Suite 500, Tallahassee, FL 32301 850-270-5938	Mr. Kelly was involved in drawing the Congressional map endorsed by Governor DeSantis. Mr. Kelly also testified before the Senate Redistricting Committee.
Ray Rodrigues	Former Chair, Senate Reapportionment Committee	c/o Shutts & Bowen LLP 215 South Monroe Street, Suite 804, Tallahassee, FL 32301	Chancellor Rodrigues was chair of the Reapportionment Committee.
Governor Ron DeSantis	Governor of Florida	c/o Holtzman Vogel Baran Torchinsky & Josefiak PLLC 119 S. Monroe Street, Suite 500, Tallahassee, FL 32301 850-270-5938	Governor DeSantis was the chief executive of the State of Florida during the reapportionment process.
Kaylee Tuck	Representative, Florida House of Representatives	c/o GrayRobinson, P.A. 301 South Bronough Street, Suite 600, Tallahassee, FL 32301 850-577-9090	Representative Tuck was a member of the Redistricting Committee.
Randy Fine	Representative, Florida House of Representatives	c/o GrayRobinson, P.A. 301 South Bronough Street, Suite 600,	Representative Fine was vice-chair of the Redistricting Committee.

		Tallahassee, FL 32301 850-577-9090	
Tom Leek	Representative, Florida House of Representatives	c/o GrayRobinson, P.A. 301 South Bronough Street, Suite 600, Tallahassee, FL 32301 850-577-9090	Representative Leek was chair of the Redistricting Committee.
Tyler Sirois	Representative, Florida House of Representatives	c/o GrayRobinson, P.A. 301 South Bronough Street, Suite 600, Tallahassee, FL 32301 850-577-9090	Representative Sirois was a member of the Redistricting Committee.
Robert Popper	Senior Attorney, Judicial Watch	c/o Driscoll & Seltzer, PLLC 2000 Duke Street, Suite 300, Alexandria, VA 22314 703-879-2601	Mr. Popper testified before the House Redistricting Committee in connection with a map proposed by the Governor's office.
Ryan Newman	General Counsel, Office of the Governor	c/o Holtzman Vogel Baran Torchinsky & Josefiak PLLC 119 S. Monroe Street, Suite 500, Tallahassee, FL 32301 850-270-5938	Mr. Newman authored a memorandum in connection with the Governor's veto of Congressional maps passed by both chambers of the Florida Legislature.

Jennifer Bradley	Senator, Florida Senate	c/o General Counsel for the Florida State Senate 302 The Capitol, 404 South Monroe Street, Tallahassee, FL 32399	Senator Bradley was chair of the Select Subcommittee on Congressional Reapportionment.
Wilton Simpson	Former President, Florida Senate	c/o Shutts & Bowen LLP 215 South Monroe Street, Suite 804, Tallahassee, FL 32301 850-241-1725	Mr. Simpson was President of the Senate.
Chris Sprowls	Former Speaker, Florida House of Representatives	c/o GrayRobinson, P.A. 301 South Bronough Street, Suite 600, Tallahassee, FL 32301 850-577-9090	Mr. Sprowls was Speaker of the House.
Valdez V. Demings	Former United States Representative	Unknown at this time.	Former Representative Demings previously represented CD-10.
Maxwell Alejandro Frost	United States Representative	Unknown at this time.	Representative Frost represents CD-10.
Alfred J. Lawson, Jr.	Former United States Representative	Unknown at this time.	Former Representative Lawson previously represented in CD-5.
John H. Rutherford	United States Representative	Unknown at this time.	Representative Rutherford previously represented CD-4 and

			currently represents CD-5.
Kathy Castor	United States Representative	Unknown at this time.	Representative Castor is the incumbent representative in CD-14.
Anna Paulina Luna	United States Representative	Unknown at this time.	Representative Luna represents CD-13.
Charlie Crist	Former United States Representative	Unknown at this time.	Governor Crist was previously the representative in CD-13.
John Gore	Jones Day	Unknown at this time.	Mr. Gore was approached by the Governor's office to assist in the redistricting process.
Hans A. von Spakovsky	Heritage Foundation	Unknown at this time.	Mr. von Spakovsky was approached by the Governor's office to assist in the redistricting process.
Scott Kellar	Unknown at this time.	Unknown at this time.	Mr. Kellar was approached by the Governor's office to assist in the redistricting process.
Michael Barley	Unknown at this time.	Unknown at this time.	Mr. Barley was approached by the Governor's office to assist in the redistricting process.
Ben Albritton	Senator, Florida Senate	c/o Office of the Senate General Counsel 302 The Capitol, 404 South Monroe Street,	Current senator for FL Senate District 27, successor to former Senator Rodrigues; his office may have

		Tallahassee, FL 32399	records retained from Senator Rodrigues.
Karen Gonzalez Pittman	Representative, Florida House of Representatives	c/o GrayRobinson, P.A. 301 South Bronough Street, Suite 600, Tallahassee, FL 32301 850-577-9090	Current representative for FL House District 65, successor to former Representative Sprowls; her office may have records retained from Representative Sprowls.
Anna Eskamani	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Made public statements regarding the redistricting process.
Christine Hunschofsky	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Representative Hunschofsky was a member of the Congressional Redistricting Subcommittee.
Dan Daley	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Representative Daley was the ranking member of the State Legislative Redistricting Subcommittee.
Daryl Campbell	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse	Made public statements regarding the redistricting process.

		One, Miami, FL 33133 305-858-2900	
Dotie Joseph	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Representative Joseph was a member of the Congressional Redistricting Subcommittee.
Fentrice Driskell	Minority Leader, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Leader Driskeel was a member of the Congressional Redistricting Subcommittee.
Kelly Skidmore	Representative, Florida House of Representatives	Unknown at this time.	Representative Skidmore was the Ranking Member of the Congressional Redistricting Subcommittee.
Michael Gottlieb	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Made public statements regarding the redistricting process.
Susan Valdes	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133	Representative Valdes was a member of the State Legislative Redistricting Subcommittee.

		305-858-2900	
Yvonne Hayes Hinson	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Made public statements regarding the redistricting process.
Randolph Bracy	Senator, Florida Senate	c/o Office of the Senate General Counsel 302 The Capitol, 404 South Monroe Street, Tallahassee, FL 32399 305-858-2900	Senator Bracy was a member of the Committee on Reapportionment.
Tracie Davis	Senator, Florida Senate	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Made public statements regarding the redistricting process.
Joseph Geller	Former Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Mr. Geller was the Ranking Member on the Redistricting Committee.
Evan Jenne	Former Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133	Mr. Jenne was a member of the Redistricting Committee.

		305-858-2900	
Daisy Morales	Former Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Ms. Morales was a member of the Congressional Redistricting Subcommittee.
Anika Tene Omphroy	Former Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Ms. Omphroy was a member of the Redistricting Committee.

INTERROGATORY NO. 3

Other than the persons or entities identified above, identify any person or entity known to you who has possession or control of any documents pertaining to any facts or issues involved in this action, and with regard to each person, please indicate the type and nature of each such document or item.

RESPONSE TO INTERROGATORY NO. 3

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP further objects to this Interrogatory as premature; discovery is in its initial stages, and FL NAACP has not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FL NAACP will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FL NAACP further objects to this Interrogatory as overly broad, unduly burdensome, lacking an express temporal limitation, and not proportional to the needs of the case as it as it requests the Organization Plaintiffs to identify any person who has “pertaining to any facts or issues” underlying this litigation and to “indicate

the type and nature of each such document or item.” FL NAACP further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others.

Subject to the foregoing General and Specific Objections, FL NAACP responds that FL NAACP is unaware of any individuals apart from those identified in response to Interrogatory No. 2, excluding counsel.

INTERROGATORY NO. 4

Please identify the date you were founded and any and all principal and regional offices you may have, including when those offices were established

RESPONSE TO INTERROGATORY NO. 4

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP further objects to this Interrogatory as overly broad and unduly burdensome because the description of “principal and regional” offices is undefined and not reflective of how FL NAACP are organized. Moreover, only certain offices are party to this case and the dates that other offices were founded is irrelevant to this action.

Subject to the foregoing General and Specific Objections, FL NAACP responds that it was founded in 1909. FL NAACP is located at P.O. Box 101060, Ft. Lauderdale, FL 33310.

INTERROGATORY NO. 5

Please identify whether you have any members, and if so, please list the approximate number of members you have, the congressional districts in which your members are located, any members who are parties or witnesses in this case, the dates on which those individuals first became members, and the specific injuries that your members are alleged to have suffered or will suffer in the future related to the claims in this litigation.

RESPONSE TO INTERROGATORY NO. 5

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP further objects to this Interrogatory as overly broad, unduly burdensome, and not proportional to the needs of the case as it seeks information concerning all members, even members who are not party to this action. FL NAACP further objects to this Interrogatory as premature; discovery is in its initial stages, and FL NAACP has not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FL NAACP will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FL NAACP further objects to this Interrogatory to the extent it calls for a legal conclusion. FL NAACP further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FL NAACP will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. FL NAACP further objects to this Interrogatory as unduly burdensome because it seeks information irrelevant to the underlying litigation.

To the extent this Interrogatory requests information for the purposes of establishing standing, this interrogatory is not proportional to that objective for several reasons. In multi-plaintiff cases, if there is one plaintiff “who has demonstrated standing to assert these rights as his own,” it is unnecessary to “consider whether the other individual and corporate plaintiffs have standing to maintain the suit.” *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 264 & n.9. Furthermore, to satisfy associational standing, organizations need only show that at least one member of the association has standing to sue in his or her own right. *See Doe v. Stincer*, 175 F.3d 879, 884 (11th Cir. 1999)

Subject to the foregoing General and Specific Objections, FL NAACP responds that it has approximately 12,000 members across its many branches and chapters. Among the FL

NAACP's members are registered voters who have undergone and will undergo a variety of harms and injuries, including the unconstitutional disadvantaging of the voting power of Black Floridians as a result of the claims in this litigation.

INTERROGATORY NO. 6

Please identify the type and/or specific amount of any and all resources that you will need to divert as a result of SB 2-C and identify the specific activities and/or items that any such resources will be diverted from.

RESPONSE TO INTERROGATORY NO. 6

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP further objects to this Interrogatory to the extent it calls for a legal conclusion. FL NAACP further objects to this Interrogatory as unduly burdensome because it seeks information irrelevant to the underlying litigation and that FL NAACP need not identify "specific" resources that will be diverted. FL NAACP further objects to this interrogatory to the extent it seeks information shielded from discovery by the attorney-client privilege, or communications protected under the work-product doctrine or the common-interest privilege.

Subject to the foregoing General and Specific Objections, FL NAACP responds that FL NAACP must divert resources including time and money on a variety of activities related to SB 2-C. But for SB 2-C, FL NAACP would use its funds to continue its broader voter education and voter-protection work that is not specific to SB 2-C's unlawful infirmities. One of FL NAACP's primary purposes is to promote and defend voters' rights to fair and legal congressional maps, and the Defendant's promulgation of an illegal map via SB 2-C frustrates that purpose and impairs FL NAACP's ability to fulfil its goals.

INTERROGATORY NO. 7

For every activity or item identified in response to Interrogatory No. 6, please identify your annual expenditures during each of the last five years on those activities or items.

RESPONSE TO INTERROGATORY NO. 7

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP further objects to this Interrogatory to the extent it calls for a legal conclusion. FL NAACP further objects to this Interrogatory as unduly burdensome because it seeks information irrelevant to the underlying litigation and its scope in time is unduly broad and not proportional to the needs of this matter as SB 2-C was enacted during the Special Legislative session in April 2022.

Subject to the foregoing General and Specific Objections, FL NAACP will not be responding to this Interrogatory.

INTERROGATORY NO. 8

Please identify the specific activities and/or items that will receive the diverted funds that you have identified in response to Interrogatory No. 6, and the type and/or specific amount that each activity or item will receive.

RESPONSE TO INTERROGATORY NO. 8

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP further objects to this Interrogatory to the extent it calls for a legal conclusion. FL NAACP further objects to this Interrogatory as unduly burdensome because it seeks information irrelevant to the underlying litigation and that FL NAACP need not identify “specific” resources that will be diverted.

Subject to the foregoing General and Specific Objections, FL NAACP responds that FL NAACP must divert resources including time and money on a variety of activities related to SB

2-C. But for SB 2-C, FL NAACP would use its funds to continue its broader voter education and voter-protection work that is not specific to SB 2-C's unlawful infirmities. One of FL NAACP's primary purposes is to promote and defend voters' rights to fair and legal congressional maps, and the Defendant's promulgation of an illegal map via SB 2-C frustrates that purpose and impairs FL NAACP's ability to fulfil its goals.

INTERROGATORY NO. 9

Please identify all documents and evidence that relate to your allegation in paragraph 79 of the Second Amended Complaint that "Governor DeSantis acted with invidious intent to disadvantage Black Floridians."

RESPONSE TO INTERROGATORY NO. 9

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP further objects to this Interrogatory as premature; discovery is in its initial stages, and FL NAACP have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FL NAACP will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FL NAACP further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FL NAACP further objects to this Interrogatory as seeking a legal conclusion. FL NAACP further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FL NAACP will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. FL NAACP further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, FL NAACP refers the Defendant to their responses and objections to Defendant's First Request for Production to FL NAACP.

INTERROGATORY NO. 10

Please identify all documents and evidence relating to your allegation in paragraph 87 of the Second Amended Complaint that Black voters in North Florida can no longer “elect a candidate of their choice.”

RESPONSE TO INTERROGATORY NO. 10

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP further objects to this Interrogatory as premature; discovery is in its initial stages, and FL NAACP have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FL NAACP will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FL NAACP further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FL NAACP further objects to this Interrogatory as seeking a legal conclusion. FL NAACP further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FL NAACP will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. FL NAACP further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, FL NAACP refers the Defendant to their responses and objections to Defendant’s First Request for Production to FL NAACP.

INTERROGATORY NO. 11

Please identify all documents and evidence relating to your allegation in paragraph 96 of the Second Amended Complaint that SB 2-C “intentionally “cracks” and “packs” Black populations across the state.”

RESPONSE TO INTERROGATORY NO. 11

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP further objects to this Interrogatory as premature; discovery is in its initial stages, and FL NAACP have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FL NAACP will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FL NAACP further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FL NAACP further objects to this Interrogatory as seeking a legal conclusion. FL NAACP further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FL NAACP will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. FL NAACP further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, FL NAACP refers the Defendant to their responses and objections to Defendant's First Request for Production to FL NAACP.

INTERROGATORY NO. 12

Please identify all documents and evidence relating to your allegation in paragraph 97 of the Second Amended Complaint that “[t]he Black Population in the western half of St. Petersburg now has no chance of electing their candidate of choice or even exerting meaningful influence over the election process.”

RESPONSE TO INTERROGATORY NO. 12

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP further objects to this Interrogatory as premature; discovery is in its initial stages, and FL NAACP have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FL NAACP will not be in a position to provide full and useful answers

to contention interrogatories until discovery is complete. FL NAACP further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FL NAACP further objects to this Interrogatory as seeking a legal conclusion. FL NAACP further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FL NAACP will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. FL NAACP further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, FL NAACP refers the Defendant to their responses and objections to Defendant's First Request for Production to FL NAACP.

INTERROGATORY NO. 13

Please identify all documents and evidence relating to your allegation in paragraph 112 of the Second Amended Complaint that “[t]he Enacted Plan bears most heavily on Black Floridians.”

RESPONSE TO INTERROGATORY NO. 13

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP further objects to this Interrogatory as premature; discovery is in its initial stages, and FL NAACP have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FL NAACP will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FL NAACP further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FL NAACP further objects to this Interrogatory as seeking a legal conclusion. FL NAACP further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FL NAACP will disclose the

identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. FL NAACP further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, FL NAACP refers the Defendant to their responses and objections to Defendant's First Request for Production to FL NAACP.

INTERROGATORY NO. 14

Please identify all documents and evidence relating to your allegation in paragraph 115 of the Second Amended Complaint that "Florida law required the preservation of a Black opportunity district in Northern Florida."

RESPONSE TO INTERROGATORY NO. 14

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP further objects to this Interrogatory as premature; discovery is in its initial stages, and FL NAACP have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FL NAACP will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FL NAACP further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FL NAACP further objects to this Interrogatory as seeking a legal conclusion. FL NAACP further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FL NAACP will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. FL NAACP further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, FL NAACP refers the Defendant to their responses and objections to Defendant's First Request for Production to FL NAACP.

INTERROGATORY NO. 15

For each Count in your Second Amended Complaint, identify all documents and evidence that supports the rejection of SB 2-C in its entirety (as opposed to the rejection of a specific congressional district)

RESPONSE TO INTERROGATORY NO. 15

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP further objects to this Interrogatory as premature; discovery is in its initial stages, and FL NAACP have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FL NAACP will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FL NAACP further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FL NAACP further objects to this Interrogatory as seeking a legal conclusion. FL NAACP further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FL NAACP will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. FL NAACP further objects to this Interrogatory as seeking the production of documents. FL NAACP further objects to this Interrogatory as imposing an obligation to produce evidence relating to specific counts of the complaint. FL NAACP has no such obligation.

Subject to the foregoing General and Specific Objections, FL NAACP will not be producing documents in response to this Request.

INTERROGATORY NO. 16

Identify every congressional district that you claim you have standing in this lawsuit to challenge, and for each congressional district, identify the counts of the Complaint that apply to your challenge.

RESPONSE TO INTERROGATORY NO. 16

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FL NAACP further objects to this Interrogatory as seeking a legal conclusion. FL NAACP further objects to this Interrogatory as vague and ambiguous, as it is unclear what Defendant means “to challenge” a congressional district and whether counts of the Second Amended Complaint “apply to” a “challenge.”

Subject to the foregoing General and Specific Objections, FL NAACP responds that they have standing in CD 22 at minimum and in no way admits to lacking standing to challenge SB 2-C in any other district, to the extent relevant.

INTERROGATORY NO. 17

Identify all congressional districts and the respective affected minority population (Black, Hispanic, Asian) that you allege in Count I of the Second Amended Complaint were “intentionally discriminate[d] against” in violation of the Fourteenth Amendment to the U.S. Constitution.

RESPONSE TO INTERROGATORY NO. 17

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FL NAACP further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FL NAACP further objects to this Interrogatory as seeking a legal conclusion. FL NAACP further objects to this Interrogatory to the extent it seeks disclosure of

experts and/or expert testimony. FL NAACP will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules.

Subject to the foregoing General and Specific Objections, FL NAACP responds by referring to districts identified in the Second Amended Complaint and that the affected minority population is Black Floridians.

INTERROGATORY NO. 18

Identify all documents and evidence relating to the alleged Constitutional violation in the congressional districts you identify in Interrogatory No. 17.

RESPONSE TO INTERROGATORY NO. 18

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FL NAACP further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FL NAACP further objects to this Interrogatory as seeking a legal conclusion. FL NAACP further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FL NAACP will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. FL NAACP further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, FL NAACP refers the Defendant to their responses and objections to Defendant's First Request for Production to FL NAACP.

INTERROGATORY NO. 19

Identify all congressional districts and the respective affected minority population (Black, Hispanic, Asian) that you allege in Count II of the Second Amended Complaint that were

“intentionally deni[ed]” the “right to vote on the basis of race” in violation of the Fifteenth Amendment to the U.S. Constitution.

RESPONSE TO INTERROGATORY NO. 19

FL NAACP incorporates all of the General Objections as if set forth fully herein. FL NAACP will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FL NAACP further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FL NAACP further objects to this Interrogatory as seeking a legal conclusion. FL NAACP further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FL NAACP will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. FL NAACP further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, FL NAACP responds by referring to districts identified in the Second Amended Complaint and that the affected minority population is Black Floridians.

Dated: March 20, 2023

By: /s/ _____
FL NAACP

Exhibit 4

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

Common Cause Florida, FairDistricts
Now, Florida State Conference of the
National Association for the
Advancement of Colored People
Branches, Cassandra Brown, Peter
Butzin, Charlie Clark, Dorothy Inman-
Johnson, Veatrice Holifield Farrell,
Brenda Holt, Rosemary McCoy, Leo R.
Stoney, Myrna Young, and Nancy
Ratzan,

Plaintiffs,

v.

Cord Byrd, in his official capacity as
Florida Secretary of State,

Defendant.

Case No.: 4:22-cv-109-AW-MAF

**PLAINTIFFS' OBJECTIONS AND RESPONSES TO DEFENDANT'S
FIRST SET OF INTERROGATORIES TO ORGANIZATIONAL
PLAINTIFFS**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff
FairDistricts Now hereby objects and responds to the first set of interrogatories to the
Organizational Plaintiffs (the "Interrogatories") served by Defendant Cord Byrd, in his official
capacity as Florida Secretary of State, as follows:

GENERAL OBJECTIONS

FairDistricts Now makes the following General Objections, which apply to each and every Interrogatory, and are incorporated by reference in each and every response below as if set forth fully therein. Failure to reiterate a General Objections below does not constitute a waiver of that or any other objections.

1. FairDistricts Now generally objects to the Interrogatories, Definitions, and Instructions to the extent that they purport to impose obligations on FairDistricts Now in excess of those imposed by Federal Rules of Civil Procedure 26, 33, and 34 and any other applicable rule or law. FairDistricts Now will respond in accordance with their obligations under the applicable rules.

2. FairDistricts Now generally objects to the Interrogatories to the extent that they seek information that is not relevant to any party's claim or defense. To the extent the Interrogatories seek information not relevant to any party's claim or defense, FairDistricts Now further objects to the Interrogatories as unduly burdensome and/or oppressive.

3. FairDistricts Now objects to the Interrogatories to the extent that they are vague, ambiguous, overly broad or confusing and therefore not susceptible to a clear and definitive answer. To the extent possible, FairDistricts Now has interpreted vague and ambiguous requests. However, FairDistricts Now cannot guarantee that their interpretation is in all cases consistent with the intent of the drafter.

4. The responses to the Interrogatories are given without prejudice to FairDistricts Now's right to use facts, witnesses or documents discovered after service of these

responses or omitted from these responses by oversight, inadvertence, or other good faith error or mistake. The information furnished by FairDistricts Now may include hearsay and other forms of evidence which are neither reliable nor admissible.

5. FairDistricts Now objects to the Interrogatories to the extent that they seek information from beyond the time period relevant to this action on the grounds that such information is not relevant to any party's claim or defense.

6. FairDistricts Now reserves all objections to the admissibility at trial of any information or documents identified herein. The supplying of any information will not constitute an admission by FairDistricts Now that such information is relevant to or admissible in the pending litigations. FairDistricts Now reserves the right to object to further inquiry with respect to any subject matter.

7. FairDistricts Now objects to the Interrogatories to the extent they seek information not contained in documents that currently exist and require FairDistricts Now to create, compile, or develop new documents or databases.

8. FairDistricts Now objects to the Interrogatories to the extent they seek disclosure of any information protected by the attorney-client privilege, the work product doctrine, or any other applicable privilege, immunity, or protective doctrine. The inadvertent production by FairDistricts Now of material protected by any privilege, immunity, or protective doctrine shall not constitute, or be considered as a factor suggesting, a waiver or impairment of any claims of such protection.

9. FairDistricts Now objects to the Interrogatories to the extent they seek

information that is not in the possession, custody, or control of FairDistricts Now.

10. FairDistricts Now objects to the Interrogatories to the extent they seek information in the possession, custody, or control of Defendant or are publicly available to Defendant, or to the extent that the documents or information is obtainable from sources other than FairDistricts Now that are more convenient, less burdensome, or less expensive.

11. FairDistricts Now objects to the Interrogatories as overly broad, unduly burdensome, and not proportional to the needs of the case to the extent that they call for the identification of “each,” “any,” or “all” when relevant information can be obtained from fewer than “each,” “any,” or “all.”

12. FairDistricts Now objects to any implications and to any explicit or implicit characterization of facts, events, circumstances, or issues in the Interrogatories. FairDistricts Now’s responses to the Interrogatories shall not be construed as admissions to any legal conclusion or that any explicit or implicit characterizations of the facts, events, circumstances, or issues contained in the Interrogatories are relevant to this action.

13. FairDistricts Now objects to the Interrogatories to the extent they concern questions of law or call for legal conclusions. By making these responses, FairDistricts Now do not concede that the Interrogatories or the responses solely concern questions of fact, as opposed to mixed questions of fact and law or questions of law.

14. FairDistricts Now objects to the Interrogatories to the extent that they seek production of information that cannot be located as a result of a reasonable search of reasonably available sources. Each Interrogatory will be considered separately in making a determination

about where reasonably to look for responsive information.

15. FairDistricts Now reserves the right to assert additional objections to the Interrogatories as appropriate and to amend or supplement these objections and responses in accordance with the applicable rules and court orders. FairDistricts Now also reserves the right to objects to the use of any of its responses at trial or other hearing or proceeding, as he Organizational Plaintiffs deem necessary and appropriate. To the extent that FairDistricts Now may provide information or documents in response to any Interrogatory herein, FairDistricts Now do so without limiting or waiving any of the substantive objections that it may otherwise have available.

16. FairDistricts Now objects to these Interrogatories to the extent they seek information protected from disclosure under the First Amendment because such disclosure would intrude on or chill FairDistricts Now's First Amendment rights, including the right to associate and to engage in the exchange of ideas, and no compelling need for the information exists. *See, e.g., FairDistricts Now v. Alabama*, 357 U.S. 449, 460 (1958); *Whole Woman's Health v. Smith*, 896 F.3d 362 (5th Cir. 2018), as revised (July 17, 2018); *Perry v. Schwarzenegger*, 591 F.3d 1147 (9th Cir. 2010).

17. FairDistricts Now objects to the definitions of "Plaintiff," "you," and "your" as referring to any entities other than FairDistricts Now. FairDistricts Now objects to Instruction 2 for seeking information outside FairDistricts Now's possession, custody, or control. FairDistricts Now will respond to the Interrogatories only as to information within the possession, custody, or control of FairDistricts Now.

18. FairDistricts Now objects to Instructions 5, 6, and 7 to the extent they impose a requirement to describe objections to responses in greater specificity than required by law. These Instructions seek to require FairDistricts Now to incur substantial expense far outweighing any conceivable benefit to the Defendant (which will be negligible), and seek to impose burdens beyond those imposed by the Federal Rules of Civil Procedure and applicable case law.

SPECIFIC RESPONSES AND OBJECTIONS

INTERROGATORY NO. 1

Please provide the name, address, telephone number, place of employment, job title, and relationship to the Organizational Plaintiff for any person answering or assisting in answering these interrogatories, and identify the specific interrogatories each person responded to or assisted in the preparation of.

RESPONSE TO INTERROGATORY NO. 1

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. Subject to the General Objections, FairDistricts Now responds that, in addition to counsel to Plaintiffs, the following individual assisted in responding to each interrogatory:

- Ellen Freidin
 - 3182 Munroe Drive, Miami, FL 33133
 - 305-606-4300
 - Place of Employment: FairDistricts Now, Inc.
 - Title: CEO

INTERROGATORY NO. 2

Please identify any person who has, claims to have, or who you believe may have knowledge or information pertaining to any fact alleged in your Second Amended Complaint or any fact underlying the subject matter of this action, and state the specific nature and substance of the knowledge you believe each person identified may have.

RESPONSE TO INTERROGATORY NO. 2

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now further objects to this Interrogatory as premature; discovery is in its initial stages, and FairDistricts Now has not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FairDistricts Now will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FairDistricts Now further objects to this Interrogatory as overly broad, unduly burdensome, lacking an express temporal limitation, and not proportional to the needs of the case as it requests the Organization Plaintiffs to identify any person who has “knowledge or information pertaining to any fact” underlying this litigation. FairDistricts Now further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FairDistricts Now further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FairDistricts Now will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules.

Subject to the foregoing General and Specific Objections, FairDistricts Now responds that the following may have relevant information:

Name	Title	Contact Information	Subjects of Relevant Information
All Individual Plaintiffs		c/o Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas, New York, NY 10036	Individual Plaintiffs have knowledge of their residency and voter registration at the time relevant to the complaint.

		(212) 336-2000	
All Organizational Plaintiffs		c/o Patterson Belknap Webb & Tyler LLP 1133 Avenue of the Americas, New York, NY 10036 (212) 336-2000	Organizational Plaintiffs have knowledge of the effects of SB 2-C on the state of Florida
Adam Foltz		c/o Holtzman Vogel Baran Torchinsky & Josefiak PLLC 119 S. Monroe Street, Suite 500, Tallahassee, FL 32301 850-270-5938	Mr. Foltz was engaged by the office of Governor DeSantis to draw Congressional maps.
J. Alex Kelly	Deputy Chief of Staff, Office of the Governor	c/o Holtzman Vogel Baran Torchinsky & Josefiak PLLC 119 S. Monroe Street, Suite 500, Tallahassee, FL 32301 850-270-5938	Mr. Kelly was involved in drawing the Congressional map endorsed by Governor DeSantis. Mr. Kelly also testified before the Senate Redistricting Committee.
Ray Rodrigues	Former Chair, Senate Reapportionment Committee	c/o Shutts & Bowen LLP 215 South Monroe Street, Suite 804, Tallahassee, FL 32301	Chancellor Rodrigues was chair of the Reapportionment Committee.

Governor Ron DeSantis	Governor of Florida	c/o Holtzman Vogel Baran Torchinsky & Josefiak PLLC 119 S. Monroe Street, Suite 500, Tallahassee, FL 32301 850-270-5938	Governor DeSantis was the chief executive of the State of Florida during the reapportionment process.
Kaylee Tuck	Representative, Florida House of Representatives	c/o GrayRobinson, P.A. 301 South Bronough Street, Suite 600, Tallahassee, FL 32301 850-577-9090	Representative Tuck was a member of the Redistricting Committee.
Randy Fine	Representative, Florida House of Representatives	c/o GrayRobinson, P.A. 301 South Bronough Street, Suite 600, Tallahassee, FL 32301 850-577-9090	Representative Fine was vice-chair of the Redistricting Committee.
Tom Leek	Representative, Florida House of Representatives	c/o GrayRobinson, P.A. 301 South Bronough Street, Suite 600, Tallahassee, FL 32301 850-577-9090	Representative Leek was chair of the Redistricting Committee.
Tyler Sirois	Representative, Florida House of Representatives	c/o GrayRobinson, P.A.	Representative Sirois was a member of the

		301 South Bronough Street, Suite 600, Tallahassee, FL 32301 850-577-9090	Redistricting Committee.
Robert Popper	Senior Attorney, Judicial Watch	c/o Driscoll & Seltzer, PLLC 2000 Duke Street, Suite 300, Alexandria, VA 22314 703-879-2601	Mr. Popper testified before the House Redistricting Committee in connection with a map proposed by the Governor's office.
Ryan Newman	General Counsel, Office of the Governor	c/o Holtzman Vogel Baran Torchinsky & Josefiak PLLC 119 S. Monroe Street, Suite 500, Tallahassee, FL 32301 850-270-5938	Mr. Newman authored a memorandum in connection with the Governor's veto of Congressional maps passed by both chambers of the Florida Legislature.
Jennifer Bradley	Senator, Florida Senate	c/o General Counsel for the Florida State Senate 302 The Capitol, 404 South Monroe Street, Tallahassee, FL 32399	Senator Bradley was chair of the Select Subcommittee on Congressional Reapportionment.
Wilton Simpson	Former President, Florida Senate	c/o Shutts & Bowen LLP 215 South Monroe Street, Suite 804,	Mr. Simpson was President of the Senate.

		Tallahassee, FL 32301 850-241-1725	
Chris Sprowls	Former Speaker, Florida House of Representatives	c/o GrayRobinson, P.A. 301 South Bronough Street, Suite 600, Tallahassee, FL 32301 850-577-9090	Mr. Sprowls was Speaker of the House.
Valdez V. Demings	Former United States Representative	Unknown at this time.	Former Representative Demings previously represented CD-10.
Maxwell Alejandro Frost	United States Representative	Unknown at this time.	Representative Frost represents CD-10.
Alfred J. Lawson, Jr.	Former United States Representative	Unknown at this time.	Former Representative Lawson previously represented in CD-5.
John H. Rutherford	United States Representative	Unknown at this time.	Representative Rutherford previously represented CD-4 and currently represents CD-5.
Kathy Castor	United States Representative	Unknown at this time.	Representative Castor is the incumbent representative in CD- 14.
Anna Paulina Luna	United States Representative	Unknown at this time.	Representative Luna represents CD-13.

Charlie Crist	Former United States Representative	Unknown at this time.	Governor Crist was previously the representative in CD-13.
John Gore	Jones Day	Unknown at this time.	Mr. Gore was approached by the Governor's office to assist in the redistricting process.
Hans A. von Spakovsky	Heritage Foundation	Unknown at this time.	Mr. von Spakovsky was approached by the Governor's office to assist in the redistricting process.
Scott Kellar	Unknown at this time.	Unknown at this time.	Mr. Kellar was approached by the Governor's office to assist in the redistricting process.
Michael Barley	Unknown at this time.	Unknown at this time.	Mr. Barley was approached by the Governor's office to assist in the redistricting process.
Ben Albritton	Senator, Florida Senate	c/o Office of the Senate General Counsel 302 The Capitol, 404 South Monroe Street, Tallahassee, FL 32399	Current senator for FL Senate District 27, successor to former Senator Rodrigues; his office may have records retained from Senator Rodrigues.
Karen Gonzalez Pittman	Representative, Florida House of Representatives	c/o GrayRobinson, P.A. 301 South Bronough Street, Suite 600,	Current representative for FL House District 65, successor to former Representative Sprows; her office

		Tallahassee, FL 32301 850-577-9090	may have records retained from Representative Sprowls.
Anna Eskamani	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Made public statements regarding the redistricting process.
Christine Hunschofsky	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Representative Hunschofsky was a member of the Congressional Redistricting Subcommittee.
Dan Daley	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Representative Daley was the ranking member of the State Legislative Redistricting Subcommittee.
Daryl Campbell	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Made public statements regarding the redistricting process.
Dotie Joseph	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse	Representative Joseph was a member of the Congressional

		One, Miami, FL 33133 305-858-2900	Redistricting Subcommittee.
Fentrice Driskell	Minority Leader, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Leader Driskeel was a member of the Congressional Redistricting Subcommittee.
Kelly Skidmore	Representative, Florida House of Representatives	Unknown at this time.	Representative Skidmore was the Ranking Member of the Congressional Redistricting Subcommittee.
Michael Gottlieb	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Made public statements regarding the redistricting process.
Susan Valdes	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Representative Valdes was a member of the State Legislative Redistricting Subcommittee.
Yvonne Hayes Hinson	Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse	Made public statements regarding the redistricting process.

		One, Miami, FL 33133 305-858-2900	
Randolph Bracy	Senator, Florida Senate	c/o Office of the Senate General Counsel 302 The Capitol, 404 South Monroe Street, Tallahassee, FL 32399 305-858-2900	Senator Bracy was a member of the Committee on Reapportionment.
Tracie Davis	Senator, Florida Senate	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Made public statements regarding the redistricting process.
Joseph Geller	Former Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Mr. Geller was the Ranking Member on the Redistricting Committee.
Evan Jenne	Former Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Mr. Jenne was a member of the Redistricting Committee.
Daisy Morales	Former Representative,	c/o Coffey Burlington	Ms. Morales was a member of the

	Florida House of Representatives	2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Congressional Redistricting Subcommittee.
Anika Tene Omphroy	Former Representative, Florida House of Representatives	c/o Coffey Burlington 2601 South Bayshore Drive, Penthouse One, Miami, FL 33133 305-858-2900	Ms. Omphroy was a member of the Redistricting Committee.

INTERROGATORY NO. 3

Other than the persons or entities identified above, identify any person or entity known to you who has possession or control of any documents pertaining to any facts or issues involved in this action, and with regard to each person, please indicate the type and nature of each such document or item.

RESPONSE TO INTERROGATORY NO. 3

FairDistricts Now incorporates all of the General Objections as if set forth fully herein.

FairDistricts Now further objects to this Interrogatory as premature; discovery is in its initial stages, and FairDistricts Now has not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FairDistricts Now will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete.

FairDistricts Now further objects to this Interrogatory as overly broad, unduly burdensome, lacking an express temporal limitation, and not proportional to the needs of the case as it requests the Organization Plaintiffs to identify any person who has “pertaining to any facts or issues” underlying this litigation and to “indicate the type and nature of each such document or

item.” FairDistricts Now further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others.

Subject to the foregoing General and Specific Objections, FairDistricts Now responds that FairDistricts Now is unaware of any individuals apart from those identified in response to Interrogatory No. 2, excluding counsel.

INTERROGATORY NO. 4

Please identify the date you were founded and any and all principal and regional offices you may have, including when those offices were established

RESPONSE TO INTERROGATORY NO. 4

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now further objects to this Interrogatory as overly broad and unduly burdensome because the description of “principal and regional” offices is undefined and not reflective of how FairDistricts Now are organized. Moreover, only certain offices are party to this case and the dates that other offices were founded is irrelevant to this action.

Subject to the foregoing General and Specific Objections, FairDistricts Now responds that it was founded in in 2010. FairDistricts Now is located at 3182 Munroe Drive, Miami, FL 33133.

INTERROGATORY NO. 5

Please identify whether you have any members, and if so, please list the approximate number of members you have, the congressional districts in which your members are located, any members who are parties or witnesses in this case, the dates on which those individuals first became members, and the specific injuries that your members are alleged to have suffered or will suffer in the future related to the claims in this litigation.

RESPONSE TO INTERROGATORY NO. 5

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now further objects to this Interrogatory as overly broad, unduly burdensome, and not proportional to the needs of the case as it seeks information concerning all members, even members who are not party to this action. FairDistricts Now further objects to this Interrogatory as premature; discovery is in its initial stages, and FairDistricts Now has not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FairDistricts Now will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FairDistricts Now further objects to this Interrogatory to the extent it calls for a legal conclusion. FairDistricts Now further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FairDistricts Now will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. FairDistricts Now further objects to this Interrogatory as unduly burdensome because it seeks information irrelevant to the underlying litigation.

To the extent this Interrogatory requests information for the purposes of establishing standing, this interrogatory is not proportional to that objective for several reasons. In multi-plaintiff cases, if there is one plaintiff “who has demonstrated standing to assert these rights as his own,” it is unnecessary to “consider whether the other individual and corporate plaintiffs have standing to maintain the suit.” *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 264 & n.9. Furthermore, to satisfy associational standing, organizations need only show that at least one member of the association has standing to sue in his or her own right. *See Doe v. Stincer*, 175 F.3d 879, 884 (11th Cir. 1999)

Subject to the foregoing General and Specific Objections, FairDistricts Now responds that it does not have members.

INTERROGATORY NO. 6

Please identify the type and/or specific amount of any and all resources that you will need to divert as a result of SB 2-C and identify the specific activities and/or items that any such resources will be diverted from.

RESPONSE TO INTERROGATORY NO. 6

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now further objects to this Interrogatory to the extent it calls for a legal conclusion. FairDistricts Now further objects to this Interrogatory as unduly burdensome because it seeks information irrelevant to the underlying litigation and that FairDistricts Now need not identify “specific” resources that will be diverted. FairDistricts Now further objects to this interrogatory to the extent it seeks information shielded from discovery by the attorney-client privilege, or communications protected under the work-product doctrine or the common-interest privilege.

Subject to the foregoing General and Specific Objections, FairDistricts Now responds that FairDistricts Now must divert resources including time and money on a variety of activities related to SB 2-C. But for SB 2-C, FairDistricts Now would use its funds to continue its broader voter education and voter-protection work that is not specific to SB 2-C’s unlawful infirmities. One of FairDistricts Now’s primary purposes is to promote and defend voters’ rights to fair and legal congressional maps, and the Defendant’s promulgation of an illegal map via SB 2-C frustrates that purpose and impairs FairDistricts Now’s ability to fulfil its goals.

INTERROGATORY NO. 7

For every activity or item identified in response to Interrogatory No. 6, please identify your annual expenditures during each of the last five years on those activities or items.

RESPONSE TO INTERROGATORY NO. 7

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now further objects to this Interrogatory to the extent it calls for a legal conclusion. FairDistricts Now further objects to this Interrogatory as unduly burdensome because it seeks information irrelevant to the underlying litigation and its scope in time is unduly broad and not proportional to the needs of this matter as SB 2-C was enacted during the Special Legislative session in April 2022.

Subject to the foregoing General and Specific Objections, FairDistricts Now will not be responding to this Interrogatory.

INTERROGATORY NO. 8

Please identify the specific activities and/or items that will receive the diverted funds that you have identified in response to Interrogatory No. 6, and the type and/or specific amount that each activity or item will receive.

RESPONSE TO INTERROGATORY NO. 8

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now further objects to this Interrogatory to the extent it calls for a legal conclusion. FairDistricts Now further objects to this Interrogatory as unduly burdensome because it seeks information irrelevant to the underlying litigation and that FairDistricts Now need not identify “specific” resources that will be diverted.

Subject to the foregoing General and Specific Objections, FairDistricts Now responds that FairDistricts Now must divert resources including time and money on a variety of activities related to SB 2-C. But for SB 2-C, FairDistricts Now would use its funds to continue its broader voter education and voter-protection work that is not specific to SB 2-C's unlawful infirmities. One of FairDistricts Now's primary purposes is to promote and defend voters' rights to fair and legal congressional maps, and the Defendant's promulgation of an illegal map via SB 2-C frustrates that purpose and impairs FairDistricts Now's ability to fulfil its goals.

INTERROGATORY NO. 9

Please identify all documents and evidence that relate to your allegation in paragraph 79 of the Second Amended Complaint that "Governor DeSantis acted with invidious intent to disadvantage Black Floridians."

RESPONSE TO INTERROGATORY NO. 9

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now further objects to this Interrogatory as premature; discovery is in its initial stages, and FairDistricts Now have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FairDistricts Now will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FairDistricts Now further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FairDistricts Now further objects to this Interrogatory as seeking a legal conclusion. FairDistricts Now further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FairDistricts Now will disclose the identity of expert witnesses and the scope of

expert testimony consistent with the applicable rules. FairDistricts Now further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, FairDistricts Now refers the Defendant to their responses and objections to Defendant's First Request for Production to FairDistricts Now.

INTERROGATORY NO. 10

Please identify all documents and evidence relating to your allegation in paragraph 87 of the Second Amended Complaint that Black voters in North Florida can no longer "elect a candidate of their choice."

RESPONSE TO INTERROGATORY NO. 10

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now further objects to this Interrogatory as premature; discovery is in its initial stages, and FairDistricts Now have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FairDistricts Now will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FairDistricts Now further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FairDistricts Now further objects to this Interrogatory as seeking a legal conclusion. FairDistricts Now further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FairDistricts Now will disclose the identity of expert witnesses and the

scope of expert testimony consistent with the applicable rules. FairDistricts Now further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, FairDistricts Now refers the Defendant to their responses and objections to Defendant's First Request for Production to FairDistricts Now.

INTERROGATORY NO. 11

Please identify all documents and evidence relating to your allegation in paragraph 96 of the Second Amended Complaint that SB 2-C "intentionally "cracks" and "packs" Black populations across the state."

RESPONSE TO INTERROGATORY NO. 11

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now further objects to this Interrogatory as premature; discovery is in its initial stages, and FairDistricts Now have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FairDistricts Now will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FairDistricts Now further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FairDistricts Now further objects to this Interrogatory as seeking a legal conclusion. FairDistricts Now further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FairDistricts Now will disclose the identity of expert witnesses and the

scope of expert testimony consistent with the applicable rules. FairDistricts Now further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, FairDistricts Now refers the Defendant to their responses and objections to Defendant's First Request for Production to FairDistricts Now.

INTERROGATORY NO. 12

Please identify all documents and evidence relating to your allegation in paragraph 97 of the Second Amended Complaint that “[t]he Black Population in the western half of St. Petersburg now has no chance of electing their candidate of choice or even exerting meaningful influence over the election process.”

RESPONSE TO INTERROGATORY NO. 12

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now further objects to this Interrogatory as premature; discovery is in its initial stages, and FairDistricts Now have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FairDistricts Now will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FairDistricts Now further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FairDistricts Now further objects to this Interrogatory as seeking a legal conclusion. FairDistricts Now further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FairDistricts Now will disclose the identity of expert witnesses and the

scope of expert testimony consistent with the applicable rules. FairDistricts Now further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, FairDistricts Now refers the Defendant to their responses and objections to Defendant's First Request for Production to FairDistricts Now.

INTERROGATORY NO. 13

Please identify all documents and evidence relating to your allegation in paragraph 112 of the Second Amended Complaint that "[t]he Enacted Plan bears most heavily on Black Floridians."

RESPONSE TO INTERROGATORY NO. 13

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now further objects to this Interrogatory as premature; discovery is in its initial stages, and FairDistricts Now have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FairDistricts Now will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FairDistricts Now further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FairDistricts Now further objects to this Interrogatory as seeking a legal conclusion. FairDistricts Now further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FairDistricts Now will disclose the identity of expert witnesses and the scope of

expert testimony consistent with the applicable rules. FairDistricts Now further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, FairDistricts Now refers the Defendant to their responses and objections to Defendant's First Request for Production to FairDistricts Now.

INTERROGATORY NO. 14

Please identify all documents and evidence relating to your allegation in paragraph 115 of the Second Amended Complaint that "Florida law required the preservation of a Black opportunity district in Northern Florida."

RESPONSE TO INTERROGATORY NO. 14

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now further objects to this Interrogatory as premature; discovery is in its initial stages, and FairDistricts Now have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FairDistricts Now will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FairDistricts Now further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FairDistricts Now further objects to this Interrogatory as seeking a legal conclusion. FairDistricts Now further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FairDistricts Now will disclose the identity of expert witnesses and the

scope of expert testimony consistent with the applicable rules. FairDistricts Now further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, FairDistricts Now refers the Defendant to their responses and objections to Defendant's First Request for Production to FairDistricts Now.

INTERROGATORY NO. 15

For each Count in your Second Amended Complaint, identify all documents and evidence that supports the rejection of SB 2-C in its entirety (as opposed to the rejection of a specific congressional district)

RESPONSE TO INTERROGATORY NO. 15

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now further objects to this Interrogatory as premature; discovery is in its initial stages, and FairDistricts Now have not yet had the opportunity to fully review all relevant documents or depose any relevant witnesses. FairDistricts Now will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FairDistricts Now further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FairDistricts Now further objects to this Interrogatory as seeking a legal conclusion. FairDistricts Now further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FairDistricts Now will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. FairDistricts Now further objects to this Interrogatory as seeking the production of documents. FairDistricts Now further objects

to this Interrogatory as imposing an obligation to produce evidence relating to specific counts of the complaint. FairDistricts Now has no such obligation.

Subject to the foregoing General and Specific Objections, FairDistricts Now will not be producing documents in response to this Request.

INTERROGATORY NO. 16

Identify every congressional district that you claim you have standing in this lawsuit to challenge, and for each congressional district, identify the counts of the Complaint that apply to your challenge.

RESPONSE TO INTERROGATORY NO. 16

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FairDistricts Now further objects to this Interrogatory as seeking a legal conclusion. FairDistricts Now further objects to this Interrogatory as vague and ambiguous, as it is unclear what Defendant means “to challenge” a congressional district and whether counts of the Second Amended Complaint “apply to” a “challenge.”

Subject to the foregoing General and Specific Objections, FairDistricts Now responds that it has standing in CD 27 at minimum and in no way admits to lacking standing to challenge SB 2-C in any other district, to the extent relevant.

INTERROGATORY NO. 17

Identify all congressional districts and the respective affected minority population (Black, Hispanic, Asian) that you allege in Count I of the Second Amended Complaint were “intentionally discriminate[d] against” in violation of the Fourteenth Amendment to the U.S. Constitution.

RESPONSE TO INTERROGATORY NO. 17

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FairDistricts Now further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FairDistricts Now further objects to this Interrogatory as seeking a legal conclusion. FairDistricts Now further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FairDistricts Now will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules.

Subject to the foregoing General and Specific Objections, FairDistricts Now responds by referring to districts identified in the Second Amended Complaint and that the affected minority population is Black Floridians.

INTERROGATORY NO. 18

Identify all documents and evidence relating to the alleged Constitutional violation in the congressional districts you identify in Interrogatory No. 17.

RESPONSE TO INTERROGATORY NO. 18

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FairDistricts Now further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FairDistricts Now further objects to

this Interrogatory as seeking a legal conclusion. FairDistricts Now further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FairDistricts Now will disclose the identity of expert witnesses and the scope of expert testimony consistent with the applicable rules. FairDistricts Now further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, FairDistricts Now refers the Defendant to their responses and objections to Defendant's First Request for Production to FairDistricts Now.

INTERROGATORY NO. 19

Identify all congressional districts and the respective affected minority population (Black, Hispanic, Asian) that you allege in Count II of the Second Amended Complaint that were "intentionally deni[ed]" the "right to vote on the basis of race" in violation of the Fifteenth Amendment to the U.S. Constitution.

RESPONSE TO INTERROGATORY NO. 19

FairDistricts Now incorporates all of the General Objections as if set forth fully herein. FairDistricts Now will not be in a position to provide full and useful answers to contention interrogatories until discovery is complete. FairDistricts Now further objects to this Interrogatory as seeking information that is publicly available, in the possession of the Defendant, and/or can be more easily obtained from others. FairDistricts Now further objects to this Interrogatory as seeking a legal conclusion. FairDistricts Now further objects to this Interrogatory to the extent it seeks disclosure of experts and/or expert testimony. FairDistricts Now will disclose the identity of expert witnesses and the scope of expert testimony consistent

with the applicable rules. FairDistricts Now further objects to this Interrogatory as seeking the production of documents.

Subject to the foregoing General and Specific Objections, FairDistricts Now responds by referring to districts identified in the Second Amended Complaint and that the affected minority population is Black Floridians.

Dated: March 20, 2023

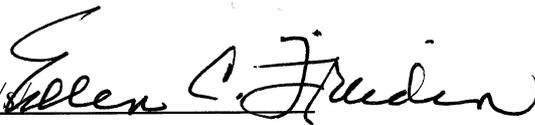
By: 
FairDistricts Now

Exhibit 5

Portorreal, Newton (x2854)

From: Michael Beato <mbeato@HoltzmanVogel.com>
Sent: Wednesday, May 31, 2023 7:24 PM
To: Li, Alvin (x2184); Halper, Michael (x2336)
Cc: Zack Henson
Subject: Common Cause Discussion

Caution: External Email!

Thanks again, Alvin and Michael, for the conversation today. Feel free to forward this email summary to your aligned counsel. And please amend the summary if I got something wrong.

During our conversation, we discussed:

1. Plaintiffs' Production
 - a. In terms of future organizational-plaintiffs productions, the State will receive:
 - i. A production from the NAACP either tomorrow or Friday
 - ii. Perhaps a small production from Common Cause this week
 - b. The FairDistricts production is complete
 - c. I will get back re: individual-plaintiff productions
2. Depositions and Deposition Dates
 - a. We will exchange deposition dates for each of our experts, and the State will seek 30(b)(6) depositions of the three organizational plaintiffs
 - i. I will get back re: deposition topics for the organizational plaintiffs
 - b. The depositions are likely to occur outside of the June 9 discovery deadline
 - i. After exchanging dates, we can submit a joint limited motion for an extension of time to conduct the depositions
 - ii. Owens's deposition is currently set for June 12
 - c. Plaintiffs can ask Mr. Foltz, who is being deposed in the state redistricting case on June 16, questions, including questions about Tom Bryan
3. Tom Bryan
 - a. The State doesn't believe that Mr. Bryan should be deposed. The reasons are that he's not being deposed in the state case; he hasn't waived any privilege in this case; and he's going to produce an affidavit evidencing his limited role. Granted, Plaintiffs take a different position, but we are likely to have another conversation on this point
4. Additional matters
 - a. Plaintiffs are going to send a draft confidentiality agreement
 - b. We can enter into an agreement regarding Zoom depositions

Michael Beato
Associate
Tallahassee, FL
m 561.724.3883
o 850.270.5938
email bio in

Holtzman Vogel
HOLTZMAN VOGEL BARAN TORCHINSKY & JOSEFIAK PLLC
DC • VA • FL • AZ holtzmanvogel.com  

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DISCLAIMER

Any accounting, business or tax advice contained in this communication, including attachments and enclosures, is not intended as a thorough, in-depth analysis of specific issues, nor a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties. If desired, Holtzman Vogel Baran Torchinsky & Josefiak PLLC would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limits of the desired consultation services.

Exhibit 6

Portorreal, Newton (x2854)

From: Michael Beato <mbeato@HoltzmanVogel.com>
Sent: Monday, June 5, 2023 7:29 PM
To: Li, Alvin (x2184); Halper, Michael (x2336)
Cc: Zack Henson; ~chrishshenton@scsj.org
Subject: RE: Common Cause Discussion

Caution: External Email!

Thanks, Alvin and Michael.

I'll respond to both of your emails here.

Michael: thanks for that information. Our position is that we would like documents evidencing standing. We think that would include documentation of the individual plaintiffs' addresses pre- and post-enacted map, voter registration information pre- and post-enacted map, and statements from the individual plaintiffs about the enacted map.

Alvin: thanks for that information as well. Putting aside the Tom Bryan matter for the moment, our position is that we would like a deposition of FairDistricts. In the amended complaint, FairDistricts alleged organizational standing, and we would like to explore that in a deposition. And for Adam Foltz, we understand your position.

Having said that, perhaps we can reach a compromise whereby we reach get some of what we'd like:

- For the individual plaintiffs, we can agree to affidavits in lieu of discovery documents
- We won't depose FairDistricts
- And you agree that Tom Bryan can submit an affidavit in lieu of being deposed

Let me know your thoughts on that. And below are the deposition topics for the organizational plaintiffs that we are thinking about. We will send out deposition notices soon.

30(b)(6) Deposition Topics

1. The number of members of each organization, and the number of those members in each district of Florida's enacted congressional map.
2. The general purpose or mission of each organization, and how implementing the enacted or any other congressional map advances the purpose and mission.
3. How the enacted congressional map results in diversion of the organization's resources, whether they be personnel, personnel time, or monetary resources.
4. Any change in activities after the enacted congressional map was signed into law.
5. Any affects on the organization's members who will testify in this case.

Michael Beato

Associate

Holtzman Vogel

Office: 850.270.5938

Mobile: 561.724.3883

mbeato@HoltzmanVogel.com // www.HoltzmanVogel.com

From: Li, Alvin (x2184) <ali@pbwt.com>
Sent: Thursday, June 1, 2023 1:46 PM
To: Halper, Michael (x2336) <mhalper@pbwt.com>; Michael Beato <mbeato@HoltzmanVogel.com>
Cc: Zack Henson <zhenson@HoltzmanVogel.com>; ~chrisshenton@scsj.org <chrisshenton@scsj.org>
Subject: RE: Common Cause Discussion

Good afternoon Michael,

Thank you for drafting up the summaries in the first and second emails on this chain. We'll start zipping up the third party productions to y'all shortly. Just a few points of clarification and follow-up below:

- First, we don't believe that a deposition of Fair Districts Now is necessary. As previewed on our call, we don't intend to rely on Fair Districts Now for standing.
- Second, we agreed with John Cycon that the ruling on the Kelly deposition would also apply to the Bryan deposition (see attached email). That means that we reserve 5 hours with the same constraints as the state court matter.
 - Given our discussions on the call, it should be a pretty short deposition and we are more than glad to do it remotely—unless Zack wants to take a trip down to Richmond.
- Third, in terms of Foltz, since we also agreed that he would be governed by the same parameters as Kelly, we would reserve our full five hours as well. While we will attempt to coordinate with the state court plaintiffs, we suspect that it will not be possible to get through all of our questions in one day. We therefore ask that Foltz be made available for another day as well.

Please let us know if have questions. Today is a bit hectic for me, but I should be available tomorrow for any further discussions.

Best regards,

Alvin

Alvin Li

He | Him | His
Associate

Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas | New York, NY 10036

T: 212.336.2184

ali@pbwt.com | www.pbwt.com

From: Halper, Michael (x2336) <mhalper@pbwt.com>
Sent: Thursday, June 1, 2023 12:32 PM
To: Michael Beato <mbeato@HoltzmanVogel.com>; Li, Alvin (x2184) <ali@pbwt.com>
Cc: Zack Henson <zhenson@HoltzmanVogel.com>; ~chrisshenton@scsj.org <chrisshenton@scsj.org>
Subject: RE: Common Cause Discussion

Thanks, Michael. It's correct that the individual plaintiffs don't have anything to produce for 1 and 2. Regarding 3, can you please check with your team whether affidavits from the plaintiffs would suffice for standing purposes? Or, in the alternative, what specific documents evidencing standing you would be looking for?

Thanks,
Michael

Michael K. Halper

Patterson Belknap Webb & Tyler LLP

T: 212.336.2336

mhalper@pbwt.com | www.pbwt.com

From: Michael Beato <mbeato@HoltzmanVogel.com>

Sent: Thursday, June 1, 2023 9:57 AM

To: Li, Alvin (x2184) <ali@pbwt.com>; Halper, Michael (x2336) <mhalper@pbwt.com>

Cc: Zack Henson <zhenson@HoltzmanVogel.com>

Subject: RE: Common Cause Discussion

Caution: External Email!

Good morning, Alvin and Michael,

I reviewed the individual plaintiffs' RFPs, and I think I can clarify things.

I think the RFPs seek three buckets of documents: (1) documents used for court filings (complaint, discovery responses, etc.); (2) correspondence with state officials regarding redistricting; and (3) documents that evidence standing. Granted, I imagine that there may not be documents responsive to all the requests, but I think those three buckets are what we are looking for.

Let me know if that helps; if not, I am more than happy to have another quick call.

Michael Beato

Associate

Holtzman Vogel

Office: 850.270.5938

Mobile: 561.724.3883

mbeato@HoltzmanVogel.com // www.HoltzmanVogel.com

Michael Beato <mbeato@HoltzmanVogel.com>

Sent: Wednesday, May 31, 2023 7:26 PM

To: Li, Alvin (x2184) <ali@pbwt.com>; mhalper@pbwt.com

Cc: Zack Henson <zhenson@HoltzmanVogel.com>

Subject: RE: Common Cause Discussion

I also note that we would like the third-party documents you offered to provide for us.

Best,



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From: Michael Beato
Sent: Wednesday, May 31, 2023 7:24 PM
To: Li, Alvin (x2184) <ali@pbwt.com>; mhalper@pbwt.com
Cc: Zack Henson <zhenson@HoltzmanVogel.com>
Subject: Common Cause Discussion

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Privileged/Confidential Information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer do not consent to receiving email messages of this kind.

Exhibit 7

Portorreal, Newton (x2854)

From: Michael Beato <mbeato@HoltzmanVogel.com>
Sent: Tuesday, June 13, 2023 4:55 PM
To: Li, Alvin (x2184); Halper, Michael (x2336); Djang, Catherine (x2817)
Subject: Common Cause v. Byrd: Discovery

Caution: External Email!

Good afternoon, everyone,

Michael and Catherine: I hope you enjoyed your time in Tallahassee.

Alvin: good speaking with you today.

Just so everyone's on the same page:

- Alvin spoke with me about Tom Bryan's deposition—five hours, over Zoom, under the same terms of Kelly and Foltz, and sometime in the next two weeks. I told Alvin that I would take that to my team and discuss.
- Foltz's virtual deposition is now on June 20 and 21, starting at 10:00 AM EST
- My side is no longer seeking depositions for the organizational plaintiffs, and we don't need any other discovery from the individual plaintiffs—including affidavits.
 - I had one question on the organizational-plaintiffs' productions, just because there were a lot of emails going around: the final document productions for Common Cause is 220 documents, FairDistricts is 20, and NAACP is 3? I just want to make sure I didn't overlook anything.

Thanks as always,

-Michael



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DISCLAIMER

Any accounting, business or tax advice contained in this communication, including attachments and enclosures, is

not intended as a thorough, in-depth analysis of specific issues, nor a substitute for a formal opinion, nor is it sufficient to avoid tax-related penalties. If desired, Holtzman Vogel Baran Torchinsky & Josefiak PLLC would be pleased to perform the requisite research and provide you with a detailed written analysis. Such an engagement may be the subject of a separate engagement letter that would define the scope and limits of the desired consultation services.

Exhibit 8

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

Common Cause Florida, FairDistricts
Now, Florida State Conference of the
National Association for the
Advancement of Colored People
Branches, Cassandra Brown, Peter
Butzin, Charlie Clark, Dorothy Inman-
Johnson, Veatrice Holifield Farrell,
Brenda Holt, Rosemary McCoy, Leo R.
Stoney, Myrna Young, and Nancy
Ratzan,

Plaintiffs,

v.

Cord Byrd, in his official capacity as
Florida Secretary of State,

Defendant.

Case No. 4:22-cv-109-AW-MAF

**DECLARATION OF AMY KEITH IN SUPPORT OF PLAINTIFFS’
OPPOSITION TO MOTION FOR PARTIAL SUMMARY JUDGMENT**

I, Amy Keith, hereby declare under penalty of perjury pursuant to 28 U.S.C.
§ 1746 that the following is true and correct:

1. I serve as the Program Director of Common Cause Florida
 (“Common Cause”). I submit this declaration in support of Plaintiffs’ opposition
 to Defendant’s motion for partial summary judgment. I am personally
 knowledgeable of the facts contained herein.

2. Common Cause is a nonpartisan, nonprofit grassroots organization dedicated to upholding the core values of American democracy. The national organization is headquartered in Washington, D.C., while the Florida office is based in St. Petersburg. Since it was founded, Common Cause has been dedicated to fair elections, protecting the rights of voters, and making government at all levels more representative, open, and responsive to the interests of ordinary people.

3. Common Cause does not maintain records of members organized by congressional district. There is not, therefore, any way for Common Cause to easily identify members in a particular district.

4. Common Cause has, however, undertaken the burden of searching through its membership records, correlating the zip codes of certain members with a data file listing the zip codes in each congressional district in Florida, and reaching out to members to confirm their residency in that particular district.

5. As a result of those efforts, Common Cause has identified at least one member who lives in each of congressional districts 2, 3, 4, and 5.

6. Due to privacy concerns, and the risk of retaliation by the Secretary or others, Common Cause is reticent to reveal the names and addresses

of those members on the public docket. Common Cause historically keeps its membership list and member information confidential.

7. If, however, the Court is unsatisfied with this affirmation, Common Cause will endeavor to obtain the permission of those members to reveal his or her name and address to the Court and attorneys for the Secretary, subject to a protective order limiting that information to attorney's eyes only.

Dated: July 21, 2023



Amy Keith

Exhibit 9

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION**

Common Cause Florida, FairDistricts
Now, Florida State Conference of the
National Association for the
Advancement of Colored People
Branches, Cassandra Brown, Peter
Butzin, Charlie Clark, Dorothy Inman-
Johnson, Veatrice Holifield Farrell,
Brenda Holt, Rosemary McCoy, Leo R.
Stoney, Myrna Young, and Nancy
Ratzan,

Plaintiffs,

v.

Cord Byrd, in his official capacity as
Florida Secretary of State,

Defendant.

Case No. 4:22-cv-109-AW-MAF

DECLARATION OF ADORA OBI NWEZE
IN SUPPORT OF PLAINTIFFS' OPPOSITION TO
MOTION FOR PARTIAL SUMMARY JUDGMENT

I, Adora Nweze, hereby declare under penalty of perjury pursuant to 28
U.S.C. § 1746 that the following is true and correct:

1. I serve as the President of the Florida State Conference of the
National Association for the Advancement of Colored People Branches (“Florida
NAACP”). I submit this declaration in support of Plaintiffs’ opposition to

Defendant's motion for partial summary judgment. I am personally knowledgeable of the facts contained herein.

2. Founded in 1909, Florida NAACP is the oldest civil rights organization in Florida, and serves as the umbrella organization for local branch units throughout the state. Its mission is to ensure the political, social, educational, and economic equality of all persons and to eliminate race-based discrimination. For decades Florida NAACP has engaged heavily in statewide voter registration, public education, and advocacy concerning the right to vote in order to encourage civic and electoral participation among its members and other voters.

3. Florida NAACP's membership is predominately Black and other minority individuals, and includes registered voters who reside throughout the state.

4. Florida NAACP does not organize its membership rolls by congressional district. For that reason, it has taken additional effort to determine which members live in certain districts.

5. Florida NAACP has identified at least one member who lives in each of congressional districts 2, 3, 4, and 5.

6. Due to privacy concerns, and the risk of retaliation by the Secretary or others, Florida NAACP is reticent to reveal the names and addresses of those members on the public docket.

7. If, however, the Court is unsatisfied with this affirmation, Florida NAACP will endeavor to obtain the permission of those members to reveal his or her name and address to the Court and attorneys for the Secretary, subject to a protective order limiting that information to attorney's eyes only.

Dated: July 21, 2023
Homestead, Florida



Adora Obi Nweze