

IN THE SUPREME COURT OF OHIO

Regina C. Adams, *et al.*,

Relators,

v.

Governor Mike DeWine, *et al.*,

Respondents.

Case No. 2021-1428

**Original Action Filed Pursuant to
Ohio Const., Art. XIX, Sec. 3(A)**

League of Women Voters of Ohio, *et al.*,

Relators,

v.

Governor Mike DeWine, *et al.*,

Respondents.

Case No. 2021-1449

**Original Action Filed Pursuant to
Ohio Const., Art. XIX, Sec. 3(A)**

**AFFIDAVIT OF FREDA LEVENSON
EXHIBITS APPENDIX C - WRITTEN DISCOVERY
Volume 1 of 1**

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*** Pro Hac Vice Motion Forthcoming*

EXHIBITS APPENDIX C - WRITTEN DISCOVERY RESPONSES
Volume 1 of 1

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IN THE SUPREME COURT OF OHIO

Regina Adams, <i>et al.</i>, Relators, v. Governor Mike DeWine, <i>et al.</i>, Respondents.	Case No. 2021-1428 Original Action Filed Pursuant to Ohio Constitution, Article XIX, Section 3(A)
League of Women Voters of Ohio, <i>et al.</i>, Relators, v. Governor Mike DeWine, <i>et al.</i>, Respondents.	Case No. 2021-1449 Original Action Filed Pursuant to Ohio Constitution, Article XIX

**RESPONDENT SPEAKER OF THE HOUSE ROBERT CUPP’S OBJECTIONS AND
RESPONSES TO RELATORS’ REQUESTS FOR ADMISSION**

REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION #1

Admit that you are a member of the Ohio Redistricting Commission.

ANSWER: Senate President Huffman admits that he was a member of the Ohio Redistricting Commission. However, since the Commission is now dissolved pursuant to Section 1, Article XI of the Ohio Constitution, the allegations of Request for Admission #1 are denied.

REQUEST FOR ADMISSION #2

Admit that the Republican members of the Ohio General Assembly did not introduce any congressional maps for consideration during September 2021.

ANSWER: Speaker Cupp objects on the grounds that the terms “introduce” and “congressional maps” are vague, undefined, and states that with the context given he is incapable of ascertaining the meaning of this request. Speaker Cupp cannot determine if this request should be construed to mean “introduced” in a “formal” since like a bill or full plan to the Ohio Redistricting Commission or the General Assembly, or in an informal manner. Speaker Cupp can also not determine if “congressional maps” means portions of a map, an entire map, a bill, or some other meaning. Because this request is vague and undefined to the point it’s meaning cannot be ascertained, the allegations in the same are denied.

REQUEST FOR ADMISSION #3

Admit that the Ohio General Assembly did not vote any congressional district maps by the September 30, 2021 deadline set forth in Article XIX, Section 1(A) of the Ohio Constitution.

ANSWER: Speaker Cupp admits that the legislative history and public records of what bills were and were not voted on prior to September 30, 2021 is a matter of public record and speaks for itself. In all other respects, the allegations of Request for Admission # 3 are denied.

REQUEST FOR ADMISSION #4

Admit that the Ohio General Assembly did not pass a congressional district map by the September 30, 2021 deadline set forth in Article XIX, Section 1(A) of the Ohio Constitution.

ANSWER: Speaker Cupp objects that this Request seeks a legal conclusion, to which no response is required. To the extent a response is required, Speaker Cupp admits that Article XIX, Section 1(A) of the Ohio Constitution speaks for itself and that the legislative history and records of what bills were and were not voted on prior to September 30, 2021 is a matter of public record and speaks for itself. In all other respects, the allegations of Request for Admission # 4 are denied.

REQUEST FOR ADMISSION #5

Admit that the Ohio Redistricting Commission did not vote on any congressional district maps prior to the October 31, 2021 deadline set forth in Article XIX, Section 1(B) of the Ohio Constitution.

ANSWER: Speaker Cupp objects that this Request seeks a legal conclusion, to which no response is required. To the extent a response is required, Speaker Cupp admits that Article XIX, Section 1(B) of the Ohio Constitution speaks for itself. Speaker Cupp further admits and that any official actions of the Ohio Redistricting Commission, like voting on proposed maps, is a matter of public record and speaks for itself. In all other respects, the allegations of Request for Admission # 5 are denied.

REQUEST FOR ADMISSION #6

Admit that the Ohio Redistricting Commission did not pass a congressional district map by the October 31, 2021 deadline set forth in Article XIX, Section 1(B) of the Ohio Constitution.

ANSWER: Speaker Cupp objects that this Request seeks a legal conclusion, to which no response is required. To the extent a response is required, Speaker Cupp admits that Article XIX, Section 1(B) of the Ohio Constitution speaks for itself. Speaker Cupp further admits and that any official actions of the Ohio Redistricting Commission, like voting on proposed maps, is a matter of public record and speaks for itself. In all other respects, the allegations of Request for Admission # 6 are denied.

REQUEST FOR ADMISSION #7

Admit that each document you have produced or will produce in response to Relators' requests for production of documents and things and Relators' interrogatories is kept in the course of regularly conducted business activity.

ANSWER: The allegations of Request for Admission #7 are denied.

Submitted this the 3rd day of December, 2021.

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Counsel for Respondents Huffman and Cupp

**Pro Hac Vice Motions Pending*

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of December, 2021, I have served the foregoing document by email:

Robert D. Fram (PHV 25414-2021)*
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Juliana Goldrosen (PHV 25193-2021)*
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Counsel for Adams Relators

/s/Phillip J. Strach
Phillip J. Strach

VERIFICATION

STATE OF OHIO :
COUNTY OF Franklin : SS.

I, Robert R. Cupp, being first duly sworn, depose and say that the foregoing answers to the First Set of Requests for Admission propounded by Relators are true and complete to the best of my knowledge, information, and belief.

Robert R. Cupp
Robert R. Cupp

Sworn to before me and subscribed in my presence this 8th day of December 2021.



Paul V. Disantis
Notary Public Paul V. Disantis

COMMISSION
EXPIRATION: 12/1 Attorney at Law

IN THE SUPREME COURT OF OHIO

<p>Regina Adams, <i>et al.</i>,</p> <p>Relators,</p> <p>v.</p> <p>Governor Mike DeWine, <i>et al.</i>,</p> <p>Respondents.</p>	<p>Case No. 2021-1428</p> <p>Original Action Filed Pursuant to Ohio Constitution, Article XIX, Section 3(A)</p>
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RESPONDENT SENATE PRESIDENT MATTHEW HUFFMAN'S OBJECTIONS AND
RESPONSES TO RELATORS' REQUESTS FOR ADMISSION

REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION #1

Admit that you are a member of the Ohio Redistricting Commission.

ANSWER: Senate President Huffman admits that he was a member of the Ohio Redistricting Commission. However, since the Commission is now dissolved pursuant to Section 1, Article XI of the Ohio Constitution, the allegations of Request for Admission #1 are denied.

REQUEST FOR ADMISSION #2

Admit that the Republican members of the Ohio General Assembly did not introduce any congressional maps for consideration during September 2021.

ANSWER: Senate President Huffman objects on the grounds that the terms “introduce” and “congressional maps” are vague, undefined, and states that with the context given he is incapable of ascertaining the meaning of this request. Senate President Huffman cannot determine if this request should be construed to mean “introduced” in a “formal” since like a bill or full plan to the Ohio Redistricting Commission or the General Assembly, or in an informal manner. Senate President Huffman can also not determine if “congressional maps” means portions of a map, an entire map, a bill, or some other meaning. Because this request is vague and undefined to the point it’s meaning cannot be ascertained, the allegations in the same are denied.

REQUEST FOR ADMISSION #3

Admit that the Ohio General Assembly did not vote any congressional district maps by the September 30, 2021 deadline set forth in Article XIX, Section 1(A) of the Ohio Constitution.

ANSWER: Senate President Huffman admits that the legislative history and public records of what bills were and were not voted on prior to September 30, 2021 is a matter of public record and speaks for itself. In all other respects, the allegations of Request for Admission # 3 are denied.

REQUEST FOR ADMISSION #4

Admit that the Ohio General Assembly did not pass a congressional district map by the September 30, 2021 deadline set forth in Article XIX, Section 1(A) of the Ohio Constitution.

ANSWER: Senate President Huffman objects that this Request seeks a legal conclusion, to which no response is required. To the extent a response is required, Senate President Huffman admits that Article XIX, Section 1(A) of the Ohio Constitution speaks for itself and that the legislative history and records of what bills were and were not voted on prior to September 30, 2021 is a matter of public record and speaks for itself. In all other respects, the allegations of Request for Admission # 4 are denied.

REQUEST FOR ADMISSION #5

Admit that the Ohio Redistricting Commission did not vote on any congressional district maps prior to the October 31, 2021 deadline set forth in Article XIX, Section 1(B) of the Ohio Constitution.

ANSWER: Senate President Huffman objects that this Request seeks a legal conclusion, to which no response is required. To the extent a response is required, Senate President Huffman admits that Article XIX, Section 1(B) of the Ohio Constitution speaks for itself. Senate President Huffman further admits and that any official actions of the Ohio Redistricting Commission, like voting on proposed maps, is a matter of public record and speaks for itself. In all other respects, the allegations of Request for Admission # 5 are denied.

REQUEST FOR ADMISSION #6

Admit that the Ohio Redistricting Commission did not pass a congressional district map by the October 31, 2021 deadline set forth in Article XIX, Section 1(B) of the Ohio Constitution.

ANSWER: Senate President Huffman objects that this Request seeks a legal conclusion, to which no response is required. To the extent a response is required, Senate President Huffman admits that Article XIX, Section 1(B) of the Ohio Constitution speaks for itself. Senate President Huffman further admits and that any official actions of the Ohio Redistricting Commission, like voting on proposed maps, is a matter of public record and speaks for itself. In all other respects, the allegations of Request for Admission # 6 are denied.

REQUEST FOR ADMISSION #7

Admit that each document you have produced or will produce in response to Relators' requests for production of documents and things and Relators' interrogatories is kept in the course of regularly conducted business activity.

ANSWER: The allegations of Request for Admission #7 are denied.

REQUEST FOR ADMISSION #8

Admit that the document attached herein as Exhibit A is a true and accurate copy of a document entitled "Vote YES on Issue 1," which you submitted along with a group of legislators to the Ohio Ballot Board.

ANSWER: Senate President Huffman admits that Exhibit A speaks for itself. In all other respects, the allegations of Request for Admission #8 are denied.

REQUEST FOR ADMISSION #9

Admit that Exhibit A was prepared to support the passage of the 2018 Ohio ballot measure to enact reforms to Congressional redistricting.

ANSWER: Senate President Huffman admits that Exhibit A speaks for itself. In all other respects, the allegations of Request for Admission #9 are denied.

Submitted this the 3rd day of December, 2021.

/s/ Phillip J. Strach

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Counsel for Respondents Huffman and Cupp
**Pro Hac Vice Motions Pending*

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I hereby certify that on this 3rd day of December, 2021, I have served the foregoing document by email:

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Counsel for Adams Relators

/s/Phillip J. Strach
Phillip J. Strach

VERIFICATION

STATE OF OHIO :
COUNTY OF Franklin : SS.

I, MATTHEW C. HOFFMAN, being first duly sworn, depose and say that the foregoing answers to the First Set of Requests for Admission propounded by Relators are true and complete to the best of my knowledge, information, and belief.

Matthew C. Hoffman

2021 Sworn to before me and subscribed in my presence this 8th day of December.

Francis M. Strigari
Notary Public



FRANCIS M. STRIGARI, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

COMMISSION
EXPIRATION:



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I, MacKenzie S. Clayton, did witness the participants named above electronically sign this document.



IN THE SUPREME COURT OF OHIO

REGINA C. ADAMS, et al.,

Relators,

v.

GOVERNOR MIKE DEWINE, et al.,

Respondents.

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: Case No. 2021-1428
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: Original Action Pursuant to
: Ohio Const., Art. XIX, § 3(A)
:
: Redistricting Case
:
:

LEAGUE OF WOMEN VOTERS OF OHIO, et al.,

Relators,

v.

GOVERNOR MICHAEL DEWINE, et al.,

Respondents.

:
: Case No. 2021-1449
:
: Original Action Pursuant to
: Ohio Const., art. XIX
:
: Apportionment Case
:
:

SECRETARY OF STATE FRANK LAROSE'S
ANSWERS TO REQUESTS FOR ADMISSION

Respondent Secretary of State Frank LaRose, in his official capacity as Ohio Secretary of State hereby responds to the following Requests for Admissions:

GENERAL OBJECTION

On November 1, 2021, the task of congressional redistricting reverted to the Ohio General Assembly pursuant to Art. XIX, § 1(C)(1) of the Ohio Constitution. After November 1, 2021, proposed congressional redistricting plans were introduced in the Ohio House as H.B. 479 and H.B. 483 and in the Ohio Senate as S.B. 258. The 2021 congressional redistricting bill that was eventually passed by a majority vote in both chambers was Sub. S.B. 258 and it was signed into law by Governor DeWine on November 20, 2021. At no time did Secretary LaRose or any member



of his staff have anything whatsoever to do with the creation and/or the drafting of the congressional district plans in H.B. 479, H.B. 483, or Sub. S.B. 258. Secretary LaRose did not provide to the Ohio General Assembly any proposed congressional district plan or portions of any plans or districts, nor did any member of his staff. Secretary LaRose was not briefed about or shown the congressional district plans contained in H.B. 479, H.B. 483, or S.B. 258 prior to those bills being introduced in the Ohio House and Ohio Senate or at any time thereafter, nor were any members of his staff. At no time did Secretary LaRose or any members of his staff provide any comments or input on H.B. 479, H.B. 483, or S.B. 258 to any member of the Ohio General Assembly. Thus, these requests for admission are not reasonably calculated to lead to the discovery of admissible evidence on the sole issue before the Court of whether Sub. S.B. 258 complies with Art. XIX of the Ohio Constitution.

REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION #1

Admit that you are a member of the Ohio Redistricting Commission.

ANSWER: Admitted.

REQUEST FOR ADMISSION #2

Admit that the Republican members of the Ohio General Assembly did not introduce any congressional maps for consideration during September 2021.

ANSWER: Secretary LaRose can neither admit nor deny based on the information known or readily available to him as the Secretary of State what the Republican members of the Ohio General Assembly did or did not do with regard to congressional maps during September 2021.



REQUEST FOR ADMISSION #3

Admit that the Ohio General Assembly did not vote any congressional district maps by the September 30, 2021 deadline set forth in Article XIX, Section 1(A) of the Ohio Constitution.

ANSWER: Secretary LaRose can neither admit nor deny based on the information known or readily available to him as the Secretary of State what the Ohio General Assembly did or did not do with regard to congressional maps by September 30, 2021.

REQUEST FOR ADMISSION #4

Admit that the Ohio General Assembly did not pass a congressional district map by the September 30, 2021 deadline set forth in Article XIX, Section 1(A) of the Ohio Constitution.

ANSWER: Secretary LaRose can neither admit nor deny based on the information known or readily available to him as the Secretary of State what the Ohio General Assembly did or did not do with regard to congressional maps by September 30, 2021.

REQUEST FOR ADMISSION #5

Admit that the Ohio Redistricting Commission did not vote on any congressional district maps prior to the October 31, 2021 deadline set forth in Article XIX, Section 1(B) of the Ohio Constitution.

ANSWER: Admitted.

REQUEST FOR ADMISSION #6

Admit that the Ohio Redistricting Commission did not pass a congressional district map by the October 31, 2021 deadline set forth in Article XIX, Section 1(B) of the Ohio Constitution.

ANSWER: Admitted.



REQUEST FOR ADMISSION #7

Admit that each document you have produced or will produce in response to Relators' requests for production of documents and things and Relators' interrogatories is kept in the course of regularly conducted business activity.

ANSWER: Secretary LaRose objects to this Request as it is overly broad, vague, and ambiguous. This Request fails to identify any document with particularity as to allow Secretary LaRose to determine whether he can admit or deny this Request. Moreover, this Request does not relate to any of the Exhibits attached to the Request for Admissions. Secretary LaRose has no ability to know what documents might be produced in the future. Further, responding to this Request would be unduly burdensome as it would require Secretary LaRose to review every single document that he has produced or will produce in the future to determine if it was kept in the course of regularly conducted business activity.

REQUEST FOR ADMISSION #8

Admit that, to the best of your knowledge, the document attached herein as Exhibit A, is a true and accurate copy of an opinion editorial written by you, entitled "Ohio's historic congressional redistricting reform," and published on Cleveland.com on February 18, 2018.

ANSWER: Admitted.

REQUEST FOR ADMISSION #9

Admit that, on pages 2-4, Exhibit A quotes you as saying: "Under the current process, the party with the majority draws the maps as they see fit, with no need for input from the minority party. . . . The voters of Ohio wanted us to put people before partisanship and work to address this seemingly intractable problem. Thankfully, we did. . . . I want my party to win elections because we have better candidates and better ideas—not because we use modern GIS mapping software



and pinpoint-accurate polling data to draw district lines better than the other party. . . . [I]t will ultimately fall to the people charged with carrying out this process to do so in the same spirit of compromise with which it was drafted. We've created a balanced redistricting process, it will be up to the people of Ohio to keep it."

ANSWER: Exhibit A speaks for itself.

REQUEST FOR ADMISSION #10

Admit that during the September 15, 2021 meeting of the Ohio Redistricting Commission (transcript attached as Exhibit B), you said, "I believe October 1st we'll be back to work here with a new mission, drawing congressional districts for the state of Ohio. And when we are, this process will be different. It is not going to work this way next time."

ANSWER: Admitted. Secretary LaRose's words as contained in Request for Admission No. 10 were made within a much larger statement and must be read within the entire context of his full statement as set forth in the Commission's transcript of the September 15, 2021 meeting.



VERIFICATION

STATE OF OHIO :
 :
COUNTY OF PERRY :
 :

SS.

I, D. Michael Grodhaus, being first duly sworn, depose and say that the foregoing answers to the First Request for Admissions propounded by Relator are true and complete to the best of my knowledge, information, and belief.

D. Michael Grodhaus

Signed on 2021/12/07 07:13:34 -8:00

D. Michael Grodhaus
On behalf of Respondent Secretary of State
LaRose

Sworn to before me and subscribed in my presence this 7th day of December, 2021.



MacKenzie S. Clayton

Signed on 2021/12/07 07:13:34 -8:00

Notary Public



Respectfully submitted,
As to Objections

DAVE YOST
OHIO ATTORNEY GENERAL

/s/ Julie M. Pfeiffer

BRIDGET C. COONTZ (0072919)*

**Counsel of Record*

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Counsel for Respondent Secretary of State LaRose



CERTIFICATE OF SERVICE

I hereby certify that the foregoing was sent via email this 7th day of December, 2021 to the following:

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Counsel for Respondents Huffman and Cupp

/s/ Julie M. Pfeiffer

Julie M. Pfeiffer (0069762)



IN THE SUPREME COURT OF OHIO

Regina Adams, et al., Relators, v. Governor Mike DeWine, et al., Respondents.	Case No. 2021-1428 Original Action Filed Pursuant to Ohio Constitution, Article XIX, Section 3(A)
League of Women Voters of Ohio, et al., Relators, v. Governor Mike DeWine, et al., Respondents.	Case No. 2021-1449 Original Action Filed Pursuant to Ohio Constitution, Article XIX

**RESPONDENT HOUSE SPEAKER ROBERT R. CUPP’S RESPONSES TO RELATORS
FIRST SET OF RFP’S**

Respondent Speaker Robert R. Cupp (“Speaker Cupp”), by and through undersigned counsel serves his objections and responses to Relators’ First Set of Requests for Production of Documents as follows:

GENERAL OBJECTIONS

Speaker Cupp makes the following answers, responses, and objections to Relators’ First Set of Requests for Production of Documents (“Requests”). Each of the following responses is made subject to any and all objections as to competence, relevance, or other grounds that would require exclusion of such statement if made by a witness present and testifying in court. Any and

all such objections and grounds are expressly reserved.

The responses are based on Speaker Cupp's present knowledge, information, and belief, as derived from: (a) the knowledge and information of present employees or agents of Speaker Cupp gained in their capacity as such, and (b) a review of the documents and materials maintained by Speaker Cupp that would be likely to contain the information called for by the Requests. These responses are subject to amendment and supplementation as Speaker Cupp acquires additional information. Speaker Cupp states that his responses to the Requests were prepared in consultation with his attorneys and may not exactly match the words or phrases that may be used by individuals in the course of this litigation to describe events, policies, and practices discussed herein.

No incidental or implied admissions are intended by these responses. The fact that Speaker Cupp responds or objects to any Requests should not be taken as an admission that Speaker Cupp accepts or admits the existence of any facts assumed by such Requests or that such Response or objection constitutes admissible evidence as to any such assumed facts. The fact that Speaker Cupp responds to part of or all of any Requests is not intended to be, and shall not be construed as a waiver by Speaker Cupp of any part of any objection to any Requests. Speaker Cupp will respond to Relators requests in accordance with Rules 26, 33, and 34 of the Ohio Rules of Civil Procedure and will not provide responses or documents to the extent such responses or production would exceed the requirements of those Rules.

Since the Ohio Rules of Civil Procedure prohibit discovery of privileged matters, Speaker Cupp has interpreted each Request to call for discoverable matter only. To the extent any response or produced document contains or refers to matters otherwise protected from discovery by the work product doctrine, the attorney-client privilege, or the legislative privilege, no waiver is intended, nor is any waiver intended as to any other matters that are or may be subject to such

protection or otherwise privileged.

Speaker Cupp also objects that none of these Requests are limited to the relevant time frame in this action. Particularly, as Speaker Cupp is sued in his official capacity as Speaker of the Ohio House and a member of the Ohio Redistricting Commission, these requests as written, call for Speaker Cupp to review records pertaining to all redistricting for his office going back decades. Because of this, all requests, as written, are unduly burdensome, and unlikely to lead to the discovery of relevant admissible evidence. As such, in his responses, Speaker Cupp has interpreted these Requests to only seek information pertaining to the 2021 Congressional redistricting cycle.

Speaker Cupp further objects that these requests seek “all communications” about broad topics without limitation for custodians. As written, these requests would require Speaker Cupp to search communications between him and anyone he’s ever spoken to regardless of their relation to redistricting. Such requests are clearly overbroad and unduly burdensome.

Speaker Cupp further objects to providing documents with .TIFF imaging or other similar methods, and accompanying metadata. With such a short time for discovery, this request is neither practical, nor is the cost an economically appropriate burden for the taxpayers of Ohio.

Speaker Cupp also objects on the grounds that the time frame allowed for his response was insufficient to conduct the burdensome document search requested by Relators given the requests are overly broad, request information that is entirely irrelevant, and are not reasonably limited in either time or scope.

These responses are provided solely for the purpose of and in relation to this action.

While Speaker Cupp lodges numerous objections as to legislative privilege, and does not waive these objections, no documents have been withheld on the basis of legislative privilege.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. All documents and communications concerning the Ohio Redistricting Commission's decision not to propose or vote on any Congressional maps in 2021.

ANSWER: Speaker Cupp objects on the ground that this request seeks information outside of his knowledge. Speaker Cupp does not speak for the entire Ohio Redistricting Commission. Subject to and without waiving these objections, Speaker Cupp refers Relators to documents produced contemporaneously with these responses.

2. All documents and communications concerning the Ohio Redistricting Commission's decision to hold only one hearing during the Congressional redistricting process, on October 28, 2021.

ANSWER: Speaker Cupp objects on the ground that this request seeks information outside of his knowledge. Speaker Cupp does not speak for the entire Ohio Redistricting Commission. Subject to and without waiving these objections, Speaker Cupp refers Relators to documents produced contemporaneously with these responses.

3. All documents and communications concerning the drawing of Congressional districts following the 2020 census, including but not limited to communications between and/or among your employees, staff, officers, agents, or representatives.

ANSWER: Speaker Cupp objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Speaker Cupp refers Relators to documents produced contemporaneously with these responses.

4. All documents and communications concerning any factors you considered in the creation, consideration, and/or passage of any Proposed Plan.

ANSWER: Speaker Cupp objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Speaker Cupp states that he considered compliance to mean complying with all state and federal laws when instructing mapdrawers and when determining to vote for the 2021 Congressional Plan. Speaker Cupp further refers Relators to documents produced contemporaneously with these responses.

5. All documents and communications concerning any instructions you received or provided regarding the creation of any Proposed Plan.

ANSWER: Speaker Cupp objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Speaker Cupp states that mapdrawers were instructed to

comply with all state and federal laws. Speaker Cupp further refers Relators to documents produced contemporaneously with these responses.

6. All documents and communications concerning any Proposed Plan, including (as specified in the definition above) any drafts thereof.

ANSWER: Speaker Cupp objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Speaker Cupp refers Relators to documents produced contemporaneously with these responses.

7. Documents sufficient to establish all persons who assisted you in the creation of any Proposed Plan.

ANSWER: Speaker Cupp refers Relators to documents produced contemporaneously with these requests and Speaker Cupp's response to Interrogatory No. 1.

8. All documents relating to meetings—both formal and informal—of any General Assembly members related to the drawing of Congressional maps, including, without limitation, testimony, meeting minutes, data sets, maps, notes, and plans submitted to, created by, or otherwise considered by you, any member of the General Assembly or their staff; minutes, agendas, or presentations from General Assembly hearings or meetings; and any related communications, including, but not limited to, those with any member of the General Assembly (or representatives thereof).

ANSWER: Speaker Cupp objects to this request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Speaker Cupp further objects that this request is overly broad, unduly burdensome, and seeks information outside of Speaker Cupp's knowledge. The request seeks documents and information pertaining to meetings with any General Assembly members, regardless of whether Speaker Cupp was present. The request also seeks documents considered by "any" member of the General Assembly or their staff. Such a request is clearly out of proportion with Relators needs in this case, and beyond what Speaker Cupp can provide.

9. All documents relating to information that was used to draw Congressional district maps for Ohio, including, without limitation, and produced in native format: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes or other partisan data, racial data, election results, population shifts, voter registration, voter affiliation, or changing census block lines for the 2018 election, 2020 election, and current redistricting cycle.

ANSWER: Speaker Cupp objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Speaker Cupp states that mapdrawers were instructed to comply with all state and federal laws. Speaker Cupp further states that no racial data was considered in drawing the 2021 Congressional Plan. Subject to and without waiving these

objections, Speaker Cupp refers Relators to documents produced contemporaneously with these responses.

10. All documents including, without limitation, requests for proposals, proposals, contracts, communications, and timesheets or invoices, relating to consultants, firms, vendors, or other third parties, including, without limitation, John Morgan, Christopher Glassburn, Clark Bensen, relating to consultants, firms, vendors, or other third parties consulted, involved in, or communicated with by you, any member of the General Assembly or its staff, any member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff, relating to any Proposed Plan.

ANSWER: Speaker Cupp objects to the extent this Request calls for information covered by the attorney-client, work product, or legislative privileges. Speaker Cupp further objects that this request seeks information beyond his knowledge as he does not speak for the entire Ohio Redistricting Commission or the entire General Assembly. Subject to and without waiving these objections, Speaker Cupp states that he does not possess any such documents or contracts other than those for redistricting software and supplies as previously produced in *Bennett v. ORC*, 2021-1198.

11. All communications with the Ohio Legislative Service Commission or any of its staff or directors relating to drawing any Proposed Plan.

ANSWER: Speaker Cupp objects to the extent this request seeks information covered by the legislative privilege. Subject to and without waiving this objection, Speaker Cupp refers Relators to documents produced contemporaneously with these responses.

12. All communications relating to drawing any Proposed Plan, with (1) any current or former member of Ohio's General Assembly and (2) any current or former staff of any current or former member of Ohio's General Assembly.

ANSWER: Speaker Cupp objects to the extent this request seeks information covered by the legislative privilege, the attorney client privilege, or the work-product privilege. Subject to and without waiving this objection, Speaker Cupp refers Relators to documents produced contemporaneously with these responses.

13. All communications relating to drawing any Proposed Plan with (1) any current or former U.S Representative or U.S. Senator including, without limitation, United States House of Representatives Republican Leadership and House Minority Leader Kevin McCarthy and (2) any current or former staff of any current or former U.S. Representative or U.S. Senator.

ANSWER: Speaker Cupp objects to the extent this Request calls for information covered by the attorney-client, work product, or legislative privileges. Speaker Cupp further objects to the extent that this Request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Speaker Cupp also objects that this request is not relevant, as Speaker Cupp's communications with current or former members of the US House of Representatives, the US Senate, or their staff, have no bearing on whether or not the 2021 Congressional Plan violates the Ohio Constitution. Subject to and without

waiving these objections, Speaker Cupp refers Relators to documents produced contemporaneously with these responses.

14. All communications relating to drawing any Proposed Plan with the Republican National Committee, the Ohio Republican Party, including, without limitation, Robert Paduchik, the National Republican Redistricting Trust, the National Republican Congressional Committee, including, without limitation, National Republican Congressional Committee Chair Tom Emmer, or any political action committee.

ANSWER: Speaker Cupp objects to the extent this Request seeks information covered by the attorney-client, work product, or legislative privileges. Speaker Cupp further objects to the extent that this Request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Speaker Cupp also objects that this request is not relevant, as even if Speaker Cupp had communications with these organizations, those communications would have no bearing on whether or not the 2021 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Speaker Cupp refers Relators to documents produced contemporaneously with these responses.

15. All documents relating to analysis conducted by you, any other member of the Ohio General Assembly or their staff, the Ohio General Assembly or its staff, the Ohio Redistricting Commission or its staff, or a member of the Ohio Redistricting Commission or their staff; regarding whether any Proposed Plan complied with the Ohio Constitution, including but not limited to Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution.

ANSWER: Speaker Cupp objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Speaker Cupp refers Relators to documents produced contemporaneously with these responses.

16. All documents and communications regarding the potential, expected, or likely partisan performance or electoral outcomes of any district or districts in the 2021 Congressional Plan.

ANSWER: Speaker Cupp objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Speaker Cupp refers Relators to documents produced contemporaneously with these responses.

17. All documents and communications related to the Section 1(C)(3)(d) statement.

ANSWER: Speaker Cupp objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Speaker Cupp refers Relators to documents produced contemporaneously with

these responses.

18. All documents and communications discussed in, relied on, or relating to any of your responses to an interrogatory served on you by a party in this suit.

ANSWER: Speaker Cupp refers Relators to documents produced contemporaneously with these requests.

Submitted this the 3rd day of December, 2021

By:

/s/ Phillip J. Strach

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Counsel for Respondents Senate President Matt

Huffman and House Speaker Robert Cupp

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of December, 2021, I have served the foregoing document by email:

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Donald Brown (PHV 25480-2021)*
David Denuyl (PHV 25452-2021)*
Juliana Goldrosen (PHV 25193-2021)*
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/s/Phillip J. Strach
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4894-5810-8677 v.1

IN THE SUPREME COURT OF OHIO

Regina Adams, et al., Relators, v. Governor Mike DeWine, et al., Respondents.	Case No. 2021-1428 Original Action Filed Pursuant to Ohio Constitution, Article XIX, Section 3(A)
League of Women Voters of Ohio, et al., Relators, v. Governor Mike DeWine, et al., Respondents.	Case No. 2021-1449 Original Action Filed Pursuant to Ohio Constitution, Article XIX

**RESPONDENT SENATE PRESIDENT MATTHEW HUFFMAN’S RESPONSES TO
RELATORS FIRST SET OF RFP’S**

Respondent Senate President Matthew Huffman (“Senate President Huffman”), by and through undersigned counsel serves his objections and responses to Relators’ First Set of Requests for Production of Documents as follows:

GENERAL OBJECTIONS

Senate President Huffman makes the following answers, responses, and objections to Relators’ First Set of Requests for Production of Documents (“Requests”). Each of the following responses is made subject to any and all objections as to competence, relevance, or other grounds that would require exclusion of such statement if made by a witness present and testifying in court.

Any and all such objections and grounds are expressly reserved.

The responses are based on Senate President Huffman's present knowledge, information, and belief, as derived from: (a) the knowledge and information of present employees or agents of Senate President Huffman gained in their capacity as such, and (b) a review of the documents and materials maintained by Senate President Huffman that would be likely to contain the information called for by the Requests. These responses are subject to amendment and supplementation as Senate President Huffman acquires additional information. Senate President Huffman states that his responses to the Requests were prepared in consultation with his attorneys and may not exactly match the words or phrases that may be used by individuals in the course of this litigation to describe events, policies, and practices discussed herein.

No incidental or implied admissions are intended by these responses. The fact that Senate President Huffman responds or objects to any Requests should not be taken as an admission that Senate President Huffman accepts or admits the existence of any facts assumed by such Requests or that such Response or objection constitutes admissible evidence as to any such assumed facts. The fact that Senate President Huffman responds to part of or all of any Requests is not intended to be, and shall not be construed as a waiver by Senate President Huffman of any part of any objection to any Requests. Senate President Huffman will respond to Relators requests in accordance with Rules 26, 33, and 34 of the Ohio Rules of Civil Procedure and will not provide responses or documents to the extent such responses or production would exceed the requirements of those Rules.

Since the Ohio Rules of Civil Procedure prohibit discovery of privileged matters, Senate President Huffman has interpreted each Request to call for discoverable matter only. To the extent any response or produced document contains or refers to matters otherwise protected from

discovery by the work product doctrine, the attorney-client privilege, or the legislative privilege, no waiver is intended, nor is any waiver intended as to any other matters that are or may be subject to such protection or otherwise privileged.

Senate President Huffman also objects that none of these Requests are limited to the relevant time frame in this action. Particularly, as Senate President Huffman is sued in his official capacity as President of the Ohio Senate and a member of the Ohio Redistricting Commission, these requests as written, call for Senate President Huffman to review records pertaining to all redistricting for his office going back decades. Because of this, all requests, as written, are unduly burdensome, and unlikely to lead to the discovery of relevant admissible evidence. As such, in his responses, Senate President Huffman has interpreted these Requests to only seek information pertaining to the 2021 Congressional redistricting cycle.

Senate President Huffman further objects that these requests seek “all communications” about broad topics without limitation for custodians. As written, these requests would require Senate President Huffman to search communications between him and anyone he’s ever spoken to regardless of their relation to redistricting. Such requests are clearly overbroad and unduly burdensome.

Senate President Huffman further objects to providing documents with .TIFF imaging or other similar methods, and accompanying metadata. With such a short time for discovery, this request is neither practical, nor is the cost an economically appropriate burden for the taxpayers of Ohio.

Senate President Huffman also objects on the grounds that the time frame allowed for his response was insufficient to conduct the burdensome document search requested by Relators given the requests are overly broad, request information that is entirely irrelevant, and are not reasonably limited in either time or scope.

These responses are provided solely for the purpose of and in relation to this action.

While Senate President Huffman lodges numerous objections as to legislative privilege, and does not waive these objections, no documents have been withheld on the basis of legislative privilege.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. All documents and communications concerning the Ohio Redistricting Commission's decision not to propose or vote on any Congressional maps in 2021.

ANSWER: Senate President Huffman objects on the ground that this request seeks information outside of his knowledge. Senate President Huffman does not speak for the entire Ohio Redistricting Commission. Subject to and without waiving these objections, Senate President Huffman refers Relators to documents produced contemporaneously with these responses.

2. All documents and communications concerning the Ohio Redistricting Commission's decision to hold only one hearing during the Congressional redistricting process, on October 28, 2021.

ANSWER: Senate President Huffman objects on the ground that this request seeks information outside of his knowledge. Senate President Huffman does not speak for the entire Ohio Redistricting Commission. Subject to and without waiving these objections, Senate President Huffman refers Relators to documents produced contemporaneously with these responses.

3. All documents and communications concerning the drawing of Congressional districts following the 2020 census, including but not limited to communications between and/or among your employees, staff, officers, agents, or representatives.

ANSWER: Senate President Huffman objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senate President Huffman refers Relators to documents produced contemporaneously with these responses.

4. All documents and communications concerning any factors you considered in the creation, consideration, and/or passage of any Proposed Plan.

ANSWER: Senate President Huffman objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senate President Huffman states that he considered compliance to mean complying with all state and federal laws when instructing mapdrawers and when determining to vote for the 2021 Congressional Plan. Senate President Huffman further refers Relators to documents produced contemporaneously with these responses.

5. All documents and communications concerning any instructions you received or provided regarding the creation of any Proposed Plan.

ANSWER: Senate President Huffman objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject

to and without waiving these objections, Senate President Huffman states that mapdrawers were instructed to comply with all state and federal laws. Senate President Huffman further refers Relators to documents produced contemporaneously with these responses.

6. All documents and communications concerning any Proposed Plan, including (as specified in the definition above) any drafts thereof.

ANSWER: Senate President Huffman objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senate President Huffman refers Relators to documents produced contemporaneously with these responses.

7. Documents sufficient to establish all persons who assisted you in the creation of any Proposed Plan.

ANSWER: Senate President Huffman refers Relators to documents produced contemporaneously with these requests and Senate President Huffman's response to Interrogatory No. 1.

8. All documents relating to meetings—both formal and informal—of any General Assembly members related to the drawing of Congressional maps, including, without limitation, testimony, meeting minutes, data sets, maps, notes, and plans submitted to, created by, or otherwise considered by you, any member of the General Assembly or their staff; minutes, agendas, or presentations from General Assembly hearings or meetings; and any related communications, including, but not limited to, those with any member of the General Assembly (or representatives thereof).

ANSWER: Senate President Huffman objects to this request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Senate President Huffman further objects that this request is overly broad, unduly burdensome, and seeks information outside of Senate President Huffman's knowledge. The request seeks documents and information pertaining to meetings with any General Assembly members, regardless of whether Senate President Huffman was present. The request also seeks documents considered by "any" member of the General Assembly or their staff. Such a request is clearly out of proportion with Relators needs in this case, and beyond what Senate President Huffman can provide.

9. All documents relating to information that was used to draw Congressional district maps for Ohio, including, without limitation, and produced in native format: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes or other partisan data, racial data, election results, population shifts, voter registration, voter affiliation, or changing census block lines for the 2018 election, 2020 election, and current redistricting cycle.

ANSWER: Senate President Huffman objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject

to and without waiving these objections, Senate President Huffman states that mapdrawers were instructed to comply with all state and federal laws. Senate President Huffman further states that no racial data was considered in drawing the 2021 Congressional Plan. Subject to and without waiving these objections, Senate President Huffman refers Relators to documents produced contemporaneously with these responses.

10. All documents including, without limitation, requests for proposals, proposals, contracts, communications, and timesheets or invoices, relating to consultants, firms, vendors, or other third parties, including, without limitation, John Morgan, Christopher Glassburn, Clark Bensen, relating to consultants, firms, vendors, or other third parties consulted, involved in, or communicated with by you, any member of the General Assembly or its staff, any member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff, relating to any Proposed Plan.

ANSWER: Senate President Huffman objects to the extent this Request calls for information covered by the attorney-client, work product, or legislative privileges. Senate President Huffman further objects that this request seeks information beyond his knowledge as he does not speak for the entire Ohio Redistricting Commission or the entire General Assembly. Subject to and without waiving these objections, Senate President Huffman states that he does not possess any such documents or contracts other than those for redistricting software and supplies as previously produced in *Bennett v. ORC*, 2021-1198.

11. All communications with the Ohio Legislative Service Commission or any of its staff or directors relating to drawing any Proposed Plan.

ANSWER: Senate President Huffman objects to the extent this request seeks information covered by the legislative privilege or R.C. 101.30. Subject to and without waiving this objection, Senate President Huffman refers Relators to documents produced contemporaneously with these responses.

12. All communications relating to drawing any Proposed Plan, with (1) any current or former member of Ohio's General Assembly and (2) any current or former staff of any current or former member of Ohio's General Assembly.

ANSWER: Senate President Huffman objects to the extent this request seeks information covered by the legislative privilege, the attorney client privilege, or the work-product privilege. Subject to and without waiving this objection, Senate President Huffman refers Relators to documents produced contemporaneously with these responses.

13. All communications relating to drawing any Proposed Plan with (1) any current or former U.S Representative or U.S. Senator including, without limitation, United States House of Representatives Republican Leadership and House Minority Leader Kevin McCarthy and (2) any current or former staff of any current or former U.S. Representative or U.S. Senator.

ANSWER: Senate President Huffman objects to the extent this Request calls for information covered by the attorney-client, work product, or legislative privileges. Senate

President Huffman further objects to the extent that this Request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Senate President Huffman also objects that this request is not relevant, as Senate President Huffman's communications with current or former members of the US House of Representatives, the US Senate, or their staff, have no bearing on whether or not the 2021 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Senate President Huffman refers Relators to documents produced contemporaneously with these responses.

14. All communications relating to drawing any Proposed Plan with the Republican National Committee, the Ohio Republican Party, including, without limitation, Robert Paduchik, the National Republican Redistricting Trust, the National Republican Congressional Committee, including, without limitation, National Republican Congressional Committee Chair Tom Emmer, or any political action committee.

ANSWER: Senate President Huffman objects to the extent this Request seeks information covered by the attorney-client, work product, or legislative privileges. Senate President Huffman further objects to the extent that this Request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Senate President Huffman also objects that this request is not relevant, as, even if Senate President Huffman's had communications with these organizations, those communications have no bearing on whether or not the 2021 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Senate President Huffman refers Relators to documents produced contemporaneously with these responses.

15. All documents relating to analysis conducted by you, any other member of the Ohio General Assembly or their staff, the Ohio General Assembly or its staff, the Ohio Redistricting Commission or its staff, or a member of the Ohio Redistricting Commission or their staff; regarding whether any Proposed Plan complied with the Ohio Constitution, including but not limited to Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution.

ANSWER: Senate President Huffman objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Senate President Huffman refers Relators to documents produced contemporaneously with these responses.

16. All documents and communications regarding the potential, expected, or likely partisan performance or electoral outcomes of any district or districts in the 2021 Congressional Plan.

ANSWER: Senate President Huffman objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Senate President Huffman refers Relators to documents

produced contemporaneously with these responses.

17. All documents and communications related to the Section 1(C)(3)(d) statement.

ANSWER: Senate President Huffman objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Senate President Huffman refers Relators to documents produced contemporaneously with these responses.

18. All documents and communications discussed in, relied on, or relating to any of your responses to an interrogatory served on you by a party in this suit.

ANSWER: Senate President Huffman refers Relators to documents produced contemporaneously with these requests.

Submitted this the 3rd day of December, 2021

By:

/s/ Phillip J. Strach

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Huffman and House Speaker Robert Cupp

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of December, 2021, I have served the foregoing document by email:

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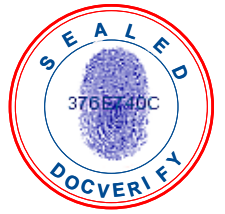
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4862-6948-3269 v.1



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E-Signature Summary

E-Signature 1: D. Michael Grodhaus (DMG)

December 07, 2021 07:04:38 -8:00 [C90D2A93F48F] [156.63.71.253]
mgrodhaus@ohiosos.gov (Principal) (Personally Known)

E-Signature Notary: MacKenzie S. Clayton (msc)

December 07, 2021 07:04:38 -8:00 [434A0C67CCD2] [98.102.110.129]
MacKenzie.Clayton@OhioAGO.gov
I, MacKenzie S. Clayton, did witness the participants named above electronically sign this document.



IN THE SUPREME COURT OF OHIO

REGINA C. ADAMS, et al.,

Relators,

v.

GOVERNOR MIKE DEWINE, et al.,

Respondents.

:
:
: Case No. 2021-1428
:
: Original Action Pursuant to
: Ohio Const., Art. XIX, § 3(A)
:
: Redistricting Case
:
:

LEAGUE OF WOMEN VOTERS OF OHIO, et al.,

Relators,

v.

GOVERNOR MICHAEL DEWINE, et al.,

Respondents.

:
: Case No. 2021-1449
:
: Original Action Pursuant to
: Ohio Const., art. XIX
:
: Apportionment Case
:
:

SECRETARY OF STATE FRANK LAROSE'S RESPONSES TO REQUESTS FOR
PRODUCTION OF DOCUMENTS

Respondent Secretary of State Frank LaRose, in his official capacity as Secretary of State responds to Relators' requests for production.

GENERAL OBJECTIONS

1. Respondent objects to the Requests to the extent they do not describe with reasonable particularity each item or category of items to be inspected as required by Rule 34 of the Ohio Rules of Civil Procedure.

2. Respondent objects to the Requests to the extent they are overly broad, unduly burdensome, vague, duplicative, not reasonably calculated to lead to the discovery of admissible evidence, and not proportional to the needs of the case.



3. Respondent objects to the Requests to the extent they seek information protected by the attorney-client privilege or work-product doctrine.

4. Respondent objects to the Requests to the extent they seek information protected by the deliberative process privilege.

5. Respondent objects to these Requests to the extent that they seek information not in Respondent's possession, custody, or control.

6. Respondent objects to the Requests to the extent that they seek information that is publicly available, already in Relators' possession, or in the possession or control of third parties.

7. Respondent objects to the Requests as confusing, ambiguous, or vague.

8. Respondent expressly reserves all objections as to competency, relevancy, materiality, and admissibility of the answers contained herein and any objections to future discovery Requests.

9. Respondent expressly reserves the right to alter, amend, revise, and/or supplement these responses. No response shall be construed as a waiver of any further objection.

10. On November 1, 2021, the task of congressional redistricting reverted to the Ohio General Assembly pursuant to Art. XIX, § 1(C)(1) of the Ohio Constitution. After November 1, 2021, proposed congressional redistricting plans were introduced in the Ohio House as H.B. 479 and H.B. 483 and in the Ohio Senate as S.B. 258. The 2021 congressional redistricting bill that was eventually passed by a majority vote in both chambers was Sub. S.B. 258 and it was signed into law by Governor DeWine on November 20, 2021. At no time did Secretary LaRose or any member of his staff have anything whatsoever to do with the creation and/or the drafting of the congressional district plans in H.B. 479, H.B. 483, or Sub. S.B. 258. Secretary LaRose did not provide to the Ohio General Assembly any proposed congressional district plan or portions of any plans or districts, nor did any member of his staff. Secretary LaRose was not briefed about or



shown the congressional district plans contained in H.B. 479, H.B. 483, or S.B. 258 prior to those bills being introduced in the Ohio House and Ohio Senate or at any time thereafter, nor were any members of his staff. At no time did Secretary LaRose or any members of his staff provide any comments or input on H.B. 479, H.B. 483, or S.B. 258 to any member of the Ohio General Assembly. Thus, these requests for production are not reasonably calculated to lead to the discovery of admissible evidence on the sole issue before the Court of whether Sub. S.B. 258 complies with Art. XIX of the Ohio Constitution.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. All documents and communications concerning the Ohio Redistricting Commission's decision not to propose or vote on any Congressional maps in 2021.

ANSWER: The Secretary of State incorporates all General Objections as if set forth herein. Subject to the foregoing objections, the Secretary has no documents or communications concerning any such “decision” by the Commission, if indeed any such “decision” was actually made by the Commission as a body.,

2. All documents and communications concerning the Ohio Redistricting Commission's decision to hold only one hearing during the Congressional redistricting process, on October 28, 2021.

ANSWER: The Secretary of State incorporates all General Objections as if set forth herein. Subject to the foregoing objections, the Secretary has no documents or communications concerning any such “decision” by the Commission, if indeed any such “decision” was actually made by the Commission. Pursuant to this Request for Production, the Secretary hereby produces documents showing that he wanted the Commission to meet in October to take up the task of congressional redistricting.



3. All documents and communications concerning the drawing of Congressional districts following the 2020 census, including but not limited to communications between and/or among your employees, staff, officers, agents, or representatives.

ANSWER: The Secretary of State incorporates all General Objections as if set forth herein. Subject to the foregoing objections, responsive, the Secretary hereby produces the documents in his possession related to congressional redistricting.

4. ~~All documents and communications concerning any instructions you received or provided regarding the creation of any Proposed Plan.~~

ANSWER:

5. ~~All documents and communications concerning any Proposed Plan, including (as specified in the definition above) any drafts thereof.~~

ANSWER:

6. Documents sufficient to establish all persons who assisted you in the creation of any Proposed Plan.

ANSWER: The Secretary of State incorporates all General Objections as if set forth herein. Subject to the foregoing objections, neither the Secretary nor any member of his staff were involved in the creation of the Proposed Plan by the General Assembly. Thus, the Secretary has no documents responsive to this Request.

7. All documents relating to meetings—both formal and informal—of any General Assembly members related to the drawing of Congressional maps, including, without limitation, testimony, meeting minutes, data sets, maps, notes, and plans submitted to, created by, or otherwise considered by you, any member of the General Assembly or their staff; minutes, agendas, or presentations from General Assembly hearings or meetings; and any related communications, including, but not limited to, those with any member of the General Assembly (or representatives thereof).

ANSWER: The Secretary of State incorporates all General Objections as if set forth herein. Subject to the foregoing objections, the Secretary is not a member of the General Assembly and thus, would not have participated in any such meetings. Thus, the Secretary has no documents responsive to this Request.



8. All documents relating to information that was used to draw Congressional district maps for Ohio, including, without limitation, and produced in native format: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes or other partisan data, racial data, election results, population shifts, voter registration, voter affiliation, or changing census block lines for the 2018 election, 2020 election, and current redistricting cycle.

ANSWER: The Secretary of State incorporates all General Objections as if set forth herein. Subject to the foregoing objections, the Secretary is not a member of the General Assembly and had no role whatsoever in drawing the congressional district map in Sub. S.B. 258 or any other proposed congressional district map. Thus, the Secretary has no documents responsive to this Request.

9. All documents including, without limitation, requests for proposals, proposals, contracts, communications, and timesheets or invoices, relating to consultants, firms, vendors, or other third parties, including, without limitation, John Morgan, Christopher Glassburn, Clark Bensen, relating to consultants, firms, vendors, or other third parties consulted, involved in, or communicated with by you, any member of the General Assembly or its staff, any member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff, relating to any Proposed Plan.

ANSWER: The Secretary of State incorporates all General Objections as if set forth herein. Subject to the foregoing objections, the Secretary did not engage or retain any of the consultants, firms, or vendors listed nor any other consultant, firm, or vendor. Thus, the Secretary has no documents responsive to this Request.

10. All communications with the Ohio Legislative Service Commission or any of its staff or directors relating to drawing any Proposed Plan.

ANSWER: The Secretary of State incorporates all General Objections as if set forth herein. Subject to the foregoing objections, the Secretary has no documents responsive to this Request.



11. All communications relating to drawing any Proposed Plan, with (1) any current or former member of Ohio's General Assembly and (2) any current or former staff of any current or former member of Ohio's General Assembly.

ANSWER: The Secretary of State incorporates all General Objections as if set forth herein. Subject to the foregoing objections, the Secretary has no documents responsive to this Request.

12. All communications relating to drawing any Proposed Plan with (1) any current or former U.S Representative or U.S. Senator including, without limitation, United States House of Representatives Republican Leadership and House Minority Leader Kevin McCarthy and (2) any current or former staff of any current or former U.S. Representative or U.S. Senator.

ANSWER: The Secretary of State incorporates all General Objections as if set forth herein. Subject to the foregoing objections, the Secretary has no documents responsive to this Request.

13. All communications relating to drawing any Proposed Plan with the Republican National Committee, the Ohio Republican Party, including, without limitation, Robert Paduchik, the National Republican Redistricting Trust, the National Republican Congressional Committee, including, without limitation, National Republican Congressional Committee Chair Tom Emmer, or any political action committee.

ANSWER: The Secretary of State incorporates all General Objections as if set forth herein. Subject to the foregoing objections, the Secretary has no documents responsive to this Request.

14. All documents relating to analysis conducted by you, any other member of the Ohio General Assembly or their staff, the Ohio General Assembly or its staff, the Ohio Redistricting Commission or its staff, or a member of the Ohio Redistricting Commission or their staff; regarding whether any Proposed Plan complied with the Ohio Constitution, including but not limited to Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution.

ANSWER: The Secretary of State incorporates all General Objections as if set forth herein. Subject to the foregoing objections, the Secretary has no documents responsive to this Request.



15. All documents and communications regarding the potential, expected, or likely partisan performance or electoral outcomes of any district or districts in the 2021 Congressional Plan.

ANSWER: The Secretary of State incorporates all General Objections as if set forth herein. Subject to the foregoing objections, the Secretary has no documents responsive to this Request.

16. All documents and communications related to the Section 1(C)(3)(d) statement.

ANSWER: The Secretary of State incorporates all General Objections as if set forth herein. Subject to the foregoing objections, the Secretary has no documents responsive to this Request.

~~17. All documents and communications discussed in, relied on, or relating to any of your responses to an interrogatory served on you by a party in this suit.~~ **ANSWER:**



VERIFICATION OF PRODUCTION ANSWERS

STATE OF OHIO :
: SS.
COUNTY OF PERRY :

I, D. Michael Grodhaus, being first duly sworn, depose and say that the foregoing answers to the First Request for Production of Documents propounded by Relator are true and complete to the best of my knowledge, information, and belief.

D. Michael Grodhaus

Signed on 2021/12/07 07:04:38 -8:00

D. Michael Grodhaus
On behalf of Respondent Secretary of State
LaRose

Sworn to before me and subscribed in my presence this 7th day of December, 2021.



Mackenzie S. Clayton

Signed on 2021/12/07 07:04:38 -8:00

Notary Public



Respectfully submitted,
AS TO OBJECTIONS

DAVE YOST
OHIO ATTORNEY GENERAL

/s/ Julie M. Pfeiffer

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**Counsel of Record*

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Counsel for Respondent Secretary of State LaRose



CERTIFICATE OF SERVICE

I hereby certify that the foregoing was sent via email this 7th day of December, 2021 to the following:

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Counsel for Respondents Huffman and Cupp

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Julie M. Pfeiffer (0069762)



IN THE SUPREME COURT OF OHIO

Regina Adams, *et al.*,

Relators,

v.

Governor Mike DeWine, *et al.*,

Respondents.

Case No. 2021-1428

Original Action Filed Pursuant to Ohio
Constitution, Article XIX, Section 3(A)

**RESPONDENT HOUSE SPEAKER ROBERT R. CUPP’S RESPONSES TO RELATORS
FIRST SET OF INTERROGATORIES**

Respondent Speaker Robert R. Cupp (“Speaker Cupp”), by and through undersigned counsel serves his objections and responses to Relators’ First Set of Interrogatories as follows:

GENERAL OBJECTIONS

Speaker Cupp makes the following answers, responses, and objections to Relators’ First Set of Interrogatories (“Interrogatories”). Each of the following responses is made subject to any and all objections as to competence, relevance, or other grounds that would require exclusion of such statement if made by a witness present and testifying in court. Any and all such objections and grounds are expressly reserved.

The responses are based on Speaker Cupp’s present knowledge, information, and belief, as derived from: (a) the knowledge and information of present employees or agents of Speaker Cupp gained in their capacity as such, and (b) a review of the documents and materials maintained by Speaker Cupp that would be likely to contain the information called for by the Interrogatories. These responses are subject to amendment and supplementation as Speaker Cupp acquires additional information. Speaker Cupp states that his responses to the Interrogatories were prepared

in consultation with his attorneys and may not exactly match the words or phrases that may be used by individuals in the course of this litigation to describe events, policies, and practices discussed herein.

No incidental or implied admissions are intended by these responses. The fact that Speaker Cupp responds or objects to any Interrogatory should not be taken as an admission that Speaker Cupp accepts or admits the existence of any facts assumed by such Interrogatory or that such Response or objection constitutes admissible evidence as to any such assumed facts. The fact that Speaker Cupp responds to part of or all of any Interrogatory is not intended to be, and shall not be construed as a waiver by Speaker Cupp of any part of any objection to any Interrogatory. Speaker Cupp will respond to Relators Interrogatories in accordance with Rules 26, 33, and 34 of the Ohio Rules of Civil Procedure and will not provide responses or documents to the extent such responses or production would exceed the requirements of those Rules.

Since the Ohio Rules of Civil Procedure prohibit discovery of privileged matters, Speaker Cupp has interpreted each Interrogatory to call for discoverable matter only. To the extent any response or produced document contains or refers to matters otherwise protected from discovery by the work product doctrine, the attorney-client privilege, or the legislative privilege, no waiver is intended, nor is any waiver intended as to any other matters that are or may be subject to such protection or otherwise privileged.

Speaker Cupp also objects that none of these Interrogatories are limited to the relevant time frame in this action. Particularly, as Speaker Cupp is sued in his official capacity as Speaker of the Ohio House and a member of the Ohio Redistricting Commission, these Interrogatories as written, call for Speaker Cupp to review records pertaining to all redistricting for his office going back decades. Because of this, all Interrogatories, as written, are unduly burdensome, and unlikely to

lead to the discovery of relevant admissible evidence. As such, in his responses, Speaker Cupp has interpreted these Interrogatories to only seek information pertaining to the 2021 Congressional redistricting cycle.

Speaker Cupp also objects on the grounds that the time frame allowed for his response was insufficient to conduct the burdensome document search requested by Relators given the Interrogatories are overly broad, request information that is entirely irrelevant, and are not reasonably limited in either time or scope.

These responses are provided solely for the purpose of and in relation to this action.

INTERROGATORIES

INTERROGATORY #1

Identify all individuals involved both formally and informally in the drawing of the 2021 Congressional Plan, including, but not limited to members of the General Assembly, their staff, consultants, and advisors (both paid and unpaid).

ANSWER: Speaker Cupp objects that the terms “formally and informally” are vague and ambiguous. Speaker Cupp also objects to the extent it seeks information not within the personal knowledge of Speaker Cupp. Subject to and without waiving the foregoing objections, Speaker Cupp states that Substitute Senate Bill 258 was ultimately adopted as the 2021 Congressional Plan, and that upon information and believe Senate President Huffman and Mr. DiRossi were involved in drawing that map. Speaker Cupp states that he, Mr. Springhetti, and Christine Morrison worked on a House version of a Congressional Plan that did not pass. Speaker Cupp further identifies any employee of Ohio University that participated in creating the Common Unified Redistricting Database (otherwise known as the CURD).

INTERROGATORY #2

Describe the role played by any individuals identified in Interrogatory No. 1.

ANSWER: Speaker Cupp objects to this Interrogatory on the grounds that “formally and informally” and “role” is vague and ambiguous. Speaker Cupp further objects to the extent it seeks information not within the personal knowledge of Speaker Cupp. Speaker Cupp states that Mr. DiRossi and Mr. Springhetti assisted in drawing the congressional districts, with input from himself and Senate President Huffman, and public input.

INTERROGATORY #3

Identify and describe all instructions provided to individuals who created, or were in any way involved in the creation of, any Proposed Plan, including, but not limited to members of the General Assembly, their staff, consultants, and advisors (both paid and unpaid).

ANSWER: Speaker Cupp objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Speaker Cupp states that individuals involved in the creation of the 2021 Congressional Plan were instructed to comply with state and federal law including the requirements of the Ohio Constitution.

INTERROGATORY #4

Identify and describe any and all factors, constraints, influences, or considerations, regardless of whether or not mentioned in Article XIX of the Ohio Constitution, that were considered, adopted, or otherwise reflected in the creation of any Proposed Plans that you, or any member of the General Assembly or the Ohio Redistricting Commission or their representative, introduced to the General Assembly or the Ohio Redistricting Commission, including, but not limited to, the 2021 Congressional Plan, and describe how you and the General Assembly or the Ohio Redistricting Commission prioritized these factors, constraints, influences, and considerations.

ANSWER: Speaker Cupp objects to this Interrogatory on the grounds that the terms “factors, constraints, influences, or considerations” are vague and ambiguous and potentially overlapping or duplicative. Speaker Cupp also objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Speaker Cupp also objects to this Interrogatory to the extent that it seeks information beyond his personal knowledge. Speaker Cupp does not speak on behalf of the entire General Assembly, nor does he speak on behalf of the Governor who signed SB258 into law. Speaker Cupp also objects to this

Interrogatory to the extent it seeks a legal opinion or improper lay witness testimony. Subject to and without waiving these objections, Speaker Cupp states that for SB258, the creation of that plan was constrained by compliance with all state and federal laws, including Article XIX of the Ohio Constitution.

INTERROGATORY #5

Identify and describe any and all attempts that were made by you and/or the General Assembly to comply with Section 1(C)(3)(a), Section 1(C)(3)(b), or Section 1(C)(3)(c), of Article XIX of the Ohio Constitution in creating any Proposed Plan that you, or any member of the General Assembly or their representative, introduced to the General Assembly, including, but not limited to, the 2021 Congressional Plan.

ANSWER: Speaker Cupp objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Speaker Cupp also objects to this Interrogatory to the extent that it seeks information beyond his personal knowledge. Speaker Cupp also objects to this Interrogatory to the extent it seeks a legal opinion or improper lay witness testimony. Subject to and without waiving these objections, Speaker Cupp states that SB258 was intentionally constructed to have more competitive congressional districts, and therefore not to favor one political party over another.

INTERROGATORY #6

Identify and describe any persons who received compensation for services rendered in the creation of any Ohio Congressional map that the General Assembly considered and/or adopted in 2021.

ANSWER: Speaker Cupp objects to this Interrogatory to the extent that it seeks information outside of his personal knowledge. Speaker Cupp further objects on the ground that this Interrogatory is duplicative of Interrogatory No. 1. Subject to and without waiving these

objections, Speaker Cupp states that he and the individuals identified in Interrogatory No. 1 are current State employees and that some, like Ray DiRossi and Blake Springhetti, received a temporary increase in their regular state salaries to account for the increased time and demand on performing their jobs during legislative and congressional redistricting.

INTERROGATORY #7

Identify all individuals with whom you communicated about Congressional district plans introduced or passed during 2021.

ANSWER: Speaker Cupp objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Speaker Cupp further objects that this Interrogatory is overly broad and unduly burdensome in that it is not limited to a relevant time frame, nor is it limited to relevant actors in this matter. Subject to and without waiving these objections, Speaker Cupp states that he communicated with Mr. Springhetti, members of his staff, Mr. DiRossi, Senate President Huffman, and members of his Caucus.

INTERROGATORY #8

Identify all data and information about potential or actual Ohio Congressional districts to which the map drawer(s) had access during the process of drawing any Proposed Plan, including but not limited to data or information showing partisan performance, incumbent addresses, and racial demographics.

ANSWER: Speaker Cupp objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Speaker Cupp directs Relators to the shapefiles and other data produced contemporaneously with these responses.

INTERROGATORY #9

Identify all data filters, displays, or reports that the map drawer(s) viewed or otherwise reviewed or considered while drawing any Proposed Plan, including but not limited to partisan performance indices, voting age population by race, and incumbent addresses.

ANSWER: Speaker Cupp objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Speaker Cupp directs Relators to the shape files and other data produced contemporaneously with these responses.

INTERROGATORY #10

Identify and describe all dates, times, places, and attendees of any meeting at which you discussed Congressional redistricting in 2021.

ANSWER: Speaker Cupp objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Speaker Cupp further objects that this Interrogatory is overly broad and unduly burdensome in that it seeks identification of any meeting, for an entire year, where congressional redistricting was discussed. As such, this request is not narrowly tailored in time or scope to Relators' Complaint. Subject to and without waiving these objections, Speaker Cupp identifies the Ohio Redistricting Commission Committee meeting on October 28, 2021, all public hearings held, and all floor debates in the at the General Assembly. In addition, Speaker Cupp met with members of his staff, Senate President Huffman, Mr. DiRossi, Mr. Springhetti, and members of the House of Representatives regarding redistricting but cannot recall the details of every such meeting. Speaker Cupp further refers Relators to documents produced contemporaneously with these responses.

INTERROGATORY #11

Identify all persons who drafted or created, or were in any way involved in the drafting or creation of the Proposed Plans and, for each identified person, the date or dates on which he or she drafted it.

ANSWER: Speaker Cupp objects on the ground that this Interrogatory is duplicative of Interrogatory No. 1. Subject to and without waiving these objections, Speaker Cupp refers Relators to his response to Interrogatory No. 1.

INTERROGATORY #12

Identify all persons who submitted maps, data, information, requests, or input that you used to draft the Proposed Plans, incorporated into the Proposed Plans, or caused to be included or incorporated into part or all of the Proposed Plans.

ANSWER: Speaker Cupp objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Speaker Cupp states that all applicable state and federal law was consulted and adhered to in the drafting of the 2021 Congressional Plan. Speaker Cupp further states that maps were drawn and submitted on the Ohio Redistricting Commission Website. Speaker Cupp further refers Relators to documents produced contemporaneously with this request.

INTERROGATORY #13

Identify all persons who, prior to the public release of each Proposed Plan, evaluated, reviewed, analyzed, were shown, or commented on the Proposed Plan or on maps, data, or plans that you used to draft the Proposed Plan, incorporated into the Proposed Plan, or adopted as part or all of the Proposed Plan.

ANSWER: Speaker Cupp objects to this Interrogatory to the extent it seeks information

covered by the attorney-client, work product, or legislative privileges. Speaker Cupp further objects to this Interrogatory on the ground that “public release” is vague, and undefined. Speaker Cupp further objects that this request calls for information outside of his knowledge. Subject to and without waiving these objections Speaker Cupp refers Relators to his response to Interrogatory No. 1, detailing the individuals involved in drafting the 2021 Congressional Plan.

INTERROGATORY #14

Identify and describe all persons who participated in the drafting of the Section 1(C)(3)(d) statement.

ANSWER: Speaker Cupp objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Speaker Cupp states that when the House voted on of SB258, Section 1(C)(3)(d) had already been amended into the bill by the Senate Local Government and Elections Committee as uncodified Section 3.

INTERROGATORY #15

Describe your involvement in the creation of the Section 1(C)(3)(d) statement.

ANSWER: Speaker Cupp objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Speaker Cupp also objects that this request is duplicative of Interrogatory No. 14. Subject to and without waiving these objections, Speaker Cupp refers Relators to his response to Interrogatory No. 14.

Submitted this the 3rd day of December, 2021

By:

/s/ Phillip J. Strach

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*Counsel for Respondents Senate President Matt
Huffman and House Speaker Robert Cupp*

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of December, 2021, I have served the foregoing document by email:

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/s/Phillip J. Strach
Phillip J. Strach

VERIFICATION

STATE OF OHIO

COUNTY OF

Franklin

SS.

I, Robert R. Cupp being first duly sworn, depose and say that the foregoing answers to the First Set of Interrogatories propounded by Relators are true and complete to the best of my knowledge, information, and belief.

Robert R. Cupp
Robert R. Cupp

Sworn to before me and subscribed in my presence this 2th day of December, 2021.

[Signature]

Notary Public



COMMISSION
EXPIRATION:

NA - Atty at Law

IN THE SUPREME COURT OF OHIO

Regina Adams, et al., Relators, v. Governor Mike DeWine, et al., Respondents.	Case No. 2021-1428 Original Action Filed Pursuant to Ohio Constitution, Article XIX, Section 3(A)
League of Women Voters of Ohio, et al., Relators, v. Governor Mike DeWine, et al., Respondents.	Case No. 2021-1449 Original Action Filed Pursuant to Ohio Constitution, Article XIX

**RESPONDENT SENATE PRESIDENT HUFFMAN’S RESPONSES TO RELATORS
FIRST SET OF INTERROGATORIES**

Respondent Senate President Matthew Huffman (“Senate President Huffman”), by and through undersigned counsel serves his objections and responses to Relators’ First Set of Interrogatories as follows:

GENERAL OBJECTIONS

Senate President Huffman makes the following answers, responses, and objections to Relators’ First Set of Interrogatories (“Interrogatories”). Each of the following responses is made subject to any and all objections as to competence, relevance, or other grounds that would require exclusion of such statement if made by a witness present and testifying in court. Any and all such

objections and grounds are expressly reserved.

The responses are based on Senate President Huffman's present knowledge, information, and belief, as derived from: (a) the knowledge and information of present employees or agents of Senate President Huffman gained in their capacity as such, and (b) a review of the documents and materials maintained by Senate President Huffman that would be likely to contain the information called for by the Interrogatories. These responses are subject to amendment and supplementation as Senate President Huffman acquires additional information. Senate President Huffman states that his responses to the Interrogatories were prepared in consultation with his attorneys and may not exactly match the words or phrases that may be used by individuals in the course of this litigation to describe events, policies, and practices discussed herein.

No incidental or implied admissions are intended by these responses. The fact that Senate President Huffman responds or objects to any Interrogatory should not be taken as an admission that Senate President Huffman accepts or admits the existence of any facts assumed by such Interrogatory or that such Response or objection constitutes admissible evidence as to any such assumed facts. The fact that Senate President Huffman responds to part of or all of any Interrogatory is not intended to be, and shall not be construed as a waiver by Senate President Huffman of any part of any objection to any Interrogatory. Senate President Huffman will respond to Relators Interrogatories in accordance with Rules 26, 33, and 34 of the Ohio Rules of Civil Procedure and will not provide responses or documents to the extent such responses or production would exceed the requirements of those Rules.

Since the Ohio Rules of Civil Procedure prohibit discovery of privileged matters, Senate President Huffman has interpreted each Interrogatory to call for discoverable matter only. To the extent any response or produced document contains or refers to matters otherwise protected from

discovery by the work product doctrine, the attorney-client privilege, or the legislative privilege, no waiver is intended, nor is any waiver intended as to any other matters that are or may be subject to such protection or otherwise privileged.

Senate President Huffman also objects that none of these Interrogatories are limited to the relevant time frame in this action. Particularly, as Senate President Huffman is sued in his official capacity as President of the Ohio Senate and a member of the Ohio Redistricting Commission, these Interrogatories as written, call for Senate President Huffman to review records pertaining to all redistricting for his office going back decades. Because of this, all Interrogatories, as written, are unduly burdensome, and unlikely to lead to the discovery of relevant admissible evidence. As such, in his responses, Senate President Huffman has interpreted these Interrogatories to only seek information pertaining to the 2021 Congressional redistricting cycle.

Senate President Huffman also objects on the grounds that the time frame allowed for his response was insufficient to conduct the burdensome document search requested by Relators given the Interrogatories are overly broad, request information that is entirely irrelevant, and are not reasonably limited in either time or scope.

These responses are provided solely for the purpose of and in relation to this action.

INTERROGATORIES

INTERROGATORY #1

Identify all individuals involved both formally and informally in the drawing of the 2021 Congressional Plan, including, but not limited to members of the General Assembly, their staff, consultants, and advisors (both paid and unpaid).

ANSWER: Senate President Huffman objects that the terms “formally and informally” are vague and ambiguous. Senate President Huffman also objects to the extent it seeks information not within the personal knowledge of Senate President Huffman. Subject to and without waiving the foregoing objections, Senate President Huffman states that Substitute Senate Bill 258 was ultimately adopted as the 2021 Congressional Plan, and that he and Mr. Raymond DiRossi, Mr. Blake Springhetti, Mr. Rob McColley, and Speaker Cupp were involved in formulating that map. Senate President Huffman further identifies any employee of Ohio University that participated in creating the Common Unified Redistricting Database (otherwise known as the CURD).

INTERROGATORY #2

Describe the role played by any individuals identified in Interrogatory No. 1.

ANSWER: Senate President Huffman objects to this Interrogatory on the grounds that “formally and informally” and “role” is vague and ambiguous. Senate President Huffman further objects to the extent it seeks information not within the personal knowledge of Senate President Huffman. Senate President Huffman states that Mr. DiRossi and Mr. Springhetti assisted in drawing the congressional districts, with input from himself and Speaker Cupp, and public input.

INTERROGATORY #3

Identify and describe all instructions provided to individuals who created, or were in any way involved in the creation of, any Proposed Plan, including, but not limited to members of the General Assembly, their staff, consultants, and advisors (both paid and unpaid).

ANSWER: Senate President Huffman objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senate President Huffman states that individuals involved in the creation of the 2021 Congressional Plan were instructed to comply with state and federal law including the requirements of the Ohio Constitution.

INTERROGATORY #4

Identify and describe any and all factors, constraints, influences, or considerations, regardless of whether or not mentioned in Article XIX of the Ohio Constitution, that were considered, adopted, or otherwise reflected in the creation of any Proposed Plans that you, or any member of the General Assembly or the Ohio Redistricting Commission or their representative, introduced to the General Assembly or the Ohio Redistricting Commission, including, but not limited to, the 2021 Congressional Plan, and describe how you and the General Assembly or the Ohio Redistricting Commission prioritized these factors, constraints, influences, and considerations.

ANSWER: Senate President Huffman objects to this Interrogatory on the grounds that the terms “factors, constraints, influences, or considerations” are vague and ambiguous and potentially overlapping or duplicative. Senate President Huffman also objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Senate President Huffman also objects to this Interrogatory to the extent that it seeks information beyond his personal knowledge. Senate President Huffman does not speak on behalf of the entire General Assembly, nor does he speak on behalf of the Governor who signed SB258 into law.

Senate President Huffman also objects to this Interrogatory to the extent it seeks a legal opinion or improper lay witness testimony. Subject to and without waiving these objections, Senate President Huffman states that for SB258, the creation of that plan was constrained by compliance with all state and federal laws, including Article XIX of the Ohio Constitution.

INTERROGATORY #5

Identify and describe any and all attempts that were made by you and/or the General Assembly to comply with Section 1(C)(3)(a), Section 1(C)(3)(b), or Section 1(C)(3)(c), of Article XIX of the Ohio Constitution in creating any Proposed Plan that you, or any member of the General Assembly or their representative, introduced to the General Assembly, including, but not limited to, the 2021 Congressional Plan.

ANSWER: Senate President Huffman objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Senate President Huffman also objects to this Interrogatory to the extent that it seeks information beyond his personal knowledge. Senate President Huffman also objects to this Interrogatory to the extent it seeks a legal opinion or improper lay witness testimony. Subject to and without waiving these objections, Senate President Huffman states that SB258 was intentionally constructed to have more competitive congressional districts, and therefore not to favor one political party over another.

INTERROGATORY #6

Identify and describe any persons who received compensation for services rendered in the creation of any Ohio Congressional map that the General Assembly considered and/or adopted in 2021.

ANSWER: Senate President Huffman objects to this Interrogatory to the extent that it seeks information outside of his personal knowledge. Senate President Huffman further objects on the ground that this Interrogatory is duplicative of Interrogatory No. 1. Subject to and without

waiving these objections, Senate President Huffman states that he and the individuals identified in Interrogatory No. 1 are current State employees and that some, like Ray DiRossi and Blake Springhetti, received a temporary increase in their regular state salaries to account for the increased time and demand on performing their jobs during legislative and congressional redistricting.

INTERROGATORY #7

Identify all individuals with whom you communicated about Congressional district plans introduced or passed during 2021.

ANSWER: Senate President Huffman objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Senate President Huffman further objects that this Interrogatory is overly broad and unduly burdensome in that it is not limited to a relevant time frame, nor is it limited to relevant actors in this matter. Subject to and without waiving these objections, Senate President Huffman states that he communicated with Mr. DiRossi, members of his staff, Mr. Springhetti, Speaker Cupp, and members of his Caucus.

INTERROGATORY #8

Identify all data and information about potential or actual Ohio Congressional districts to which the map drawer(s) had access during the process of drawing any Proposed Plan, including but not limited to data or information showing partisan performance, incumbent addresses, and racial demographics.

ANSWER: Senate President Huffman objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senate President Huffman directs Relators to the shapefiles and other data produced contemporaneously with these responses.

INTERROGATORY #9

Identify all data filters, displays, or reports that the map drawer(s) viewed or otherwise reviewed or considered while drawing any Proposed Plan, including but not limited to partisan performance indices, voting age population by race, and incumbent addresses.

ANSWER: Senate President Huffman objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senate President Huffman directs Relators to the shape files and other data produced contemporaneously with these responses.

INTERROGATORY #10

Identify and describe all dates, times, places, and attendees of any meeting at which you discussed Congressional redistricting in 2021.

ANSWER: Senate President Huffman objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Senate President Huffman further objects that this Interrogatory is overly broad and unduly burdensome in that it seeks identification of any meeting, for an entire year, where congressional redistricting was discussed. As such, this request is not narrowly tailored in time or scope to Relators' Complaint. Subject to and without waiving these objections, Senate President Huffman identifies the Ohio Redistricting Commission Committee meeting on October 28, 2021, all public hearings held, and all floor debates in the General Assembly. In addition, Senate President Huffman met with Speaker Cupp, members of his staff, Mr. DiRossi, Mr. Springhetti, and members of the Ohio Senate regarding redistricting but cannot recall the details of every such meeting. Senate President Huffman further refers Relators to documents produced contemporaneously with these responses.

INTERROGATORY #11

Identify all persons who drafted or created, or were in any way involved in the drafting or creation of the Proposed Plans and, for each identified person, the date or dates on which he or she drafted it.

ANSWER: Senate President Huffman objects on the ground that this Interrogatory is duplicative of Interrogatory No. 1. Subject to and without waiving these objections, Senate President Huffman refers Relators to his response to Interrogatory No. 1.

INTERROGATORY #12

Identify all persons who submitted maps, data, information, requests, or input that you used to draft the Proposed Plans, incorporated into the Proposed Plans, or caused to be included or incorporated into part or all of the Proposed Plans.

ANSWER: Senate President Huffman objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senate President Huffman states that all applicable state and federal law was consulted and adhered to in the drafting of the 2021 Congressional Plan. Senate President Huffman further states that maps were drawn and submitted on the Ohio Redistricting Commission Website. Senate President Huffman further refers Relators to documents produced contemporaneously with this request.

INTERROGATORY #13

Identify all persons who, prior to the public release of each Proposed Plan, evaluated, reviewed, analyzed, were shown, or commented on the Proposed Plan or on maps, data, or plans that you used to draft the Proposed Plan, incorporated into the Proposed Plan, or adopted as part or all of the Proposed Plan.

ANSWER: Senate President Huffman objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Senate President Huffman further objects to this Interrogatory on the ground that “public release” is vague, and undefined. Senate President Huffman further objects that this request calls for information outside of his knowledge. Subject to and without waiving these objections Senate President Huffman refers Relators to his response to Interrogatory No. 1, detailing the individuals involved in drafting the 2021 Congressional Plan.

INTERROGATORY #14

Identify and describe all persons who participated in the drafting of the Section 1(C)(3)(d) statement.

ANSWER: Senate President Huffman objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senate President Huffman states that when the Senate voted on of SB258, Section 1(C)(3)(d) had already been amended into the bill by the Senate Local Government and Elections Committee as uncodified Section 3.

INTERROGATORY #15

Describe your involvement in the creation of the Section 1(C)(3)(d) statement.

ANSWER: Senate President Huffman objects to this Interrogatory to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Senate President Huffman also objects that this request is duplicative of Interrogatory No. 14. Subject to and without waiving these objections, Senate President Huffman refers Relators to his response to Interrogatory No. 14.

Submitted this the 3rd day of December, 2021

By:

/s/ Phillip J. Strach

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*Counsel for Respondents Senate President Matt
Huffman and House Speaker Robert Cupp*

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of December, 2021, I have served the foregoing document by email:

Robert D. Fram (PHV 25414-2021)*
Donald Brown (PHV 25480-2021)*
David Denuyl (PHV 25452-2021)*
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Counsel for Adams Relators

/s/Phillip J. Strach
Phillip J. Strach

VERIFICATION

STATE OF OHIO :
COUNTY OF Franklin : SS.

I, MATTHEW C. HOFFMAN, being first duly sworn, depose and say that the foregoing answers to the First Set of Interrogatories propounded by Relators are true and complete to the best of my knowledge, information, and belief.

Matthew C. Hoffman

2021 Sworn to before me and subscribed in my presence this 8th day of December

Francis M. Strigari
Notary Public



COMMISSION
EXPIRATION:
FRANCIS M. STRIGARI, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.



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E-Signature Summary

E-Signature 1: D. Michael Grodhaus (DMG)

December 07, 2021 07:09:04 -8:00 [5176F9EB071C] [156.63.71.253]
mgrodhaus@ohiosos.gov (Principal) (Personally Known)

E-Signature Notary: MacKenzie S. Clayton (msc)

December 07, 2021 07:09:04 -8:00 [EDA97C465470] [98.102.110.129]
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I, MacKenzie S. Clayton, did witness the participants named above electronically sign this document.



IN THE SUPREME COURT OF OHIO

REGINA C. ADAMS, et al.,

Relators,

v.

GOVERNOR MIKE DEWINE, et al.,

Respondents.

:
:
: Case No. 2021-1428
:
: Original Action Pursuant to
: Ohio Const., Art. XIX, § 3(A)
:
: Redistricting Case
:
:

LEAGUE OF WOMEN VOTERS OF OHIO, et al.,

Relators,

v.

GOVERNOR MICHAEL DEWINE, et al.,

Respondents.

:
: Case No. 2021-1449
:
: Original Action Pursuant to
: Ohio Const., art. XIX
:
: Apportionment Case
:

RESPONDENT SECRETARY OF STATE FRANK LAROSE'S
ANSWERS TO INTERROGATORIES

Secretary of State Frank LaRose in his official capacity as Ohio Secretary of State hereby answers the Relators' Interrogatories as follows:

INTERROGATORIES

GENERAL OBJECTION

On November 1, 2021, the task of congressional redistricting reverted to the Ohio General Assembly pursuant to Art. XIX, § 1(C)(1) of the Ohio Constitution. After November 1, 2021, proposed congressional redistricting plans were introduced in the Ohio House as H.B. 479 and H.B. 483 and in the Ohio Senate as S.B. 258. The 2021 congressional redistricting bill that was eventually passed by a majority vote in both chambers was Sub. S.B. 258 and it was signed into law by Governor



DeWine on November 20, 2021. At no time did Secretary LaRose or any member of his staff have anything whatsoever to do with the creation and/or the drafting of the congressional district plans in H.B. 479, H.B. 483, or Sub. S.B. 258. Secretary LaRose did not provide to the Ohio General Assembly any proposed congressional district plan or portions of any plans or districts, nor did any member of his staff. Secretary LaRose was not briefed about or shown the congressional district plans contained in H.B. 479, H.B. 483, or S.B. 258 prior to those bills being introduced in the Ohio House and Ohio Senate or at any time thereafter, nor were any members of his staff. At no time did Secretary LaRose or any members of his staff provide any comments or input on H.B. 479, H.B. 483, or S.B. 258 to any member of the Ohio General Assembly. Thus, these interrogatories are not reasonably calculated to lead to the discovery of admissible evidence on the issue of whether Sub. S.B. 258 complies with Art. XIX of the Ohio Constitution.

INTERROGATORY #7 Identify all individuals with whom you communicated about Congressional district plans introduced or passed during 2021.

OBJECTION: Interrogatory #7 is overly broad, unduly burdensome, vague, and not reasonably calculated to lead to the discovery of admissible evidence, and not proportional to the needs of this case. The Secretary of State had no involvement whatsoever in the Congressional district plans introduced or passed as a bill during November 2021. To that end, while the Secretary may have had informal communications about Congressional district plans with various constituents, staff, and colleagues, they would have had no force or effect upon the introduction of plans or the drawing and/or passage of the 2021 Congressional District Plan.

ANSWER: Without waiving the above referenced objection, the Secretary did not provide any advice, counsel or opinions to any individuals who were involved in the drawing of any Congressional district plans including but not limited to the 2021 Congressional Plan. The



Secretary's assistance, opinion and/or advice was never sought nor given in the drawing or passage of the 2021 Congressional Plan. The Secretary had conversations with his internal staff regarding the Secretary's legal duties under Ohio election laws relative to the 2021 Congressional Plan.

INTERROGATORY #10 Identify and describe all dates, times, places, and attendees of any meeting at which you discussed Congressional redistricting in 2021.

OBJECTION: Interrogatory #10 is overly broad, unduly burdensome, vague, and not reasonably calculated to lead to the discovery of admissible evidence, and not proportional to the needs of this case. The Secretary of State had no involvement whatsoever in the Congressional district plans introduced or passed during 2021. To that end, while the Secretary may have had meeting(s) about Congressional districting in 2021, they would have had no force or effect upon the introduction of plans or the drawing and/or passage of the 2021 Congressional District Plan.

ANSWER: Without waiving the above referenced objection, the Secretary did not provide any advice, counsel or opinions to any individuals who were involved in the drawing of any Congressional district plans including but not limited to the 2021 Congressional Plan. The Secretary's assistance, opinion and/or advice was never sought nor given in the drawing or passage of the 2021 Congressional Plan. The Secretary had meeting(s) with his internal staff regarding the Secretary's legal duties under Ohio election laws relative to the 2021 Congressional Plan. The Secretary also attended the October 28, 2021 meeting of the Ohio Redistricting Commission regarding congressional district plans but at that meeting no votes were taken on any proposed plan and no congressional district plan was adopted.



VERIFICATION OF INTERROGATORY ANSWERS

STATE OF OHIO :
: SS.
COUNTY OF PERRY :

I, D. Michael Grodhaus, being first duly sworn, depose and say that the foregoing answers to the First Set of Interrogatories propounded by Relator are true and complete to the best of my knowledge, information, and belief.

D. Michael Grodhaus

D. Michael Grodhaus
On behalf of Respondent Secretary of State
LaRose

Sworn to before me and subscribed in my presence this 7th day of December, 2021.



MacKenzie S. Clayton

Notary Public



Respectfully submitted,
As to Interrogatories

DAVE YOST
OHIO ATTORNEY GENERAL

/s/ Julie M. Pfeiffer

BRIDGET C. COONTZ (0072919)*

**Counsel of Record*

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Counsel for Respondent Secretary of State LaRose



CERTIFICATE OF SERVICE

I hereby certify that the foregoing was sent via email this 7th day of December, 2021 to the following:

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Counsel for Respondents Huffman and Cupp

/s/ Julie M. Pfeiffer

Julie M. Pfeiffer (0069762)



IN THE SUPREME COURT OF OHIO

Regina Adams, <i>et al.</i>, Relators, v. Governor Mike DeWine, <i>et al.</i>, Respondents.	Case No. 2021-1428 Original Action Filed Pursuant to Ohio Constitution, Article XIX, Section 3(A)
League of Women Voters of Ohio, <i>et al.</i>, Relators, v. Governor Mike DeWine, <i>et al.</i>, Respondents.	Case No. 2021-1449 Original Action Filed Pursuant to Ohio Constitution, Article XIX

**RAYMOND DIROSSI'S OBJECTIONS AND RESPONSES
TO SUBPOENA DUCES TECUM**

Raymond DiRossi ("Mr. DiRossi"), by and through undersigned counsel serves his objections and responses to Relators' Subpoena Duces Tecum as follows:

GENERAL OBJECTIONS

Mr. DiRossi makes the following answers, responses, and objections to Relators' Subpoena Duces Tecum ("Requests"). Each of the following responses is made subject to any and all objections as to competence, relevance, or other grounds that would require exclusion of such statement if made by a witness present and testifying in court. Any and all such objections and grounds are expressly reserved.

The responses are based on Mr. DiRossi's present knowledge, information, and belief, as derived from: a review of the documents and materials maintained by Mr. DiRossi that would be likely to contain the information called for by the Requests. These responses are subject to amendment and supplementation as Mr. DiRossi acquires additional information. Mr. DiRossi states that his responses to the Requests were prepared in consultation with his attorneys and may not exactly match the words or phrases that may be used by individuals in the course of this litigation to describe events, policies, and practices discussed herein.

No incidental or implied admissions are intended by these responses. The fact that Mr. DiRossi responds or objects to any Requests should not be taken as an admission that Mr. DiRossi accepts or admits the existence of any facts assumed by such Requests or that such Response or objection constitutes admissible evidence as to any such assumed facts. The fact that Mr. DiRossi responds to part of or all of any Requests is not intended to be, and shall not be construed as a waiver by Mr. DiRossi of any part of any objection to any Requests. Mr. DiRossi will respond to Relators requests in accordance with Rules 26 and 45 of the Ohio Rules of Civil Procedure and will not provide responses or documents to the extent such responses or production would exceed the requirements of those Rules.

Since the Ohio Rules of Civil Procedure prohibit discovery of privileged matters, Mr. DiRossi has interpreted each Request to call for discoverable matter only. To the extent any response or produced document contains or refers to matters otherwise protected from discovery by the work product doctrine, the attorney-client privilege, or the legislative privilege, no waiver is intended, nor is any waiver intended as to any other matters that are or may be subject to such protection or otherwise privileged.

Mr. DiRossi also objects that none of these Requests are limited to the relevant time frame

in this action.

Mr. DiRossi further objects to providing documents with .TIFF imaging or other similar methods, and accompanying metadata. With such a short time for discovery, this request is neither practical, nor is the cost an economically appropriate burden for the taxpayers of Ohio.

Mr. DiRossi also objects on the grounds that the time frame allowed for his response was insufficient to conduct the burdensome document search requested by Relators given the requests are overly broad, request information that is entirely irrelevant, and are not reasonably limited in either time or scope.

These responses are provided solely for the purpose of and in relation to this action.

While Mr. DiRossi lodges numerous objections as to legislative privilege, and does not waive these objections, no documents have been withheld on the basis of legislative privilege.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. All documents and communications concerning the drawing of Congressional districts following the 2020 census, including but not limited to communications between and/or among your employees, staff, officers, agents, or representatives.

ANSWER: Mr. DiRossi objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Mr. DiRossi refers Relators to documents produced contemporaneously with these responses.

2. All documents and communications concerning any instructions you received or provided regarding the creation of any Proposed Plan.

ANSWER: Mr. DiRossi objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Mr. DiRossi states that mapdrawers were instructed to comply with all state and federal laws. Mr. DiRossi further refers Relators to documents produced contemporaneously with these responses.

3. All documents and communications concerning any Proposed Plan, including (as specified in the definition above) any drafts thereof.

ANSWER: Mr. DiRossi objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Mr. DiRossi refers Relators to documents produced contemporaneously with these responses.

4. Documents sufficient to establish all persons who assisted you in the creation of any Proposed Plan.

ANSWER: Mr. DiRossi refers Relators to documents produced contemporaneously with these requests.

5. All documents relating to meetings—both formal and informal—of any General Assembly members related to the drawing of Congressional maps, including, without limitation, testimony, meeting minutes, data sets, maps, notes, and plans submitted to, created by, or otherwise considered by you, any member of the General Assembly or their staff; minutes, agendas, or presentations from General Assembly hearings or meetings; and any related communications, including, but not limited to, those with any member of the General Assembly (or representatives thereof).

ANSWER: Mr. DiRossi objects to this request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Mr. DiRossi further objects

that this request is overly broad, unduly burdensome, and seeks information outside of Mr. DiRossi's knowledge. The request seeks documents and information pertaining to meetings with any General Assembly members, regardless of whether Mr. DiRossi was present. The request also seeks documents considered by "any" member of the General Assembly or their staff. Such a request is clearly out of proportion with Relators needs in this case, and beyond what Mr. DiRossi can provide.

6. All documents relating to information that was used to draw Congressional district maps for Ohio, including, without limitation, and produced in native format: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes or other partisan data, racial data, election results, population shifts, voter registration, voter affiliation, or changing census block lines for the 2018 election, 2020 election, and current redistricting cycle.

ANSWER: Mr. DiRossi objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Mr. DiRossi states that mapdrawers were instructed to comply with all state and federal laws. Mr. DiRossi further states that no racial data was considered in drawing the 2021 Congressional Plan. Subject to and without waiving these objections, Mr. DiRossi refers Relators to documents produced contemporaneously with these responses.

7. All documents including, without limitation, requests for proposals, proposals, contracts, communications, and timesheets or invoices, relating to consultants, firms, vendors, or other third parties, including, without limitation, John Morgan, Christopher Glassburn, Clark Bensen, relating to consultants, firms, vendors, or other third parties consulted, involved in, or communicated with by you, any member of the General Assembly or its staff, any member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff, relating to any Proposed Plan.

ANSWER: Mr. DiRossi objects to the extent this Request calls for information covered by the attorney-client, work product, or legislative privileges. Mr. DiRossi further objects that this request seeks information beyond his knowledge as he does not speak for the entire Mr. DiRossi or the entire General Assembly. Subject to and without waiving these objections, Mr. DiRossi refers to documents or contracts previously produced in *Bennett v. ORC*, 2021-1198, and produced contemporaneously with these responses.

8. All communications with the Ohio Legislative Service Commission or any of its staff or directors relating to drawing any Proposed Plan.

ANSWER: Mr. DiRossi objects to the extent this request seeks information covered by the legislative privilege or R.C. 101.30. Subject to and without waiving this objection, Mr. DiRossi refers Relators to documents produced contemporaneously with these responses.

9. All communications relating to drawing any Proposed Plan, with (1) any current or former member of Ohio's General Assembly and (2) any current or former staff of any current or former member of Ohio's General Assembly.

ANSWER: Mr. DiRossi objects to the extent this request seeks information covered by the legislative privilege, the attorney client privilege, or the work-product privilege. Subject to and without waiving this objection, Mr. DiRossi refers Relators to documents produced contemporaneously with these responses.

10. All communications relating to drawing any Proposed Plan with (1) any current or former U.S Representative or U.S. Senator including, without limitation, United States House of Representatives Republican Leadership and House Minority Leader Kevin McCarthy and (2) any current or former staff of any current or former U.S. Representative or U.S. Senator.

ANSWER: Mr. DiRossi objects to the extent this Request calls for information covered by the attorney-client, work product, or legislative privileges. Mr. DiRossi further objects to the extent that this Request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Mr. DiRossi also objects that this request is not relevant, as Mr. DiRossi's communications with current or former members of the US House of Representatives, the US Senate, or their staff, have no bearing on whether or not the 2021 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Mr. DiRossi refers Relators to documents produced contemporaneously with these responses.

11. All communications relating to drawing any Proposed Plan with the Republican National Committee, the Ohio Republican Party, including, without limitation, Robert Paduchik, the National Republican Redistricting Trust, the National Republican Congressional Committee, including, without limitation, National Republican Congressional Committee Chair Tom Emmer, or any political action committee.

ANSWER: Mr. DiRossi objects to the extent this Request seeks information covered by the attorney-client, work product, or legislative privileges. Mr. DiRossi further objects to the extent that this Request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Mr. DiRossi also objects that this request is not relevant, as, even if Mr. DiRossi had communications with these organizations, those communications have no bearing on whether or not the 2021 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Mr. DiRossi refers Relators to documents produced contemporaneously with these responses.

12. All documents relating to analysis conducted by you, any other member of the Ohio General Assembly or their staff, the Ohio General Assembly or its staff, the Ohio Redistricting Commission or its staff, or a member of the Ohio Redistricting Commission or their staff; regarding whether any Proposed Plan complied with the Ohio Constitution, including but not limited to Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution.

ANSWER: Mr. DiRossi objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Mr. DiRossi refers Relators to documents produced contemporaneously with

these responses.

13. All documents and communications regarding the potential, expected, or likely partisan performance or electoral outcomes of any district or districts in the 2021 Congressional Plan.

ANSWER: Mr. DiRossi objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Mr. DiRossi refers Relators to documents produced contemporaneously with these responses.

14. All documents and communications related to the Section 1(C)(3)(d) statement.

ANSWER: Mr. DiRossi objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Mr. DiRossi refers Relators to documents produced contemporaneously with these responses.

Submitted this the 3rd day of December, 2021

By:

/s/ Phillip J. Strach

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Counsel for Mr. DiRossi

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of December, 2021, I have served the foregoing document by email:

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Donald Brown (PHV 25480-2021)*
David Denuyl (PHV 25452-2021)*
Juliana Goldrosen (PHV 25193-2021)*
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4890-1295-2325 v.1

IN THE SUPREME COURT OF OHIO

Regina Adams, <i>et al.</i>, Relators, v. Governor Mike DeWine, <i>et al.</i>, Respondents.	Case No. 2021-1428 Original Action Filed Pursuant to Ohio Constitution, Article XIX, Section 3(A)
League of Women Voters of Ohio, <i>et al.</i>, Relators, v. Governor Mike DeWine, <i>et al.</i>, Respondents.	Case No. 2021-1449 Original Action Filed Pursuant to Ohio Constitution, Article XIX

**SENATOR GAVARONE’S OBJECTIONS AND RESPONSES
TO SUBPOENA DUCES TECUM**

Senator Theresa Gavarone (“Senator Gavarone”), by and through undersigned counsel serves her objections and responses to Relators’ Subpoena Duces Tecum as follows:

GENERAL OBJECTIONS

Senator Gavarone makes the following answers, responses, and objections to Relators’ Subpoena Duces Tecum (“Requests”). Each of the following responses is made subject to any and all objections as to competence, relevance, or other grounds that would require exclusion of such statement if made by a witness present and testifying in court. Any and all such objections and grounds are expressly reserved.

The responses are based on Senator Gavarone’s present knowledge, information, and

belief, as derived from: a review of the documents and materials maintained by Senator Gavarone that would be likely to contain the information called for by the Requests. These responses are subject to amendment and supplementation as Senator Gavarone acquires additional information. Senator Gavarone states that her responses to the Requests were prepared in consultation with her attorneys and may not exactly match the words or phrases that may be used by individuals in the course of this litigation to describe events, policies, and practices discussed herein.

No incidental or implied admissions are intended by these responses. The fact that Senator Gavarone responds or objects to any Requests should not be taken as an admission that Senator Gavarone accepts or admits the existence of any facts assumed by such Requests or that such Response or objection constitutes admissible evidence as to any such assumed facts. The fact that Senator Gavarone responds to part of or all of any Requests is not intended to be, and shall not be construed as a waiver by Senator Gavarone of any part of any objection to any Requests. Senator Gavarone will respond to Relators requests in accordance with Rules 26 and 45 of the Ohio Rules of Civil Procedure and will not provide responses or documents to the extent such responses or production would exceed the requirements of those Rules.

Since the Ohio Rules of Civil Procedure prohibit discovery of privileged matters, Senator Gavarone has interpreted each Request to call for discoverable matter only. To the extent any response or produced document contains or refers to matters otherwise protected from discovery by the work product doctrine, the attorney-client privilege, or the legislative privilege, no waiver is intended, nor is any waiver intended as to any other matters that are or may be subject to such protection or otherwise privileged.

Senator Gavarone also objects that none of these Requests are limited to the relevant time frame in this action.

Senator Gavarone further objects to providing documents with .TIFF imaging or other similar methods, and accompanying metadata. With such a short time for discovery, this request is neither practical, nor is the cost an economically appropriate burden for the taxpayers of Ohio.

Senator Gavarone also objects on the grounds that the time frame allowed for his response was insufficient to conduct the burdensome document search requested by Relators given the requests are overly broad, request information that is entirely irrelevant, and are not reasonably limited in either time or scope.

These responses are provided solely for the purpose of and in relation to this action.

While Senator Gavarone lodges numerous objections as to legislative privilege, and does not waive these objections, no documents have been withheld on the basis of legislative privilege.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. All documents and communications concerning the drawing of Congressional districts following the 2020 census, including but not limited to communications between and/or among your employees, staff, officers, agents, or representatives.

ANSWER: Senator Gavarone objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senator Gavarone refers Relators to documents produced contemporaneously with these responses.

2. All documents and communications concerning any instructions you received or provided regarding the creation of any Proposed Plan.

ANSWER: Senator Gavarone objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senator Gavarone states that she considered compliance to mean complying with all state and federal laws when determining to vote for the 2021 Congressional Plan. Senator Gavarone further refers Relators to documents produced contemporaneously with these responses.

3. All documents and communications concerning any instructions you received or provided regarding the creation of any Proposed Plan.

ANSWER: Senator Gavarone objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senator Gavarone states that mapdrawers were instructed to comply with all state and federal laws. Senator Gavarone further refers Relators to documents produced contemporaneously with these responses.

4. All documents and communications concerning any Proposed Plan, including (as specified in the definition above) any drafts thereof.

ANSWER: Senator Gavarone objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senator Gavarone refers Relators to documents produced contemporaneously with these responses.

5. Documents sufficient to establish all persons who assisted you in the creation of any Proposed Plan.

ANSWER: Senator Gavarone refers Relators to documents produced contemporaneously

with these requests.

6. All documents relating to meetings—both formal and informal—of any General Assembly members related to the drawing of Congressional maps, including, without limitation, testimony, meeting minutes, data sets, maps, notes, and plans submitted to, created by, or otherwise considered by you, any member of the General Assembly or their staff; minutes, agendas, or presentations from General Assembly hearings or meetings; and any related communications, including, but not limited to, those with any member of the General Assembly (or representatives thereof).

ANSWER: Senator Gavarone objects to this request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Senator Gavarone further objects that this request is overly broad, unduly burdensome, and seeks information outside of Senator Gavarone’s knowledge. The request seeks documents and information pertaining to meetings with any General Assembly members, regardless of whether Senator Gavarone was present. The request also seeks documents considered by “any” member of the General Assembly or their staff. Such a request is clearly out of proportion with Relators needs in this case, and beyond what Senator Gavarone can provide.

7. All documents relating to information that was used to draw Congressional district maps for Ohio, including, without limitation, and produced in native format: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes or other partisan data, racial data, election results, population shifts, voter registration, voter affiliation, or changing census block lines for the 2018 election, 2020 election, and current redistricting cycle.

ANSWER: Senator Gavarone objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senator Gavarone states that mapdrawers were instructed to comply with all state and federal laws. Senator Gavarone further states that no racial data was considered in drawing the 2021 Congressional Plan. Subject to and without waiving these objections, Senator Gavarone refers Relators to documents produced contemporaneously with these responses.

8. All documents including, without limitation, requests for proposals, proposals, contracts, communications, and timesheets or invoices, relating to consultants, firms, vendors, or other third parties, including, without limitation, John Morgan, Christopher Glassburn, Clark Bensen, relating to consultants, firms, vendors, or other third parties consulted, involved in, or communicated with by you, any member of the General Assembly or its staff, any member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff, relating to any Proposed Plan.

ANSWER: Senator Gavarone objects to the extent this Request calls for information covered by the attorney-client, work product, or legislative privileges. Senator Gavarone further objects that this request seeks information beyond his knowledge as he does not speak for the entire Senator Gavarone or the entire General Assembly. Subject to and without waiving these objections, Senator Gavarone refers to documents or contracts

previously produced in *Bennett v. ORC*, 2021-1198, and produced contemporaneously with these responses.

9. All communications with the Ohio Legislative Service Commission or any of its staff or directors relating to drawing any Proposed Plan.

ANSWER: Senator Gavarone objects to the extent this request seeks information covered by the legislative privilege or R.C. 101.30. Subject to and without waiving this objection, Senator Gavarone refers Relators to documents produced contemporaneously with these responses.

10. All communications relating to drawing any Proposed Plan, with (1) any current or former member of Ohio's General Assembly and (2) any current or former staff of any current or former member of Ohio's General Assembly.

ANSWER: Senator Gavarone objects to the extent this request seeks information covered by the legislative privilege, the attorney client privilege, or the work-product privilege. Subject to and without waiving this objection, Senator Gavarone refers Relators to documents produced contemporaneously with these responses.

11. All communications relating to drawing any Proposed Plan with (1) any current or former U.S Representative or U.S. Senator including, without limitation, United States House of Representatives Republican Leadership and House Minority Leader Kevin McCarthy and (2) any current or former staff of any current or former U.S. Representative or U.S. Senator.

ANSWER: Senator Gavarone objects to the extent this Request calls for information covered by the attorney-client, work product, or legislative privileges. Senator Gavarone further objects to the extent that this Request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Mr Senator Gavarone also objects that this request is not relevant, as Senator Gavarone's communications with current or former members of the US House of Representatives, the US Senate, or their staff, have no bearing on whether or not the 2021 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Senator Gavarone refers Relators to documents produced contemporaneously with these responses.

12. All communications relating to drawing any Proposed Plan with the Republican National Committee, the Ohio Republican Party, including, without limitation, Robert Paduchik, the National Republican Redistricting Trust, the National Republican Congressional Committee, including, without limitation, National Republican Congressional Committee Chair Tom Emmer, or any political action committee.

ANSWER: Senator Gavarone objects to the extent this Request seeks information covered by the attorney-client, work product, or legislative privileges. Senator Gavarone further objects to the extent that this Request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Senator Gavarone also objects that this request is not relevant, as, even if Senator Gavarone had communications with these organizations, those communications have no bearing on whether or not the 2021

Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Senator Gavarone refers Relators to documents produced contemporaneously with these responses.

13. All documents relating to analysis conducted by you, any other member of the Ohio General Assembly or their staff, the Ohio General Assembly or its staff, the Ohio Redistricting Commission or its staff, or a member of the Ohio Redistricting Commission or their staff; regarding whether any Proposed Plan complied with the Ohio Constitution, including but not limited to Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution.

ANSWER: Senator Gavarone objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Senator Gavarone refers Relators to documents produced contemporaneously with these responses.

14. All documents and communications regarding the potential, expected, or likely partisan performance or electoral outcomes of any district or districts in the 2021 Congressional Plan.

ANSWER: Senator Gavarone objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Senator Gavarone refers Relators to documents produced contemporaneously with these responses.

15. All documents and communications related to the Section 1(C)(3)(d) statement.

ANSWER: Senator Gavarone objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Senator Gavarone refers Relators to documents produced contemporaneously with these responses.

Submitted this the 3rd day of December, 2021

By:

/s/ Phillip J. Strach

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Counsel for Senator Gavarone

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of December, 2021, I have served the foregoing document by email:

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/s/Phillip J. Strach
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4889-6615-9877 v.1

IN THE SUPREME COURT OF OHIO

Regina Adams, <i>et al.</i>, Relators, v. Governor Mike DeWine, <i>et al.</i>, Respondents.	Case No. 2021-1428 Original Action Filed Pursuant to Ohio Constitution, Article XIX, Section 3(A)
League of Women Voters of Ohio, <i>et al.</i>, Relators, v. Governor Mike DeWine, <i>et al.</i>, Respondents.	Case No. 2021-1449 Original Action Filed Pursuant to Ohio Constitution, Article XIX

**SENATOR ROB MCCOLLEY’S OBJECTIONS AND RESPONSES
TO SUBPOENA DUCES TECUM**

Senator Rob McColley (“Senator McColley”), by and through undersigned counsel serves his objections and responses to Relators’ Subpoena Duces Tecum as follows:

GENERAL OBJECTIONS

Senator McColley makes the following answers, responses, and objections to Relators’ Subpoena Duces Tecum (“Requests”). Each of the following responses is made subject to any and all objections as to competence, relevance, or other grounds that would require exclusion of such statement if made by a witness present and testifying in court. Any and all such objections and grounds are expressly reserved.

The responses are based on Senator McColley's present knowledge, information, and belief, as derived from: a review of the documents and materials maintained by Senator McColley that would be likely to contain the information called for by the Requests. These responses are subject to amendment and supplementation as Senator McColley acquires additional information. Senator McColley states that his responses to the Requests were prepared in consultation with his attorneys and may not exactly match the words or phrases that may be used by individuals in the course of this litigation to describe events, policies, and practices discussed herein.

No incidental or implied admissions are intended by these responses. The fact that Senator McColley responds or objects to any Requests should not be taken as an admission that Senator McColley accepts or admits the existence of any facts assumed by such Requests or that such Response or objection constitutes admissible evidence as to any such assumed facts. The fact that Senator McColley responds to part of or all of any Requests is not intended to be, and shall not be construed as a waiver by Senator McColley of any part of any objection to any Requests. Senator McColley will respond to Relators requests in accordance with Rules 26 and 45 of the Ohio Rules of Civil Procedure and will not provide responses or documents to the extent such responses or production would exceed the requirements of those Rules.

Since the Ohio Rules of Civil Procedure prohibit discovery of privileged matters, Senator McColley has interpreted each Request to call for discoverable matter only. To the extent any response or produced document contains or refers to matters otherwise protected from discovery by the work product doctrine, the attorney-client privilege, or the legislative privilege, no waiver is intended, nor is any waiver intended as to any other matters that are or may be subject to such protection or otherwise privileged.

Senator McColley also objects that none of these Requests are limited to the relevant time

frame in this action.

Senator McColley further objects to providing documents with .TIFF imaging or other similar methods, and accompanying metadata. With such a short time for discovery, this request is neither practical, nor is the cost an economically appropriate burden for the taxpayers of Ohio.

Senator McColley also objects on the grounds that the time frame allowed for his response was insufficient to conduct the burdensome document search requested by Relators given the requests are overly broad, request information that is entirely irrelevant, and are not reasonably limited in either time or scope.

These responses are provided solely for the purpose of and in relation to this action.

While Senator McColley lodges numerous objections as to legislative privilege, and does not waive these objections, no documents have been withheld on the basis of legislative privilege.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. All documents and communications concerning the drawing of Congressional districts following the 2020 census, including but not limited to communications between and/or among your employees, staff, officers, agents, or representatives.

ANSWER: Senator McColley objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senator McColley refers Relators to documents produced contemporaneously with these responses.

2. All documents and communications concern any factors you considered in the creation, consideration, and/or passage of any Proposed Plan.

ANSWER: Senator McColley objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senator McColley states that she considered compliance to mean complying with all state and federal laws when determining to vote for the 2021 Congressional Plan. Senator McColley further refers Relators to documents produced contemporaneously with these responses.

3. All documents and communications concerning any instructions you received or provided regarding the creation of any Proposed Plan.

ANSWER: Senator McColley objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senator McColley states that mapdrawers were instructed to comply with all state and federal laws. Senator McColley further refers Relators to documents produced contemporaneously with these responses.

4. All documents and communications concerning any Proposed Plan, including (as specified in the definition above) any drafts thereof.

ANSWER: Senator McColley objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senator McColley refers Relators to documents produced contemporaneously with these responses.

5. Documents sufficient to establish all persons who assisted you in the creation of any Proposed Plan.

ANSWER: Senator McColley refers Relators to documents produced contemporaneously with these requests.

6. All documents relating to meetings—both formal and informal—of any General Assembly

members related to the drawing of Congressional maps, including, without limitation, testimony, meeting minutes, data sets, maps, notes, and plans submitted to, created by, or otherwise considered by you, any member of the General Assembly or their staff; minutes, agendas, or presentations from General Assembly hearings or meetings; and any related communications, including, but not limited to, those with any member of the General Assembly (or representatives thereof).

ANSWER: Senator McColley objects to this request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Senator McColley further objects that this request is overly broad, unduly burdensome, and seeks information outside of Senator McColley's knowledge. The request seeks documents and information pertaining to meetings with any General Assembly members, regardless of whether Senator McColley was present. The request also seeks documents considered by "any" member of the General Assembly or their staff. Such a request is clearly out of proportion with Relators needs in this case, and beyond what Senator McColley can provide.

7. All documents relating to information that was used to draw Congressional district maps for Ohio, including, without limitation, and produced in native format: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes or other partisan data, racial data, election results, population shifts, voter registration, voter affiliation, or changing census block lines for the 2018 election, 2020 election, and current redistricting cycle.

ANSWER: Senator McColley objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senator McColley states that mapdrawers were instructed to comply with all state and federal laws. Senator McColley further states that no racial data was considered in drawing the 2021 Congressional Plan. Subject to and without waiving these objections, Senator McColley refers Relators to documents produced contemporaneously with these responses.

8. All documents including, without limitation, requests for proposals, proposals, contracts, communications, and timesheets or invoices, relating to consultants, firms, vendors, or other third parties, including, without limitation, John Morgan, Christopher Glassburn, Clark Bensen, relating to consultants, firms, vendors, or other third parties consulted, involved in, or communicated with by you, any member of the General Assembly or its staff, any member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff, relating to any Proposed Plan.

ANSWER: Senator McColley objects to the extent this Request calls for information covered by the attorney-client, work product, or legislative privileges. Senator McColley further objects that this request seeks information beyond his knowledge as he does not speak for the entire Senator McColley or the entire General Assembly. Subject to and without waiving these objections, Senator McColley refers to documents or contracts previously produced in *Bennett v. ORC*, 2021-1198, and produced contemporaneously with

these responses.

9. All communications with the Ohio Legislative Service Commission or any of its staff or directors relating to drawing any Proposed Plan.

ANSWER: Senator McColley objects to the extent this request seeks information covered by the legislative privilege or R.C. 101.30. Subject to and without waiving this objection, Senator McColley refers Relators to documents produced contemporaneously with these responses.

10. All communications relating to drawing any Proposed Plan, with (1) any current or former member of Ohio's General Assembly and (2) any current or former staff of any current or former member of Ohio's General Assembly.

ANSWER: Senator McColley objects to the extent this request seeks information covered by the legislative privilege, the attorney client privilege, or the work-product privilege. Subject to and without waiving this objection, Senator McColley refers Relators to documents produced contemporaneously with these responses.

11. All communications relating to drawing any Proposed Plan with (1) any current or former U.S Representative or U.S. Senator including, without limitation, United States House of Representatives Republican Leadership and House Minority Leader Kevin McCarthy and (2) any current or former staff of any current or former U.S. Representative or U.S. Senator.

ANSWER: Senator McColley objects to the extent this Request calls for information covered by the attorney-client, work product, or legislative privileges. Senator McColley further objects to the extent that this Request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Mr Senator McColley also objects that this request is not relevant, as Senator McColley's communications with current or former members of the US House of Representatives, the US Senate, or their staff, have no bearing on whether or not the 2021 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Senator McColley refers Relators to documents produced contemporaneously with these responses.

12. All communications relating to drawing any Proposed Plan with the Republican National Committee, the Ohio Republican Party, including, without limitation, Robert Paduchik, the National Republican Redistricting Trust, the National Republican Congressional Committee, including, without limitation, National Republican Congressional Committee Chair Tom Emmer, or any political action committee.

ANSWER: Senator McColley objects to the extent this Request seeks information covered by the attorney-client, work product, or legislative privileges. Senator McColley further objects to the extent that this Request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Senator McColley also objects that this request is not relevant, as, even if Senator McColley had communications with these organizations, those communications have no bearing on whether or not the 2021 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these

objections, Senator McColley refers Relators to documents produced contemporaneously with these responses.

13. All documents relating to analysis conducted by you, any other member of the Ohio General Assembly or their staff, the Ohio General Assembly or its staff, the Ohio Redistricting Commission or its staff, or a member of the Ohio Redistricting Commission or their staff; regarding whether any Proposed Plan complied with the Ohio Constitution, including but not limited to Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution.

ANSWER: Senator McColley objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Senator McColley refers Relators to documents produced contemporaneously with these responses.

14. All documents and communications regarding the potential, expected, or likely partisan performance or electoral outcomes of any district or districts in the 2021 Congressional Plan.

ANSWER: Senator McColley objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Senator McColley refers Relators to documents produced contemporaneously with these responses.

15. All documents and communications related to the Section 1(C)(3)(d) statement.

ANSWER: Senator McColley objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Senator McColley refers Relators to documents produced contemporaneously with these responses.

Submitted this the 3rd day of December, 2021

By:

/s/ Phillip J. Strach

Phillip J. Strach(PHV 2021-25444)*

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Counsel for Senator McColley

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of December, 2021, I have served the foregoing document by email:

Robert D. Fram (PHV 25414-2021)*
Donald Brown (PHV 25480-2021)*
David Denuyl (PHV 25452-2021)*
Juliana Goldrosen (PHV 25193-2021)*
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4859-1650-7653 v.1

IN THE SUPREME COURT OF OHIO

Regina Adams, <i>et al.</i>, Relators, v. Governor Mike DeWine, <i>et al.</i>, Respondents.	Case No. 2021-1428 Original Action Filed Pursuant to Ohio Constitution, Article XIX, Section 3(A)
League of Women Voters of Ohio, <i>et al.</i>, Relators, v. Governor Mike DeWine, <i>et al.</i>, Respondents.	Case No. 2021-1449 Original Action Filed Pursuant to Ohio Constitution, Article XIX

**REPRESENTATIVE SCOTT OESLAGER’S OBJECTIONS AND RESPONSES
TO SUBPOENA DUCES TECUM**

Representative Scott Oeslager (“Representative Oeslager”), by and through undersigned counsel serves his objections and responses to Relators’ Subpoena Duces Tecum as follows:

GENERAL OBJECTIONS

Representative Oeslager makes the following answers, responses, and objections to Relators’ Subpoena Duces Tecum (“Requests”). Each of the following responses is made subject to any and all objections as to competence, relevance, or other grounds that would require exclusion of such statement if made by a witness present and testifying in court. Any and all such objections and grounds are expressly reserved.

The responses are based on Representative Oeslager's present knowledge, information, and belief, as derived from: a review of the documents and materials maintained by Representative Oeslager that would be likely to contain the information called for by the Requests. These responses are subject to amendment and supplementation as Representative Oeslager acquires additional information. Representative Oeslager states that his responses to the Requests were prepared in consultation with his attorneys and may not exactly match the words or phrases that may be used by individuals in the course of this litigation to describe events, policies, and practices discussed herein.

No incidental or implied admissions are intended by these responses. The fact that Representative Oeslager responds or objects to any Requests should not be taken as an admission that Representative Oeslager accepts or admits the existence of any facts assumed by such Requests or that such Response or objection constitutes admissible evidence as to any such assumed facts. The fact that Representative Oeslager responds to part of or all of any Requests is not intended to be, and shall not be construed as a waiver by Representative Oeslager of any part of any objection to any Requests. Representative Oeslager will respond to Relators requests in accordance with Rules 26 and 45 of the Ohio Rules of Civil Procedure and will not provide responses or documents to the extent such responses or production would exceed the requirements of those Rules.

Since the Ohio Rules of Civil Procedure prohibit discovery of privileged matters, Representative Oeslager has interpreted each Request to call for discoverable matter only. To the extent any response or produced document contains or refers to matters otherwise protected from discovery by the work product doctrine, the attorney-client privilege, or the legislative privilege, no waiver is intended, nor is any waiver intended as to any other matters that are or may be subject

to such protection or otherwise privileged.

Representative Oeslager also objects that none of these Requests are limited to the relevant time frame in this action.

Representative Oeslager further objects to providing documents with .TIFF imaging or other similar methods, and accompanying metadata. With such a short time for discovery, this request is neither practical, nor is the cost an economically appropriate burden for the taxpayers of Ohio.

Representative Oeslager also objects on the grounds that the time frame allowed for his response was insufficient to conduct the burdensome document search requested by Relators given the requests are overly broad, request information that is entirely irrelevant, and are not reasonably limited in either time or scope.

These responses are provided solely for the purpose of and in relation to this action.

While Representative Oeslager lodges numerous objections as to legislative privilege, and does not waive these objections, no documents have been withheld on the basis of legislative privilege.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. All documents and communications concerning the drawing of Congressional districts following the 2020 census, including but not limited to communications between and/or among your employees, staff, officers, agents, or representatives.

ANSWER: Representative Oeslager objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Representative Oeslager refers Relators to documents produced contemporaneously with these responses.

2. All documents and communications concern any factors you considered in the creation, consideration, and/or passage of any Proposed Plan.

ANSWER: Senator MColley objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senator MColley states that she considered compliance to mean complying with all state and federal laws when determining to vote for the 2021 Congressional Plan. Senator MColley further refers Relators to documents produced contemporaneously with these responses.

3. All documents and communications concerning any instructions you received or provided regarding the creation of any Proposed Plan.

ANSWER: Representative Oeslager objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Representative Oeslager states that mapdrawers were instructed to comply with all state and federal laws. Representative Oeslager further refers Relators to documents produced contemporaneously with these responses.

4. All documents and communications concerning any Proposed Plan, including (as specified in the definition above) any drafts thereof.

ANSWER: Representative Oeslager objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Representative Oeslager refers Relators to documents produced contemporaneously with these responses.

5. Documents sufficient to establish all persons who assisted you in the creation of any Proposed Plan.

ANSWER: Representative Oeslager refers Relators to documents produced contemporaneously with these requests.

6. All documents relating to meetings—both formal and informal—of any General Assembly

members related to the drawing of Congressional maps, including, without limitation, testimony, meeting minutes, data sets, maps, notes, and plans submitted to, created by, or otherwise considered by you, any member of the General Assembly or their staff; minutes, agendas, or presentations from General Assembly hearings or meetings; and any related communications, including, but not limited to, those with any member of the General Assembly (or representatives thereof).

ANSWER: Representative Oeslager objects to this request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Representative Oeslager further objects that this request is overly broad, unduly burdensome, and seeks information outside of Representative Oeslager's knowledge. The request seeks documents and information pertaining to meetings with any General Assembly members, regardless of whether Representative Oeslager was present. The request also seeks documents considered by "any" member of the General Assembly or their staff. Such a request is clearly out of proportion with Relators needs in this case, and beyond what Representative Oeslager can provide.

7. All documents relating to information that was used to draw Congressional district maps for Ohio, including, without limitation, and produced in native format: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes or other partisan data, racial data, election results, population shifts, voter registration, voter affiliation, or changing census block lines for the 2018 election, 2020 election, and current redistricting cycle.

ANSWER: Representative Oeslager objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Representative Oeslager states that mapdrawers were instructed to comply with all state and federal laws. Representative Oeslager further states that no racial data was considered in drawing the 2021 Congressional Plan. Subject to and without waiving these objections, Representative Oeslager refers Relators to documents produced contemporaneously with these responses.

8. All documents including, without limitation, requests for proposals, proposals, contracts, communications, and timesheets or invoices, relating to consultants, firms, vendors, or other third parties, including, without limitation, John Morgan, Christopher Glassburn, Clark Bensen, relating to consultants, firms, vendors, or other third parties consulted, involved in, or communicated with by you, any member of the General Assembly or its staff, any member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff, relating to any Proposed Plan.

ANSWER: Representative Oeslager objects to the extent this Request calls for information covered by the attorney-client, work product, or legislative privileges. Representative Oeslager further objects that this request seeks information beyond his knowledge as he does not speak for the entire Representative Oeslager or the entire General Assembly. Subject to and without waiving these objections, Representative Oeslager refers to documents or contracts previously produced in *Bennett v. ORC*, 2021-1198, and produced

contemporaneously with these responses.

9. All communications with the Ohio Legislative Service Commission or any of its staff or directors relating to drawing any Proposed Plan.

ANSWER: Representative Oeslager objects to the extent this request seeks information covered by the legislative privilege. Subject to and without waiving this objection, Representative Oeslager refers Relators to documents produced contemporaneously with these responses.

10. All communications relating to drawing any Proposed Plan, with (1) any current or former member of Ohio's General Assembly and (2) any current or former staff of any current or former member of Ohio's General Assembly.

ANSWER: Representative Oeslager objects to the extent this request seeks information covered by the legislative privilege, the attorney client privilege, or the work-product privilege. Subject to and without waiving this objection, Representative Oeslager refers Relators to documents produced contemporaneously with these responses.

11. All communications relating to drawing any Proposed Plan with (1) any current or former U.S Representative or U.S. Senator including, without limitation, United States House of Representatives Republican Leadership and House Minority Leader Kevin McCarthy and (2) any current or former staff of any current or former U.S. Representative or U.S. Senator.

ANSWER: Representative Oeslager objects to the extent this Request calls for information covered by the attorney-client, work product, or legislative privileges. Representative Oeslager further objects to the extent that this Request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Mr Representative Oeslager also objects that this request is not relevant, as Representative Oeslager's communications with current or former members of the US House of Representatives, the US Senate, or their staff, have no bearing on whether or not the 2021 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Representative Oeslager refers Relators to documents produced contemporaneously with these responses.

12. All communications relating to drawing any Proposed Plan with the Republican National Committee, the Ohio Republican Party, including, without limitation, Robert Paduchik, the National Republican Redistricting Trust, the National Republican Congressional Committee, including, without limitation, National Republican Congressional Committee Chair Tom Emmer, or any political action committee.

ANSWER: Representative Oeslager objects to the extent this Request seeks information covered by the attorney-client, work product, or legislative privileges. Representative Oeslager further objects to the extent that this Request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Representative Oeslager also objects that this request is not relevant, as, even if Representative Oeslager had communications with these organizations, those communications have no bearing on

whether or not the 2021 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Representative Oeslager refers Relators to documents produced contemporaneously with these responses.

13. All documents relating to analysis conducted by you, any other member of the Ohio General Assembly or their staff, the Ohio General Assembly or its staff, the Ohio Redistricting Commission or its staff, or a member of the Ohio Redistricting Commission or their staff; regarding whether any Proposed Plan complied with the Ohio Constitution, including but not limited to Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution.

ANSWER: Representative Oeslager objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Representative Oeslager refers Relators to documents produced contemporaneously with these responses.

14. All documents and communications regarding the potential, expected, or likely partisan performance or electoral outcomes of any district or districts in the 2021 Congressional Plan.

ANSWER: Representative Oeslager objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Representative Oeslager refers Relators to documents produced contemporaneously with these responses.

15. All documents and communications related to the Section 1(C)(3)(d) statement.

ANSWER: Representative Oeslager objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Representative Oeslager refers Relators to documents produced contemporaneously with these responses.

Submitted this the 3rd day of December, 2021

By:

/s/ Phillip J. Strach

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Counsel for Representative Oeslager

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of December, 2021, I have served the foregoing document by email:

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4871-0382-3621 v.1

IN THE SUPREME COURT OF OHIO

Regina Adams, <i>et al.</i>, Relators, v. Governor Mike DeWine, <i>et al.</i>, Respondents.	Case No. 2021-1428 Original Action Filed Pursuant to Ohio Constitution, Article XIX, Section 3(A)
League of Women Voters of Ohio, <i>et al.</i>, Relators, v. Governor Mike DeWine, <i>et al.</i>, Respondents.	Case No. 2021-1449 Original Action Filed Pursuant to Ohio Constitution, Article XIX

**BLAKE SPRINGHETTI'S OBJECTIONS AND RESPONSES
TO SUBPOENA DUCES TECUM**

Blake Springhetti ("Mr. Springhetti"), by and through undersigned counsel serves his objections and responses to Relators' Subpoena Duces Tecum as follows:

GENERAL OBJECTIONS

Mr. Springhetti makes the following answers, responses, and objections to Relators' Subpoena Duces Tecum ("Requests"). Each of the following responses is made subject to any and all objections as to competence, relevance, or other grounds that would require exclusion of such statement if made by a witness present and testifying in court. Any and all such objections and grounds are expressly reserved.

The responses are based on Mr. Springhetti's present knowledge, information, and belief, as derived from: a review of the documents and materials maintained by Mr. Springhetti that would be likely to contain the information called for by the Requests. These responses are subject to amendment and supplementation as Mr. Springhetti acquires additional information. Mr. Springhetti states that his responses to the Requests were prepared in consultation with his attorneys and may not exactly match the words or phrases that may be used by individuals in the course of this litigation to describe events, policies, and practices discussed herein.

No incidental or implied admissions are intended by these responses. The fact that Mr. Springhetti responds or objects to any Requests should not be taken as an admission that Mr. Springhetti accepts or admits the existence of any facts assumed by such Requests or that such Response or objection constitutes admissible evidence as to any such assumed facts. The fact that Mr. Springhetti responds to part of or all of any Requests is not intended to be, and shall not be construed as a waiver by Mr. Springhetti of any part of any objection to any Requests. Mr. Springhetti will respond to Relators requests in accordance with Rules 26 and 45 of the Ohio Rules of Civil Procedure and will not provide responses or documents to the extent such responses or production would exceed the requirements of those Rules.

Since the Ohio Rules of Civil Procedure prohibit discovery of privileged matters, Mr. Springhetti has interpreted each Request to call for discoverable matter only. To the extent any response or produced document contains or refers to matters otherwise protected from discovery by the work product doctrine, the attorney-client privilege, or the legislative privilege, no waiver is intended, nor is any waiver intended as to any other matters that are or may be subject to such protection or otherwise privileged.

Mr. Springhetti also objects that none of these Requests are limited to the relevant time

frame in this action.

Mr. Springhetti further objects to providing documents with .TIFF imaging or other similar methods, and accompanying metadata. With such a short time for discovery, this request is neither practical, nor is the cost an economically appropriate burden for the taxpayers of Ohio.

Mr. Springhetti also objects on the grounds that the time frame allowed for his response was insufficient to conduct the burdensome document search requested by Relators given the requests are overly broad, request information that is entirely irrelevant, and are not reasonably limited in either time or scope.

These responses are provided solely for the purpose of and in relation to this action.

While Mr. Springhetti lodges numerous objections as to legislative privilege, and does not waive these objections, no documents have been withheld on the basis of legislative privilege.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. All documents and communications concerning the drawing of Congressional districts following the 2020 census, including but not limited to communications between and/or among your employees, staff, officers, agents, or representatives.

ANSWER: Mr. Springhetti objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Mr. Springhetti refers Relators to documents produced contemporaneously with these responses.

2. All documents and communications concerning any instructions you received or provided regarding the creation of any Proposed Plan.

ANSWER: Mr. Springhetti objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Mr. Springhetti states that mapdrawers were instructed to comply with all state and federal laws. Mr. Springhetti further refers Relators to documents produced contemporaneously with these responses.

3. All documents and communications concerning any Proposed Plan, including (as specified in the definition above) any drafts thereof.

ANSWER: Mr. Springhetti objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Mr. Springhetti refers Relators to documents produced contemporaneously with these responses.

4. Documents sufficient to establish all persons who assisted you in the creation of any Proposed Plan.

ANSWER: Mr. Springhetti refers Relators to documents produced contemporaneously with these requests.

5. All documents relating to meetings—both formal and informal—of any General Assembly members related to the drawing of Congressional maps, including, without limitation, testimony, meeting minutes, data sets, maps, notes, and plans submitted to, created by, or otherwise considered by you, any member of the General Assembly or their staff; minutes, agendas, or presentations from General Assembly hearings or meetings; and any related communications, including, but not limited to, those with any member of the General Assembly (or representatives thereof).

ANSWER: Mr. Springhetti objects to this request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Mr. Springhetti

further objects that this request is overly broad, unduly burdensome, and seeks information outside of Mr. Springhetti's knowledge. The request seeks documents and information pertaining to meetings with any General Assembly members, regardless of whether Mr. Springhetti was present. The request also seeks documents considered by "any" member of the General Assembly or their staff. Such a request is clearly out of proportion with Relators needs in this case, and beyond what Mr. Springhetti can provide.

6. All documents relating to information that was used to draw Congressional district maps for Ohio, including, without limitation, and produced in native format: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes or other partisan data, racial data, election results, population shifts, voter registration, voter affiliation, or changing census block lines for the 2018 election, 2020 election, and current redistricting cycle.

ANSWER: Mr. Springhetti objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Mr. Springhetti states that mapdrawers were instructed to comply with all state and federal laws. Mr. Springhetti further states that no racial data was considered in drawing the 2021 Congressional Plan. Subject to and without waiving these objections, Mr. Springhetti refers Relators to documents produced contemporaneously with these responses.

7. All documents including, without limitation, requests for proposals, proposals, contracts, communications, and timesheets or invoices, relating to consultants, firms, vendors, or other third parties, including, without limitation, John Morgan, Christopher Glassburn, Clark Bensen, relating to consultants, firms, vendors, or other third parties consulted, involved in, or communicated with by you, any member of the General Assembly or its staff, any member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff, relating to any Proposed Plan.

ANSWER: Mr. Springhetti objects to the extent this Request calls for information covered by the attorney-client, work product, or legislative privileges. Mr. Springhetti further objects that this request seeks information beyond his knowledge as he does not speak for the entire Mr. Springhetti or the entire General Assembly. Subject to and without waiving these objections, Mr. Springhetti refers to documents or contracts previously produced in *Bennett v. ORC*, 2021-1198, and produced contemporaneously with these responses.

8. All communications with the Ohio Legislative Service Commission or any of its staff or directors relating to drawing any Proposed Plan.

ANSWER: Mr. Springhetti objects to the extent this request seeks information covered by the legislative privilege or R.C. 101.30. Subject to and without waiving this objection, Mr. Springhetti refers Relators to documents produced contemporaneously with these responses.

9. All communications relating to drawing any Proposed Plan, with (1) any current or former member of Ohio's General Assembly and (2) any current or former staff of any current or

former member of Ohio's General Assembly.

ANSWER: Mr. Springhetti objects to the extent this request seeks information covered by the legislative privilege, the attorney client privilege, or the work-product privilege. Subject to and without waiving this objection, Mr. Springhetti refers Relators to documents produced contemporaneously with these responses.

10. All communications relating to drawing any Proposed Plan with (1) any current or former U.S Representative or U.S. Senator including, without limitation, United States House of Representatives Republican Leadership and House Minority Leader Kevin McCarthy and (2) any current or former staff of any current or former U.S. Representative or U.S. Senator.

ANSWER: Mr. Springhetti objects to the extent this Request calls for information covered by the attorney-client, work product, or legislative privileges. Mr. Springhetti further objects to the extent that this Request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Mr. Springhetti also objects that this request is not relevant, as Mr. Springhetti's communications with current or former members of the US House of Representatives, the US Senate, or their staff, have no bearing on whether or not the 2021 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Mr. Springhetti refers Relators to documents produced contemporaneously with these responses.

11. All communications relating to drawing any Proposed Plan with the Republican National Committee, the Ohio Republican Party, including, without limitation, Robert Paduchik, the National Republican Redistricting Trust, the National Republican Congressional Committee, including, without limitation, National Republican Congressional Committee Chair Tom Emmer, or any political action committee.

ANSWER: Mr. Springhetti objects to the extent this Request seeks information covered by the attorney-client, work product, or legislative privileges. Mr. Springhetti further objects to the extent that this Request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Mr. Springhetti also objects that this request is not relevant, as, even if Mr. Springhetti had communications with these organizations, those communications have no bearing on whether or not the 2021 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Mr. Springhetti refers Relators to documents produced contemporaneously with these responses.

12. All documents relating to analysis conducted by you, any other member of the Ohio General Assembly or their staff, the Ohio General Assembly or its staff, the Ohio Redistricting Commission or its staff, or a member of the Ohio Redistricting Commission or their staff; regarding whether any Proposed Plan complied with the Ohio Constitution, including but not limited to Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution.

ANSWER: Mr. Springhetti objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it

seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Mr. Springhetti refers Relators to documents produced contemporaneously with these responses.

13. All documents and communications regarding the potential, expected, or likely partisan performance or electoral outcomes of any district or districts in the 2021 Congressional Plan.

ANSWER: Mr. Springhetti objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Mr. Springhetti refers Relators to documents produced contemporaneously with these responses.

14. All documents and communications related to the Section 1(C)(3)(d) statement.

ANSWER: Mr. Springhetti objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Mr. Springhetti refers Relators to documents produced contemporaneously with these responses.

Submitted this the 3rd day of December, 2021

By:

/s/ Phillip J. Strach

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Counsel for Mr. Springhetti

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of December, 2021, I have served the foregoing document by email:

Robert D. Fram (PHV 25414-2021)*
Donald Brown (PHV 25480-2021)*
David Denuyl (PHV 25452-2021)*
Juliana Goldrosen (PHV 25193-2021)*
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/s/Phillip J. Strach
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4878-6810-4197 v.1

IN THE SUPREME COURT OF OHIO

Regina Adams, <i>et al.</i>, Relators, v. Governor Mike DeWine, <i>et al.</i>, Respondents.	Case No. 2021-1428 Original Action Filed Pursuant to Ohio Constitution, Article XIX, Section 3(A)
League of Women Voters of Ohio, <i>et al.</i>, Relators, v. Governor Mike DeWine, <i>et al.</i>, Respondents.	Case No. 2021-1449 Original Action Filed Pursuant to Ohio Constitution, Article XIX

**REPRESENTATIVE SHANE WILKIN’S OBJECTIONS AND RESPONSES
TO SUBPOENA DUCES TECUM**

Representative Shane Wilkin (“Representative Wilkin”), by and through undersigned counsel serves his objections and responses to Relators’ Subpoena Duces Tecum as follows:

GENERAL OBJECTIONS

Representative Wilkin makes the following answers, responses, and objections to Relators’ Subpoena Duces Tecum (“Requests”). Each of the following responses is made subject to any and all objections as to competence, relevance, or other grounds that would require exclusion of such statement if made by a witness present and testifying in court. Any and all such objections and grounds are expressly reserved.

The responses are based on Representative Wilkin's present knowledge, information, and belief, as derived from: a review of the documents and materials maintained by Representative Wilkin that would be likely to contain the information called for by the Requests. These responses are subject to amendment and supplementation as Representative Wilkin acquires additional information. Representative Wilkin states that his responses to the Requests were prepared in consultation with his attorneys and may not exactly match the words or phrases that may be used by individuals in the course of this litigation to describe events, policies, and practices discussed herein.

No incidental or implied admissions are intended by these responses. The fact that Representative Wilkin responds or objects to any Requests should not be taken as an admission that Representative Wilkin accepts or admits the existence of any facts assumed by such Requests or that such Response or objection constitutes admissible evidence as to any such assumed facts. The fact that Representative Wilkin responds to part of or all of any Requests is not intended to be, and shall not be construed as a waiver by Representative Wilkin of any part of any objection to any Requests. Representative Wilkin will respond to Relators requests in accordance with Rules 26 and 45 of the Ohio Rules of Civil Procedure and will not provide responses or documents to the extent such responses or production would exceed the requirements of those Rules.

Since the Ohio Rules of Civil Procedure prohibit discovery of privileged matters, Representative Wilkin has interpreted each Request to call for discoverable matter only. To the extent any response or produced document contains or refers to matters otherwise protected from discovery by the work product doctrine, the attorney-client privilege, or the legislative privilege, no waiver is intended, nor is any waiver intended as to any other matters that are or may be subject to such protection or otherwise privileged.

Representative Wilkin also objects that none of these Requests are limited to the relevant time frame in this action.

Representative Wilkin further objects to providing documents with .TIFF imaging or other similar methods, and accompanying metadata. With such a short time for discovery, this request is neither practical, nor is the cost an economically appropriate burden for the taxpayers of Ohio.

Representative Wilkin also objects on the grounds that the time frame allowed for his response was insufficient to conduct the burdensome document search requested by Relators given the requests are overly broad, request information that is entirely irrelevant, and are not reasonably limited in either time or scope.

These responses are provided solely for the purpose of and in relation to this action.

While Representative Wilkin lodges numerous objections as to legislative privilege, and does not waive these objections, no documents have been withheld on the basis of legislative privilege.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. All documents and communications concerning the drawing of Congressional districts following the 2020 census, including but not limited to communications between and/or among your employees, staff, officers, agents, or representatives.

ANSWER: Representative Wilkin objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Representative Wilkin refers Relators to documents produced contemporaneously with these responses.

2. All documents and communications concern any factors you considered in the creation, consideration, and/or passage of any Proposed Plan.

ANSWER: Senator MColley objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Senator MColley states that she considered compliance to mean complying with all state and federal laws when determining to vote for the 2021 Congressional Plan. Senator MColley further refers Relators to documents produced contemporaneously with these responses.

3. All documents and communications concerning any instructions you received or provided regarding the creation of any Proposed Plan.

ANSWER: Representative Wilkin objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Representative Wilkin states that mapdrawers were instructed to comply with all state and federal laws. Representative Wilkin further refers Relators to documents produced contemporaneously with these responses.

4. All documents and communications concerning any Proposed Plan, including (as specified in the definition above) any drafts thereof.

ANSWER: Representative Wilkin objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Representative Wilkin refers Relators to documents produced contemporaneously with these responses.

5. Documents sufficient to establish all persons who assisted you in the creation of any Proposed Plan.

ANSWER: Representative Wilkin refers Relators to documents produced contemporaneously with these requests.

6. All documents relating to meetings—both formal and informal—of any General Assembly

members related to the drawing of Congressional maps, including, without limitation, testimony, meeting minutes, data sets, maps, notes, and plans submitted to, created by, or otherwise considered by you, any member of the General Assembly or their staff; minutes, agendas, or presentations from General Assembly hearings or meetings; and any related communications, including, but not limited to, those with any member of the General Assembly (or representatives thereof).

ANSWER: Representative Wilkin objects to this request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Representative Wilkin further objects that this request is overly broad, unduly burdensome, and seeks information outside of Representative Wilkin's knowledge. The request seeks documents and information pertaining to meetings with any General Assembly members, regardless of whether Representative Wilkin was present. The request also seeks documents considered by "any" member of the General Assembly or their staff. Such a request is clearly out of proportion with Relators needs in this case, and beyond what Representative Wilkin can provide.

7. All documents relating to information that was used to draw Congressional district maps for Ohio, including, without limitation, and produced in native format: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes or other partisan data, racial data, election results, population shifts, voter registration, voter affiliation, or changing census block lines for the 2018 election, 2020 election, and current redistricting cycle.

ANSWER: Representative Wilkin objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving these objections, Representative Wilkin states that mapdrawers were instructed to comply with all state and federal laws. Representative Wilkin further states that no racial data was considered in drawing the 2021 Congressional Plan. Subject to and without waiving these objections, Representative Wilkin refers Relators to documents produced contemporaneously with these responses.

8. All documents including, without limitation, requests for proposals, proposals, contracts, communications, and timesheets or invoices, relating to consultants, firms, vendors, or other third parties, including, without limitation, John Morgan, Christopher Glassburn, Clark Bensen, relating to consultants, firms, vendors, or other third parties consulted, involved in, or communicated with by you, any member of the General Assembly or its staff, any member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff, relating to any Proposed Plan.

ANSWER: Representative Wilkin objects to the extent this Request calls for information covered by the attorney-client, work product, or legislative privileges. Representative Wilkin further objects that this request seeks information beyond his knowledge as he does not speak for the entire Representative Wilkin or the entire General Assembly. Subject to and without waiving these objections, Representative Wilkin refers to documents or contracts previously produced in *Bennett v. ORC*, 2021-1198, and produced

contemporaneously with these responses.

9. All communications with the Ohio Legislative Service Commission or any of its staff or directors relating to drawing any Proposed Plan.

ANSWER: Representative Wilkin objects to the extent this request seeks information covered by the legislative privilege. Subject to and without waiving this objection, Representative Wilkin refers Relators to documents produced contemporaneously with these responses.

10. All communications relating to drawing any Proposed Plan, with (1) any current or former member of Ohio's General Assembly and (2) any current or former staff of any current or former member of Ohio's General Assembly.

ANSWER: Representative Wilkin objects to the extent this request seeks information covered by the legislative privilege, the attorney client privilege, or the work-product privilege. Subject to and without waiving this objection, Representative Wilkin refers Relators to documents produced contemporaneously with these responses.

11. All communications relating to drawing any Proposed Plan with (1) any current or former U.S Representative or U.S. Senator including, without limitation, United States House of Representatives Republican Leadership and House Minority Leader Kevin McCarthy and (2) any current or former staff of any current or former U.S. Representative or U.S. Senator.

ANSWER: Representative Wilkin objects to the extent this Request calls for information covered by the attorney-client, work product, or legislative privileges. Representative Wilkin further objects to the extent that this Request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Mr Representative Wilkin also objects that this request is not relevant, as Representative Wilkin's communications with current or former members of the US House of Representatives, the US Senate, or their staff, have no bearing on whether or not the 2021 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Representative Wilkin refers Relators to documents produced contemporaneously with these responses.

12. All communications relating to drawing any Proposed Plan with the Republican National Committee, the Ohio Republican Party, including, without limitation, Robert Paduchik, the National Republican Redistricting Trust, the National Republican Congressional Committee, including, without limitation, National Republican Congressional Committee Chair Tom Emmer, or any political action committee.

ANSWER: Representative Wilkin objects to the extent this Request seeks information covered by the attorney-client, work product, or legislative privileges. Representative Wilkin further objects to the extent that this Request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Representative Wilkin also objects that this request is not relevant, as, even if Representative Wilkin had communications with these organizations, those communications have no bearing on

whether or not the 2021 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Representative Wilkin refers Relators to documents produced contemporaneously with these responses.

13. All documents relating to analysis conducted by you, any other member of the Ohio General Assembly or their staff, the Ohio General Assembly or its staff, the Ohio Redistricting Commission or its staff, or a member of the Ohio Redistricting Commission or their staff; regarding whether any Proposed Plan complied with the Ohio Constitution, including but not limited to Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution.

ANSWER: Representative Wilkin objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Representative Wilkin refers Relators to documents produced contemporaneously with these responses.

14. All documents and communications regarding the potential, expected, or likely partisan performance or electoral outcomes of any district or districts in the 2021 Congressional Plan.

ANSWER: Representative Wilkin objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Representative Wilkin refers Relators to documents produced contemporaneously with these responses.

15. All documents and communications related to the Section 1(C)(3)(d) statement.

ANSWER: Representative Wilkin objects to this Request to the extent it seeks information covered by the attorney-client, work product, or legislative privileges, and to the extent it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Representative Wilkin refers Relators to documents produced contemporaneously with these responses.

Submitted this the 3rd day of December, 2021

By:

/s/ Phillip J. Strach

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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of December, 2021, I have served the foregoing document by email:

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4883-1427-3541 v.1

CERTIFICATE OF SERVICE

I, Freda J. Levenson, hereby certify that on this 10th day of December, 2021, I caused a true and correct copy of this appendix to be served by email upon the counsel listed below:

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