

IN THE SUPREME COURT OF OHIO

LEAGUE OF WOMEN VOTERS OF OHIO, ET
AL.,

MERYL NEIMAN, ET AL.,

v.

SECRETARY OF STATE FRANK LAROSE, ET
AL.

Case No. 2022-0303

Case No. 2022-0298

Consolidated

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

**AFFIDAVIT OF FREDA J. LEVENSON
PETITIONERS' EVIDENCE - DISCOVERY PRODUCTION**

Freda J. Levenson (0045916)
Counsel of Record
ACLU OF OHIO FOUNDATION, INC.
4506 Chester Avenue
Cleveland, OH 44103
(614) 586-1972 x125
flevenson@acluohio.org

David J. Carey (0088787)
ACLU OF OHIO FOUNDATION, INC.
1108 City Park Avenue, Suite 203
Columbus, OH 43206
(614) 586-1972 x2004
dcarey@acluohio.org

Alora Thomas (PHV 22010-2022)
Julie A. Ebenstein (PHV 25423-2022)
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION
125 Broad Street
New York, NY 10004
(212) 519-7866
athomas@aclu.org

Dave Yost
OHIO ATTORNEY GENERAL
Julie M. Pfeiffer (0069762)
Jonathan D. Blanton (0070035)
Michael A. Walton (0092201)
Allison D. Daniel (0096186)
Constitutional Offices Section
30 E. Broad Street, 16th Floor
Columbus, OH 43215
(614) 466-2872
Julie.Pfeiffer@OhioAGO.gov

*Counsel for Respondent Ohio Secretary of
State Frank LaRose*

Phillip J. Strach (PHV 25444-2022)
Thomas A. Farr (PHV 25461-2022)
John E. Branch, III (PHV 25460-2022)
Alyssa M. Riggins (PHV 25441-2022)
NELSON MULLINS RILEY & SCARBOROUGH
LLP
4140 Parklake Avenue, Suite 200
Raleigh, NC 27612
(919) 329-3800
phillip.strach@nelsonmullins.com

Robert D. Fram (PHV 25414-2022)
Donald Brown (PHV 25480-2022)
David Denuyl (PHV 25452-2022)
Janelle Lamb (PHV 25909-2022)*
COVINGTON & BURLING LLP
415 Mission Street, Suite 5400
San Francisco, CA 94105-2533
(415) 591-6000
rfram@cov.com

James Smith (PHV 25421-2022)
Sarah Suwanda (PHV 25602-2022)
Alex Thomson (PHV 25462-2022)
Kimberly Plumer (PHV 25888-2022)*
COVINGTON & BURLING LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001-4956
(202) 662-6000
jmsmith@cov.com

Anupam Sharma (PHV 25418-2022)
Yale Fu (PHV 25419-2022)
COVINGTON & BURLING LLP
3000 El Camino Real
5 Palo Alto Square, 10th Floor
Palo Alto, CA 94306-2112
(650) 632-4700
asharma@cov.com

*Counsel for League of Women Voters
Petitioners*

**Pro Hac Vice motions forthcoming*

W. Stuart Dornette (0002955)
Beth A. Bryan (0082076)
Philip D. Williamson (0097174)
TAFT STETTINUS & HOLLISTER LLP
425 Walnut Street, Suite 1800
Cincinnati, OH 45202-3957
(513) 381-2838
dornette@taftlaw.com

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

Erik J. Clark (0078732)
Ashley T. Merino (0096853)
ORGAN LAW LLP
1330 Dublin Road
Columbus, OH 43215
(614) 481-0900
ejclark@organlegal.com

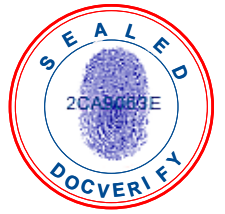
*Counsel for Respondent Ohio Redistricting
Commission*

Abha Khanna (PHV 2189-2022)
Ben Stafford (PHV 25433-2022)
ELIAS LAW GROUP, LLP
1700 Seventh Avenue, Suite 2100
Seattle, WA 98101
(206) 656-0176
akhanna@elias.law

Jyoti Jasrasaria (PHV 25401-2022)
Spencer W. Klein (PHV 25432-2022)
Harleen K. Gambhir (PHV 25587-2022)
Raisa Cramer (PHV 25880-2022)
ELIAS LAW GROUP, LLP
10 G St. NE, Suite 600
Washington, DC 20002
(202) 968-4490
jjasrasaria@elias.law

Donald J. McTigue (0022849)
Derek S. Clinger (0092075)
MCTIGUE COLOMBO & CLINGER, LLC
545 East Town Street
Columbus, OH 43215
(614) 263-7000
dmctigue@electionlawgroup.com

Counsel for Neiman Petitioners



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E-Signature Summary

E-Signature 1: Freda Levenson (FJL)

April 25, 2022 17:52:48 -8:00 [DE139FEABF02] [98.97.176.160]
flevenson@acluohio.org (Principal) (Personally Known)

E-Signature Notary: Theresa M Sabo (TMS)

April 25, 2022 17:52:48 -8:00 [083937253D05] [65.60.141.105]
tess.sabo@gmail.com
I, Theresa M Sabo, did witness the participants named above electronically sign this document.



Affidavit of Freda J. Levenson

I, Freda J. Levenson, having been duly sworn and cautioned according to law, hereby state that I am over the age of eighteen years and am competent to testify as to the facts set forth below based on my personal knowledge and having personally examined all records referenced in this affidavit, and further state as follows:

1. The Ohio Supreme Court entered an order in the above-captioned consolidated cases, *League of Women Voters of Ohio, et al. v. Secretary of State Frank LaRose, et al.*, No. 2022-0303, and *Meryl Neiman, et al., v. Secretary of State Frank LaRose, et al.*, No. 2022-0298, providing that the parties shall file any evidence they intend to present no later than Monday, April 25, 2022.
2. I am one of the counsel for Petitioners in the above-captioned case, No. 2022-0303.
3. Alongside this affidavit, Petitioners submit an Appendix of Exhibits. The Index included below provides a description of each document and states where it appears in the Appendix.
4. In the days after filing the First Amended Complaint in the above-captioned case, Petitioners served discovery requests on Respondents for documents and interrogatories related to this case.
5. In the days after filing the First Amended Complaint in the above-captioned case, Petitioners served subpoenas on Mr. Ray DiRossi, Mr. Blake Springhetti, Governor Mike DeWine, and Auditor Keith Faber for documents related to this case.
6. **The Exhibits Appendix** includes true and correct copies of files produced by Auditor Keith Faber, Mr. Ray DiRossi, Governor Mike DeWine, Senate President Matt Huffman, Secretary of State Frank LaRose, and Mr. Blake Springhetti.



7. **The Exhibits Appendix** includes true and correct copies of the written discovery responses produced by Auditor Keith Faber, Speaker Robert Cupp, Mr. Ray DiRossi, Governor Mike DeWine, Senate President Matt Huffman, Secretary of State Frank LaRose, and Mr. Blake Springhetti.

Freda Levenson

Signed on 2022/04/25 17:52:48 -8:00

Freda J. Levenson

Columbus, Franklin, Ohio

Signed at _____, _____, _____.
City County State

04/25/2022

Sworn to and subscribed before me this _____ day of April, 2022

Theresa M Sabo
Signed on 2022/04/25 17:52:48 -8:00



Notarial act performed by audio-visual communication



EXHIBITS APPENDIX - DOCUMENTS PRODUCED IN DISCOVERY
Volume 1 of 1

Index of Documents

ITEM	DESCRIPTION	BATES RANGE
1	Document produced by Auditor Keith Faber	DISC_0001
2	Document produced by Auditor Keith Faber	DISC_0002
3	Document produced by Auditor Keith Faber	DISC_0003
4	Document produced by Auditor Keith Faber	DISC_0004
5	Document produced by Auditor Keith Faber	DISC_0005
6	Document produced by Auditor Keith Faber	DISC_0006
7	Document produced by Auditor Keith Faber	DISC_0007
8	Document produced by Auditor Keith Faber	DISC_0008
9	Document produced by Ray DiRossi	DISC_0009
10	Document produced by Ray DiRossi	DISC_0010
11	Document produced by Ray DiRossi	DISC_0011
12	Document produced by Ray DiRossi	DISC_0012
13	Document produced by Ray DiRossi	DISC_0013
14	Document produced by Ray DiRossi	DISC_0014
15	Document produced by Ray DiRossi	DISC_0015
16	Document produced by Ray DiRossi	DISC_0016
17	Document produced by Ray DiRossi	DISC_0017-0018
18	Document produced by Ray DiRossi	DISC_0019-0022
19	Document produced by Ray DiRossi	DISC_0023
20	Document produced by Ray DiRossi	DISC_0024
21	Document produced by Governor Mike DeWine	DISC_0025
22	Document produced by Governor Mike DeWine	DISC_0026
23	Document produced by Governor Mike DeWine	DISC_0027
24	Document produced by Senate President Matt Huffman	DISC_0028-0029
25	Document produced by Senate President Matt Huffman	DISC_0030

26	Document produced by Secretary of State Frank LaRose	DISC_0031
27	Document produced by Secretary of State Frank LaRose	DISC_0032
28	Document produced by Secretary of State Frank LaRose	DISC_0033
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30	Document produced by Secretary of State Frank LaRose	DISC_0035
31	Document produced by Secretary of State Frank LaRose	DISC_0036
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33	Document produced by Secretary of State Frank LaRose	DISC_0038
34	Document produced by Secretary of State Frank LaRose	DISC_0039
35	Document produced by Secretary of State Frank LaRose	DISC_0040
36	Document produced by Secretary of State Frank LaRose	DISC_0041
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38	Document produced by Secretary of State Frank LaRose	DISC_0043
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40	Document produced by Blake Springhetti	DISC_0045
41	Document produced by Blake Springhetti	DISC_0046
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53	Document produced by Blake Springhetti	DISC_0058
54	Document produced by Blake Springhetti	DISC_0059-0060
55	Document produced by Blake Springhetti	DISC_0061-0062
56	Document produced by Blake Springhetti	DISC_0063-0070

57	Document produced by Blake Springhetti	DISC_0071
58	Document produced by Blake Springhetti	DISC_0072
59	Auditor of State Keith Faber's Objections and Responses to Subpoena Duces Tecum, dated April 19, 2022	DISC_0073-0081
60	Blake Springhetti's Objections and Responses to Subpoena Duces Tecum, dated April 19, 2022	DISC_0082-0091
61	Ohio Governor Mike DeWine's Objections and Responses to Subpoena Duces Tecum, dated April 19, 2022	DISC_0092-0100
62	Privilege Log Submitted by Secretary of State Frank LaRose in Response to LWVO Petitioners' Discovery Requests	DISC_0101-0108
63	Raymond DiRossi's Objections and Responses to Subpoena Duces Tecum, dated April 19, 2022	DISC_0109-0118
64	Respondent Secretary of State Frank LaRose's Responses to Neiman Petitioners' First Set of Interrogatories and LWVO Petitioners' Second Set of Interrogatories, dated April 19, 2022	DISC_0119-0137
65	Senate President Huffman's Response to LWVO Petitioners' Second Set of Requests for Production, dated April 19, 2022	DISC_0138-0150
66	Senate President Huffman's Response to LWVO Petitioners' Second Set of Interrogatories, dated April 19, 2022	DISC_0151-0165
67	Senate President Huffman's Response to Neiman Petitioners' First Set of Requests for Production, dated April 19, 2022	DISC_0166-0176
68	Senate President Huffman's Response to Neiman Petitioners' First Set of Interrogatories, dated April 19, 2022	DISC_0177-0190
69	Speaker Cupp's Response to LWVO Petitioners' Second Set of Interrogatories, dated April 19, 2022	DISC_0191-0205
70	Speaker Cupp's Response to LWVO Petitioners' Second Set of Requests for Production, dated April 19, 2022	DISC_0206-0219
71	Speaker Cupp's Response to Neiman Petitioners' First Set of Interrogatories, dated April 19, 2022	DISC_0220-0232

72	Speaker Cupp's Responses to Neiman Petitioners' First Set of Requests for Production, dated April 19, 2022	DISC_0233-0244
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	District	Population	Deviation #	16 - 18 - 20 Index R	16 - 18 - 20 Index D
CD	1	786,630	0	48.96%	51.04%
CD	2	786,629	-1	69.74%	30.26%
CD	3	786,630	0	31.09%	68.91%
CD	4	786,630	0	67.85%	32.15%
CD	5	786,630	0	61.34%	38.66%
CD	6	786,630	0	59.06%	40.94%
CD	7	786,630	0	54.42%	45.58%
CD	8	786,629	-1	62.65%	37.35%
CD	9	786,630	0	49.77%	50.23%
CD	10	786,630	0	53.32%	46.68%
CD	11	786,630	0	20.17%	79.83%
CD	12	786,630	0	63.32%	36.68%
CD	13	786,630	0	47.85%	52.15%
CD	14	786,630	0	54.83%	45.17%
CD	15	786,630	0	54.20%	45.80%

Democratic Amendments to Strigari March 1, 2022 Map

District	Population	Deviation	Deviation%	18+ BVAP	18+ HVAP	18+ AVAP	REP 16-20	DEM 16-20
1	786,630	0	0.00%	26.29%	3.67%	3.87%	43.51%	56.49%
2	786,629	-1	0.00%	2.70%	1.20%	0.82%	69.74%	30.26%
3	786,630	0	0.00%	30.92%	5.39%	5.33%	35.27%	64.73%
4	786,630	0	0.00%	5.62%	1.89%	1.01%	71.61%	28.39%
5	786,630	0	0.00%	2.91%	4.60%	1.23%	65.01%	34.99%
6	786,630	0	0.00%	6.95%	2.58%	0.74%	59.06%	40.94%
7	786,630	0	0.00%	9.36%	2.59%	3.20%	49.86%	50.14%
8	786,629	-1	0.00%	6.09%	3.60%	4.62%	68.60%	31.40%
9	786,630	0	0.00%	14.43%	7.30%	1.74%	45.87%	54.13%
10	786,630	0	0.00%	17.93%	3.13%	3.12%	53.32%	46.68%
11	786,630	0	0.00%	38.42%	7.32%	3.81%	24.71%	75.29%
12	786,630	0	0.00%	4.50%	1.59%	1.84%	63.33%	36.67%
13	786,630	0	0.00%	13.35%	2.16%	3.42%	47.83%	52.17%
14	786,630	0	0.00%	5.68%	2.52%	1.50%	54.83%	45.17%
15	786,630	0	0.00%	8.46%	5.25%	8.07%	45.94%	54.06%

Democratic Amendments to Strigari March 1, 2022 Map


















District	Population	Deviation	Deviation%	18+ BVAP	18+ HVAP	18+ AVAP	REP 16-20	DEM 16-20
11	786,630	0	0.00%	38.42%	7.32%	3.81%	24.71%	75.29%
3	786,630	0	0.00%	30.92%	5.39%	5.33%	35.27%	64.73%
1	786,630	0	0.00%	26.29%	3.67%	3.87%	43.51%	56.49%
9	786,630	0	0.00%	14.43%	7.30%	1.74%	45.87%	54.13%
15	786,630	0	0.00%	8.46%	5.25%	8.07%	45.94%	54.06%
13	786,630	0	0.00%	13.35%	2.16%	3.42%	47.83%	52.17%
7	786,630	0	0.00%	9.36%	2.59%	3.20%	49.86%	50.14%
10	786,630	0	0.00%	17.93%	3.13%	3.12%	53.32%	46.68%
14	786,630	0	0.00%	5.68%	2.52%	1.50%	54.83%	45.17%
6	786,630	0	0.00%	6.95%	2.58%	0.74%	59.06%	40.94%
12	786,630	0	0.00%	4.50%	1.59%	1.84%	63.33%	36.67%
5	786,630	0	0.00%	2.91%	4.60%	1.23%	65.01%	34.99%
8	786,629	-1	0.00%	6.09%	3.60%	4.62%	68.60%	31.40%
2	786,629	-1	0.00%	2.70%	1.20%	0.82%	69.74%	30.26%
4	786,630	0	0.00%	5.62%	1.89%	1.01%	71.61%	28.39%

SB 237 Revised Feb 2022

index uses statewide partisan elections 2016-2020

District	Region	Population	18+ BVAP	18+ HVAP	18+ AVAP	REP 16-20	DEM 16-20
6	West	786,630	5.71%	3.43%	4.07%	69.78%	30.22%
13	South Central	786,630	4.87%	1.73%	1.96%	68.93%	31.07%
15	NW	786,630	3.96%	4.12%	1.20%	67.79%	32.21%
12	South	786,630	2.64%	1.37%	1.38%	65.98%	34.02%
8	East Central	786,630	3.18%	1.50%	1.17%	65.48%	34.52%
14	NE Central	786,630	3.21%	2.34%	1.19%	64.50%	35.50%
11	NE	786,629	8.60%	2.60%	1.31%	53.20%	46.80%
9	Montgomery	786,629	17.87%	3.18%	2.90%	53.08%	46.92%
4	Cuyahoga	786,630	5.61%	3.25%	3.78%	49.03%	50.97%
7	Summit	786,630	13.66%	2.21%	3.39%	47.14%	52.86%
2	Franklin	786,630	6.56%	3.81%	9.05%	45.79%	54.21%
10	Lucas	786,630	15.10%	7.41%	1.64%	44.61%	55.39%
5	Cincinnati	786,630	26.14%	3.57%	3.47%	44.56%	55.44%
1	Columbus	786,630	33.25%	6.88%	4.42%	33.94%	66.06%
3	Cleveland	786,630	43.63%	7.42%	3.27%	21.66%	78.34%

ID	Total Pop	Deviation	Dem	Rep	Oth	Total VAP	White	Minority	Hispanic	Black	Asian	Native	Pacific
Un	0	0	0	0	0	0	0	0	0	0	0	0	0
1	786630	0	0	0.5237	0.4537	0.0225	612636	0.6775	0.3225	0.0337	0.2346	0.0366	0.0014
2	786630	0	0	0.3032	0.674	0.0229	604474	0.9083	0.0917	0.0146	0.0241	0.0255	0.0009
3	786630	0	0	0.6857	0.2917	0.0225	612600	0.5782	0.4218	0.0592	0.284	0.0643	0.0015
4	786630	0	0	0.3161	0.659	0.0249	598377	0.8649	0.1351	0.021	0.0581	0.0334	0.0009
5	786630	0	0	0.3713	0.5994	0.0293	612187	0.8604	0.1396	0.0602	0.0471	0.0124	0.0015
6	786629	0	0	0.4183	0.5581	0.0236	630924	0.8629	0.1371	0.024	0.0822	0.0081	0.0008
7	786630	0	0	0.3739	0.5995	0.0267	611741	0.8925	0.1075	0.0201	0.0492	0.0121	0.0009
8	786630	0	0	0.3198	0.657	0.0231	601488	0.8179	0.1821	0.0368	0.0894	0.0327	0.0014
9	786630	0	0	0.4866	0.4851	0.0283	613653	0.777	0.223	0.0588	0.1263	0.0172	0.0008
10	786630	0	0	0.4546	0.5205	0.0249	615743	0.7367	0.2633	0.0319	0.1788	0.0293	0.0016
11	786630	0	0	0.7841	0.1957	0.0202	622217	0.444	0.556	0.071	0.4429	0.0357	0.0013
12	786629	0	0	0.3499	0.6245	0.0256	607820	0.8994	0.1006	0.0172	0.0415	0.0161	0.0008
13	786630	0	0	0.5165	0.4607	0.0228	625958	0.8035	0.1965	0.0225	0.1099	0.0434	0.0008
14	786630	0	0	0.4479	0.5268	0.0252	632794	0.8651	0.1349	0.0322	0.0537	0.0273	0.0008
15	786630	0	0	0.4452	0.5312	0.0236	604950	0.7772	0.2228	0.044	0.1093	0.0481	0.0011
Summary	786629	0	0	0.4525	0.5231	0.0244	613837	0.784	0.216	0.0365	0.1291	0.0294	0.0011

Population			Shapes	Partisan Lean			Demographics (VAP)DOWNTOWN	
ID	Total	+/-		Dem	Rep	Oth	Total	White
11	786,630	0.00%		78.41%	19.57%	2.02%	622,217	44.40%
3	786,630	0.00%		68.57%	29.17%	2.25%	612,600	57.82%
1	786,630	0.00%		52.37%	45.37%	2.25%	612,636	67.75%
13	786,630	0.00%		51.65%	46.07%	2.28%	625,958	80.35%
9	786,630	0.00%		48.66%	48.51%	2.83%	613,653	77.70%
10	786,630	0.00%		45.46%	52.05%	2.49%	615,743	73.67%
14	786,630	0.00%		44.79%	52.68%	2.52%	632,794	86.51%
15	786,630	0.00%		44.52%	53.12%	2.36%	604,950	77.72%
6	786,629	0.00%		41.83%	55.81%	2.36%	630,924	86.29%
7	786,630	0.00%		37.39%	59.95%	2.67%	611,741	89.25%
5	786,630	0.00%		37.13%	59.94%	2.93%	612,187	86.04%
12	786,629	0.00%		34.99%	62.45%	2.56%	607,820	89.94%
8	786,630	0.00%		31.98%	65.70%	2.31%	601,488	81.79%
4	786,630	0.00%		31.61%	65.90%	2.49%	598,377	86.49%
2	786,630	0.00%		30.32%	67.40%	2.29%	604,474	90.83%
Un	0			0.00%	0.00%	0.00%	0	0.00%
	786,629	0.00%		45.25%	52.31%	2.44%	613,837	78.40%

Notes

Seven districts lean Republican, two lean Democratic, and six fall in the 45–55% competitive range.

There is one majority-minority district

Population			Shapes	Partisan Lean			Demographics (VAP)DOW	
ID	Total	+/-		Dem	Rep	Oth	Total	White
11	786,630	0.00%		78.41%	19.57%	2.02%	622,217	44.40%
3	786,630	0.00%		68.57%	29.17%	2.25%	612,600	57.82%
1	786,630	0.00%		52.37%	45.37%	2.25%	612,636	67.75%
13	786,630	0.00%		51.65%	46.07%	2.28%	625,958	80.35%
9	786,630	0.00%		48.66%	48.51%	2.83%	613,653	77.70%
10	786,630	0.00%		45.46%	52.05%	2.49%	615,743	73.67%
14	786,630	0.00%		44.79%	52.68%	2.52%	632,794	86.51%
15	786,630	0.00%		44.52%	53.12%	2.36%	604,950	77.72%
6	786,629	0.00%		41.83%	55.81%	2.36%	630,924	86.29%
7	786,630	0.00%		37.39%	59.95%	2.67%	611,741	89.25%
5	786,630	0.00%		37.13%	59.94%	2.93%	612,187	86.04%
12	786,629	0.00%		34.99%	62.45%	2.56%	607,820	89.94%
8	786,630	0.00%		31.98%	65.70%	2.31%	601,488	81.79%
4	786,630	0.00%		31.61%	65.90%	2.49%	598,377	86.49%
2	786,630	0.00%		30.32%	67.40%	2.29%	604,474	90.83%
Un	0			0.00%	0.00%	0.00%	0	0.00%
	786,629	0.00%		45.25%	52.31%	2.44%	613,837	78.40%

Notes

Seven districts lean Republican, two lean Democratic, and six fall in the 45–55% competitive range.

There is one majority-minority district

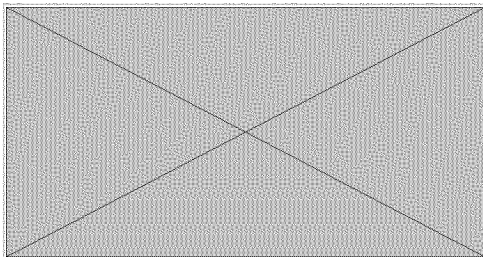
ID	Total Pop	Devation	Dem	Rep	Oth	Total VAP	White	Minority
Un	0	0	0	0	0	0	0	0
1	786630	0	0.5237	0.4537	0.0225	612636	0.6775	0.3225
2	786630	0	0.3032	0.674	0.0229	604474	0.9083	0.0917
3	786630	0	0.6857	0.2917	0.0225	612600	0.5782	0.4218
4	786630	0	0.3161	0.659	0.0249	598377	0.8649	0.1351
5	786630	0	0.3713	0.5994	0.0293	612187	0.8604	0.1396
6	786629	0	0.4183	0.5581	0.0236	630924	0.8629	0.1371
7	786630	0	0.3739	0.5995	0.0267	611741	0.8925	0.1075
8	786630	0	0.3198	0.657	0.0231	601488	0.8179	0.1821
9	786630	0	0.4866	0.4851	0.0283	613653	0.777	0.223
10	786630	0	0.4546	0.5205	0.0249	615743	0.7367	0.2633
11	786630	0	0.7841	0.1957	0.0202	622217	0.444	0.556
12	786629	0	0.3499	0.6245	0.0256	607820	0.8994	0.1006
13	786630	0	0.5165	0.4607	0.0228	625958	0.8035	0.1965
14	786630	0	0.4479	0.5268	0.0252	632794	0.8651	0.1349
15	786630	0	0.4452	0.5312	0.0236	604950	0.7772	0.2228
Summary	786629	0	0.4525	0.5231	0.0244	613837	0.784	0.216

To: DiRossi, Ray[Ray.DiRossi@ohiosenate.gov]
Cc: State Senator Matt Huffman[Huffman@ohiosenate.gov]
From: Emily Redman
Sent: Tue 3/1/2022 10:30:05 PM
Subject: Auditor Faber Email
Blocks 03.01.xlsx

From Auditor Faber -

Here's a much more compact version of the map that was discussed today at the Commission meeting. Attached is the BAF and here is a link to Dave's: <https://davesredistricting.org/join/b922a7cf-76f2-44e3-a54b-2c432964a6a0>. Depending on what the Democrats want, more compromise could be down in District 1. Again, this is for discussion and needs to be cleaned up.

Auditor Faber continues to have concerns that have been discussed.



Update 03.01.22
Redistricting Map
davesredistricting.org

Best,
Emily

[Facebook](#) [Twitter](#) [OhioAuditor.gov](#)

To: eredman12@icloud.com[eredman12@icloud.com]
From: DiRossi, Ray
Sent: Thur 3/3/2022 1:08:20 AM
Subject: CD BAF March 1st
Faber CD BAF March 1.xlsx

Emily

Auditor Faber asked me to balance this map out and clean up some of the unintentional splits

I just spoke with him that I was sending it

See attached BAF

I didn't go all the way down to precinct analysis to see if some of the precinct splits could be eliminated and cleaned up - he is aware of that

I also think there might be a few districts that he would want to change the geography on

I was just getting it balanced and quick level of clean up

See attached

Ray

To: jmauk@ohiosos.gov[jmauk@ohiosos.gov]
From: DiRossi, Ray
Sent: Wed 3/2/2022 10:28:10 PM
Subject: CD SHP files
[March 2nd CD SHPs.zip](#)

Use the "district" field
See attached

Ray

	District	Population	Deviation #	16 - 18 - 20 Index R	16 - 18 - 20 Index D
CD	1	786,630	0	48.99%	51.01%
CD	2	786,629	-1	69.74%	30.26%
CD	3	786,630	0	31.10%	68.90%
CD	4	786,630	0	67.85%	32.15%
CD	5	786,630	0	61.34%	38.66%
CD	6	786,630	0	59.06%	40.94%
CD	7	786,630	0	54.42%	45.58%
CD	8	786,629	-1	62.45%	37.55%
CD	9	786,630	0	49.77%	50.23%
CD	10	786,630	0	53.32%	46.68%
CD	11	786,630	0	20.17%	79.83%
CD	12	786,630	0	63.32%	36.68%
CD	13	786,630	0	47.85%	52.15%
CD	14	786,630	0	54.83%	45.17%
CD	15	786,630	0	54.31%	45.69%

	District	Population	Deviation #	16 - 18 - 20 Index R	16 - 18 - 20 Index D
CD	1	786,630	0	48.96%	51.04%
CD	2	786,629	-1	69.74%	30.26%
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CD	4	786,630	0	67.85%	32.15%
CD	5	786,630	0	61.34%	38.66%
CD	6	786,630	0	59.06%	40.94%
CD	7	786,630	0	54.42%	45.58%
CD	8	786,629	-1	62.65%	37.35%
CD	9	786,630	0	49.77%	50.23%
CD	10	786,630	0	53.32%	46.68%
CD	11	786,630	0	20.17%	79.83%
CD	12	786,630	0	63.32%	36.68%
CD	13	786,630	0	47.85%	52.15%
CD	14	786,630	0	54.83%	45.17%
CD	15	786,630	0	54.20%	45.80%

Change from March 1 16 - 18 - 20 Index R	Change from March 1 16 - 18 - 20 Index D
-0.03%	0.03%
0.00%	0.00%
-0.01%	0.01%
0.00%	0.00%
0.00%	0.00%
0.00%	0.00%
0.00%	0.00%
0.00%	0.00%
0.20%	-0.20%
0.00%	0.00%
0.00%	0.00%
0.00%	0.00%
0.00%	0.00%
0.00%	0.00%
0.00%	0.00%
-0.11%	0.11%

Ham / War 13 County splits (14 times)		Ham/ Cle 13 County splits (14 times)	
1.	Cuyahoga (twice)		Cuyahoga (twice)
2.	Clark		Clark
3.	Fairfield		Fairfield
4.	Fayette	Franklin	
5.	Franklin		Hamilton
6.	Hamilton		Holmes
7.	Holmes		Lorain
8.	Lorain		Miami
9.	Miami		Pickaway
10.	Portage		Portage
11.	Shelby		Shelby
12.	Washington		Washington
13.	Wood		Wood

Subdivision splits: (HAM/WAR) – 13 subdivision splits

1.	Cuyahoga	Berea	2 Precincts	2C & 3A
2.	Cuyahoga	Mayfield Heights	2 Precincts	C & D
3.	Clark	Mad River TWP	1 Precinct	3
4.	Fairfield	Columbus	3 Precincts	B, C & D
	Fayette	--None--		
5.	Franklin	Columbus	1 Precinct	2A
6.	Hamilton	Harrison TWP	1 Precinct	CC
7.	Holmes	Berlin TWP	1 Precinct	North
8.	Lorain	Columbia TWP	1 Precinct	#2
9.	Miami	Concord TWP	1 Precinct	East
10.	Portage	Rootstown TWP	1 Precinct	F
11.	Shelby	Green TWP	1	
12.	Washington	Belpre TWP	1 Precinct	Rockland West
13.	Wood	Perrysburg TWP	1 Precinct	South

Subdivision splits: (HAM/CLE) – 14 subdivision splits

1.	Cuyahoga	Berea	2 Precincts	2C & 3A
2.	Cuyahoga	Mayfield Heights	2 Precincts	C & D
3.	Clark	Mad River TWP	1 Precinct	3
4.	Fairfield	Columbus	3 Precincts	B, C & D
5.	Franklin	Columbus	1 Precinct	2A
6.	Hamilton	Crosby TWP	1 Precinct	B
7.	Holmes	Berlin TWP	1 Precinct	North
8.	Lorain	Columbia TWP	1 Precinct	#2
9.	Miami	Newberry TWP	2 Precincts	East & West
10.	Pickaway	Perry TWP	1 Precinct	New Holland
11.	Portage	Rootstown TWP	1 Precinct	F
12.	Shelby	Green TWP	1	
13.	Washington	Belpre TWP	1 Precinct	Rockland West
14.	Wood	Perrysburg TWP	1 Precinct	South

To: Strigari, Frank[Frank.Strigari@ohiosenate.gov]
From: DiRossi, Ray
Sent: Wed 3/2/2022 2:43:03 PM
Subject: Documents for todays Commission meeting
[March 2 2022 CD BAF.xlsx](#)
[CDs March 2 2022 Commission.pdf](#)
[CDs March 2 2022 Commission Stats.xlsx](#)

CD BAF
Statewide PDF
CD Stats as XLS

3 attachments

Ray

	District	Population	Deviation #	16 - 18 - 20 Index R	16 - 18 - 20 Index D
CD	1	786,630	0	48.96%	51.04%
CD	2	786,629	-1	69.74%	30.26%
CD	3	786,630	0	31.09%	68.91%
CD	4	786,630	0	67.85%	32.15%
CD	5	786,630	0	61.34%	38.66%
CD	6	786,630	0	59.06%	40.94%
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CD	14	786,630	0	54.83%	45.17%
CD	15	786,630	0	54.20%	45.80%

Change from March 1 16 - 18 - 20 Index R	Change from March 1 16 - 18 - 20 Index D
-0.03%	0.03%
0.00%	0.00%
-0.01%	0.01%
0.00%	0.00%
0.00%	0.00%
0.00%	0.00%
0.00%	0.00%
0.00%	0.00%
0.20%	-0.20%
0.00%	0.00%
0.00%	0.00%
0.00%	0.00%
0.00%	0.00%
0.00%	0.00%
0.00%	0.00%
-0.11%	0.11%

To: Sarah.Cherry@ohiohouse.gov[Sarah.Cherry@ohiohouse.gov];
Blake.Springhetti@ohiohouse.gov[Blake.Springhetti@ohiohouse.gov]
From: DiRossi, Ray
Sent: Sun 2/27/2022 2:32:47 AM
Subject: RE: Leader Russo Congressional Districts Response

Sarah
thanks for forwarding
I hadn't seen the letter
but i'll just say I find much of this disingenuous at best and leave it at that
Ray

From: Sarah.Cherry@ohiohouse.gov [Sarah.Cherry@ohiohouse.gov]
Sent: Saturday, February 26, 2022 8:04 PM
To: DiRossi, Ray; Blake.Springhetti@ohiohouse.gov
Subject: Fwd: Leader Russo Congressional Districts Response

Here it is attached.

Begin forwarded message:

From: "DiPalma, Andy" <Andy.DiPalma@ohiohouse.gov>
Date: February 25, 2022 at 10:59:51 PM EST
To: "Morrison, Christine" <Christine.Morrison@ohiohouse.gov>, "Barron, John"
<John.Barron@ohiosenate.gov>
Cc: "Huffman, Matt" <Matt.Huffman@ohiosenate.gov>, "Cupp, Bob"
<Bob.Cupp@ohiohouse.gov>, "Strigari, Frank" <Frank.Strigari@ohiosenate.gov>,
"Oliveti, Chris" <coliveti@ohiosos.gov>, Emily Redman <EERedman@ohioauditor.gov>,
"Sloan T. Spalding" <STSpalding@ohioauditor.gov>, "Cherry, Sarah"
<Sarah.Cherry@ohiohouse.gov>, Aaron.Crooks@governor.ohio.gov, "Boas, George"
<George.Boas@ohiosenate.gov>, "Rothey, Kristin" <Kristin.Rothey@ohiosenate.gov>,
"Stockman, Scott" <Scott.Stockman@ohiosenate.gov>, jmauk@ohiosos.gov, Matt
Donahue <matthew.donahue@governor.ohio.gov>, Matt Grodhaus
<mgrodhaus@ohiosos.gov>, "Routt, Randall" <Randall.Routt@ohiosenate.gov>, "Rowe,
Mike" <Mike.Rowe@ohiosenate.gov>, Aaron.Crooks@governor.ohio.gov, "Disantis,
Paul" <Paul.Disantis@ohiohouse.gov>
Subject: Leader Russo Congressional Districts Response

?

Christine and John,

Leader Russo asked that I send this letter from her in response to the
correspondence from President Huffman and Speaker Cupp earlier today
regarding the Ohio Redistricting Commission's work on a Congressional
District Plan.

Andy Di Palma

Minority Deputy Chief of Staff
Ohio House of Representatives
614 - 466 - 9042

County Populations and Filing Locations
Ohio Congressional Districts 2022
Revised March 2022

#		County	2020 Census Population	2020 Census Population %	County to File Petitions
CD	1	Hamilton (part)	544,293	69.19%	* Filing county
		Warren	242,337	30.81%	
CD	2	Adams	27,477	3.49%	
		Brown	43,676	5.55%	
		Clermont	208,601	26.52%	* Filing county
		Clinton	42,018	5.34%	
		Fayette (part)	1,639	0.21%	
		Gallia	29,220	3.71%	
		Highland	43,317	5.51%	
		Hocking	28,050	3.57%	
		Jackson	32,653	4.15%	
		Lawrence	58,240	7.40%	
		Meigs	22,210	2.82%	
		Pickaway	58,539	7.44%	
		Pike	27,088	3.44%	
		Ross	77,093	9.80%	
		Scioto	74,008	9.41%	
		Vinton	12,800	1.63%	
CD	3	Franklin (part)	786,630	100.00%	* Filing county
CD	4	Allen	102,206	12.99%	
		Ashland	52,447	6.67%	
		Auglaize	46,422	5.90%	
		Champaign	38,714	4.92%	
		Delaware (part)	164,608	20.93%	* Filing county
		Hardin	30,696	3.90%	
		Logan	46,150	5.87%	
		Marion	65,359	8.31%	
		Morrow	34,950	4.44%	
		Richland	124,936	15.88%	
		Shelby (part)	16,287	2.07%	
		Union	62,784	7.98%	
		Wyandot (part)	1,071	0.14%	

County Populations and Filing Locations
Ohio Congressional Districts 2022
Revised March 2022

#		County	2020 Census Population	2020 Census Population %	County to File Petitions
CD	5	Crawford	42,025	5.34%	
		Hancock	74,920	9.52%	
		Henry	27,662	3.52%	
		Huron	58,565	7.45%	
		Lorain	312,964	39.79%	* Filing county
		Mercer	42,528	5.41%	
		Paulding	18,806	2.39%	
		Putnam	34,451	4.38%	
		Seneca	55,069	7.00%	
		Van Wert	28,931	3.68%	
		Wyandot (part)	20,829	2.65%	
		Wood (part)	69,880	8.88%	
CD	6	Belmont	66,497	8.45%	
		Carroll	26,721	3.40%	
		Columbiana	101,877	12.95%	
		Harrison	14,483	1.84%	
		Jefferson	65,249	8.29%	
		Mahoning	228,614	29.06%	* Filing county
		Monroe	13,385	1.70%	
		Noble	14,115	1.79%	
		Stark (part)	131,363	16.70%	
		Tuscarawas (part)	64,555	8.21%	
		Washington	59,771	7.60%	
CD	7	Cuyahoga (part)	478,187	60.79%	* Filing county
		Holmes (part)	9,079	1.15%	
		Medina	182,470	23.20%	
		Wayne	116,894	14.86%	
CD	8	Butler	390,357	49.62%	* Filing county
		Darke	51,881	6.60%	
		Hamilton (part)	286,346	36.40%	
		Miami (part)	17,046	2.17%	
		Preble	40,999	5.21%	

County Populations and Filing Locations
Ohio Congressional Districts 2022
Revised March 2022

#		County	2020 Census Population	2020 Census Population %	County to File Petitions
CD	9	Defiance	38,286	4.87%	
		Erie	75,622	9.61%	
		Fulton	42,713	5.43%	
		Lucas	431,279	54.83%	* Filing county
		Ottawa	40,364	5.13%	
		Sandusky	58,896	7.49%	
		Williams	37,102	4.72%	
		Wood (part)	62,368	7.93%	
CD	10	Clark (part)	81,355	10.34%	
		Greene	167,966	21.35%	
		Montgomery	537,309	68.31%	* Filing county
CD	11	Cuyahoga (part)	786,630	100.00%	* Filing county
CD	12	Athens	62,431	7.94%	
		Coshocton	36,612	4.65%	
		Delaware (part)	49,516	6.29%	
		Fairfield	158,921	20.20%	
		Guernsey	38,438	4.89%	
		Holmes (part)	35,144	4.47%	
		Knox	62,721	7.97%	
		Licking	178,519	22.69%	* Filing county
		Morgan	13,802	1.75%	
		Muskingum	86,410	10.98%	
		Perry	35,408	4.50%	
		Tuscarawas (part)	28,708	3.65%	
CD	13	Portage (part)	2,712	0.34%	
		Stark (part)	243,490	30.95%	
		Summit	540,428	68.70%	* Filing county

County Populations and Filing Locations
Ohio Congressional Districts 2022
Revised March 2022

#		County	2020 Census Population	2020 Census Population %	County to File Petitions
CD	14	Ashtabula	97,574	12.40%	
		Geauga	95,397	12.13%	
		Lake	232,603	29.57%	* Filing county
		Portage (part)	159,079	20.22%	
		Trumbull	201,977	25.68%	
CD	15	Clark (part)	54,646	6.95%	
		Fayette (part)	27,312	3.47%	
		Franklin (part)	537,177	68.29%	* Filing county
		Madison	43,824	5.57%	
		Miami (part)	91,728	11.66%	
		Shelby (part)	31,943	4.06%	

To: Strigari, Frank[Frank.Strigari@ohiosenate.gov]
From: DiRossi, Ray
Sent: Tue 3/1/2022 6:54:14 PM
[CDs March 1 2022 CD BAF.xlsx](#)
[CDs March 1 2022 Commission Stats.xlsx](#)
[CDs March 1 2022 Commission.pdf](#)

3 docs

Ray DiRossi
Director of Finance and Budget
Ohio Senate Majority Caucus
Statehouse, Suite 205
Columbus, Ohio 43215



(O) 614.466.4947
(C) 614.578.3848
ray.dirossi@ohiosenate.gov

	District	Population	Deviation #	16 - 18 - 20 Index R	16 - 18 - 20 Index D
CD	1	786,630	0	48.99%	51.01%
CD	2	786,629	-1	69.74%	30.26%
CD	3	786,630	0	31.10%	68.90%
CD	4	786,630	0	67.85%	32.15%
CD	5	786,630	0	61.34%	38.66%
CD	6	786,630	0	59.06%	40.94%
CD	7	786,630	0	54.42%	45.58%
CD	8	786,629	-1	62.45%	37.55%
CD	9	786,630	0	49.77%	50.23%
CD	10	786,630	0	53.32%	46.68%
CD	11	786,630	0	20.17%	79.83%
CD	12	786,630	0	63.32%	36.68%
CD	13	786,630	0	47.85%	52.15%
CD	14	786,630	0	54.83%	45.17%
CD	15	786,630	0	54.31%	45.69%

From: "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>

To: "Allen, Giles" <Giles.Allen@governor.ohio.gov>, "Murry, Daniel" <Daniel.Murry@governor.ohio.gov>, "Herrmann, Rachel" <Rachel.Herrmann@governor.ohio.gov>

Subject: FW: Democratic Amendments to Republican March 1 Congressional Map

Date: Wed, 02 Mar 2022 13:55:12 -0000

Importance: Normal

Can I get color copies of these maps with the partisan break down off of daves

From: Crooks, Aaron <Aaron.Crooks@governor.ohio.gov>

Sent: Tuesday, March 1, 2022 10:20 PM

To: Hall, Michael <Michael.Hall@governor.ohio.gov>; Donahue, Matthew <Matthew.Donahue@governor.ohio.gov>; Tierney, Daniel <Dan.Tierney@governor.ohio.gov>

Subject: Fwd: Democratic Amendments to Republican March 1 Congressional Map

Looks like we have 3 maps for tomorrow.

Get [Outlook for iOS](#)

From: DiRossi, Ray <Ray.DiRossi@ohiosenate.gov>

Sent: Tuesday, March 1, 2022 10:17 PM

To: Routt, Randall; Blake.Springhetti@ohiohouse.gov; 'eredman12@icloud.com'; Cherry, Sarah; coliveti@ohiosos.gov; Crooks, Aaron; chris@projectgovern.com

Cc: Strigari, Francis; Barron, John; Disantis, Paul; Rowe, Michael; 'jmauk@ohiosos.gov'; Leak, Traevon

Subject: RE: Democratic Amendments to Republican March 1 Congressional Map

Randall
Thanks for sending
Ray

From: Routt, Randall

Sent: Tuesday, March 01, 2022 9:36 PM

To: DiRossi, Ray; Blake.Springhetti@ohiohouse.gov; 'eredman12@icloud.com'; sarah.cherry@ohiohouse.gov; coliveti@ohiosos.gov; Aaron.Crooks@governor.ohio.gov; chris@projectgovern.com

Cc: Strigari, Frank; Barron, John; 'Paul.Disantis@ohiohouse.gov'; Rowe, Mike; 'jmauk@ohiosos.gov'; Leak, Traevon

Subject: Democratic Amendments to Republican March 1 Congressional Map

Everyone,

As discussed in meetings this afternoon/evening I've enclosed proposed Democratic amendments to the Strigari March 1 Congressional Map.

<https://davesredistricting.org/join/03724078-b9b5-46c9-bcf0-d6d9e642e899>

Randall Routt
Policy Advisor
Senate Democratic Caucus

From: "Hall, Michael" <Michael.Hall@governor.ohio.gov>

To: "Crooks, Aaron" <Aaron.Crooks@governor.ohio.gov>, "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>

Subject: FW: Montgomery/Greene County Alignment

Date: Tue, 15 Feb 2022 20:24:25 +0000

Importance: Normal

Attachments: OH-10_Redistricting_-_BOT_Letter-RedistrictingCommission_DeWine.pdf

Inline-Images: image001.png; image002.png; image003.png; image004.png

fyi

Michael Hall
Chief of Staff
Governor Mike DeWine
w: (614) 629-8201
m: (937) 510-7017
Assistant: Rachel Ehresman (419) 617-8464
michael.hall@governor.ohio.gov

From: Chris Kershner <cek@dacc.org>

Sent: Tuesday, February 15, 2022 2:59 PM

To: Hall, Michael <Michael.Hall@governor.ohio.gov>

Subject: Montgomery/Greene County Alignment

Michael,

It was good having you in Dayton at the DDC Annual Meeting. Thank you for your continued support of Wright Patterson Air Force Base during the Congressional redistricting process. As the Ohio Redistricting Commission is reconvening, the Dayton area business leadership would like to reaffirm the strategic importance of keeping Montgomery and Greene Counties aligned together in Congressional District 10.

Please see the attached letter from our business leadership. This is similar to the letter we shared late last year.

Thank you for support.

Chris



Christopher E. Kershner, CAE, IOM | President & CEO | Dayton Area Chamber of Commerce

8 N. Main St. | Suite 100 | Dayton OH 45402

937.226.8289 voice | 937.776.3161 mobile | daytonchamber.org



(Please email me if you wish to not receive future emails)

From: "Michael.Hall@governor.ohio.gov" <Michael.Hall@governor.ohio.gov>

To: Mike Dewine <Mike@silverdollarbaseball.com>

Cc: Ann O'Donnell <Ann.Odonnell@gmail.com>, "Aaron.Crooks@governor.ohio.gov" <Aaron.Crooks@governor.ohio.gov>, "Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>

Subject: Re: Speaker

Date: Sat, 5 Feb 2022 16:45:33 +0000

Importance: Normal

Aaron is already talking to house and senate staff about viewing what they have in mind for the maps so we can meet with you next week and explain to you. Gives us something to react to and formulate our input as you've suggested below.

Sent from my iPhone

> On Feb 5, 2022, at 11:39 AM, Mike Dewine <Mike@silverdollarbaseball.com> wrote:

>

> Just talked to him. Date we suggested in March for state of state is fine with him. He will check with staff ...but all that sounds fine . We talked a little about congressional districts . He believes Dems will not vote for it. We will end up back at commission. He wants to do commission work in a week. Hopes that Republicans who are on commission will be familiar enough with map that is being proposed by senate and house that we'll be able to vote for it . That means obviously that we need to have input as we go ! I would like for DEWINE team to meet and look at map next week. I have at least one idea. Thanks ,

>

> Sent from my iPad

>

>

>

>

> CAUTION: This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to csc@ohio.gov <mailto:csc@ohio.gov> or click the Phish Alert Button if available.

>

>

>

To: State Senator Matt Huffman[Huffman@ohiosenate.gov]
From: desmisch
Sent: Sun 2/27/2022 4:50:55 AM
Subject: RCV
[IMG 20220226 110027 689.jpg](#)
[IMG 20220226 110029 792.jpg](#)
[IMG 20220226 110032 364.jpg](#)

February 26, 2022

Honorable Dave Yost
Attorney General
30 E. Broad Street, 17th Floor
Columbus, Ohio 43215

Honorable Mike DeWine
Governor, State of Ohio
77 South High Street, 30th Floor
Columbus, Ohio 43215

Honorable Matt Huffman
Senate President
Ohio Statehouse
Columbus, Ohio 43215

Honorable Robert Cupp
Speaker of the Ohio House
77 South High Street 14th Floor
Columbus, Ohio 43215

Honorable Allison Russo
House Minority Leader
77 South High Street, 14th Floor
Columbus, Ohio 43215

Honorable Kenny Yuko
Senate Minority Leader
Ohio Statehouse
Columbus, Ohio 43215

The Ohio General Assembly
Columbus, Ohio 43215
Re: AG Yost's Memo dated 2-22-2022 regarding redistricting urgency

Dear Honorable Members of Ohio,

Attorney Dave Yost's memo identifies significant issues arising from a lack of new districting boundaries. I agree with the seriousness of the problem and have noticed another attempt to produce new district maps.

On page three of the memo, AG Yost mentions, "Some sort of ranked-choice voting could be enacted. Or a post-November runoff process." I understand that the in extremis statutory provision allows all congressional candidates to run at-large, state-wide. However, the people of Ohio do not want any version of Ranked Choice Voting (RCV), including a post-November runoff. We have already extensively researched RCV and found all versions of RCV to be seriously flawed. This option is not what the people of Ohio want, nor will they accept a runoff after November.

Many non-profit, partisan organizations, backed by Soros foundations, have been pushing for Ranked Choice Voting across the nation for several years. RCV is prevalent in liberal-run cities like San Francisco and involves fractional voting and percentages. RCV does not tabulate by adding the whole number 1. Instead, it uses a calculation/formula/point system open to manipulation. Please review RCV process maps, equations, and software code to help you understand ranked-choice voting and how detrimental it would be to Ohio.

We urge our lawmakers to take appropriate action to immediately correct the new redistricting map rules or go back to previous methods for redistricting. The new procedure for drawing maps is not working. As recently shown, the new rules identify a significant problem – prolonged gridlock, which comes with severe consequences for Ohio. The Ohio Supreme Court should not be the final authority in our maps. Ohioans expect their representatives to draw maps on time as required by statute.

The lack of timely performance, along with the broken redistricting rules, have created the perfect storm that Ohioans recognize as unfavorable to our election process. We do not want another illegal debacle similar to the March 2020 primary. We hope our Attorney General would surely take action against anyone purposefully delaying the process to get a different election outcome. Any manipulation of the election process, including redistricting maps or RCV, will force legal consequences.

After the 2020 election brought to light the election problems in all 50 states, including Ohio, I and others formed a non-partisan grassroots movement to combat our broken election system. We are part of a significant movement with chapters in 88 counties determined to correct the flaws in our election process. We are professionals knowledgeable in process engineering, six sigma, value chain methods, line queue theory, data analytics, computer technology, cybersecurity, accounting, human resources, law, etc. We extensively research, collaborate, and find the best practices. RCV should never be in Ohio's wheelhouse.

We respectfully ask that you give us our voice by removing any RCV option, correct the redistricting rules, and solidify our opinions as a voice to be reckoned with.

Sincerely,

Desmond Misch

To: Emily Redman[EERedman@ohioauditor.gov]
Cc: State Senator Matt Huffman[Huffman@ohiosenate.gov]
From: DiRossi, Ray
Sent: Tue 3/1/2022 11:16:27 PM
Subject: RE: Auditor Faber Email

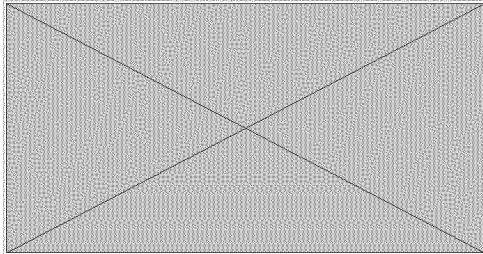
Thanks Emily
I have this on my list of things to look at tonight
Thanks for sending the BAF
Ray

From: Emily Redman [EERedman@ohioauditor.gov]
Sent: Tuesday, March 01, 2022 5:30 PM
To: DiRossi, Ray
Cc: State Senator Matt Huffman
Subject: Auditor Faber Email

From Auditor Faber -

Here's a much more compact version of the map that was discussed today at the Commission meeting. Attached is the BAF and here is a link to Dave's: <https://davesredistricting.org/join/b922a7cf-76f2-44e3-a54b-2c432964a6a0>. Depending on what the Democrats want, more compromise could be down in District 1. Again, this is for discussion and needs to be cleaned up.

Auditor Faber continues to have concerns that have been discussed.



Update 03.01.22
Redistricting Map
davesredistricting.org

Best,
Emily

Facebook Twitter OhioAuditor.gov

QuickFacts

Stark County, Ohio; Wayne County, Ohio; Medina County, Ohio; Tuscarawas County, Ohio; Ashland County, Ohio; Holmes County, Ohio

QuickFacts provides statistics for all states and counties, and for cities and towns with a population of 5,000 or more.

Table

Race and Hispanic Origin	Stark County, Ohio	Wayne County, Ohio	Medina County, Ohio	Tuscarawas County, Ohio	Ashland County, Ohio	Holmes County, Ohio
Population, Census, April 1, 2020	374,863	118,894	182,479	93,283	52,447	44,223
PEOPLE						
Race and Hispanic Origin						
White alone, percent	▲ 88.0%	▲ 95.2%	▲ 95.6%	▲ 98.3%	▲ 96.7%	▲ 98.6%
Black or African American alone, percent (a)	▲ 8.0%	▲ 1.6%	▲ 1.5%	▲ 1.0%	▲ 0.9%	▲ 0.4%
American Indian and Alaska Native alone, percent (a)	▲ 0.3%	▲ 0.2%	▲ 0.2%	▲ 0.5%	▲ 0.3%	▲ 0.1%
Asian alone, percent (a)	▲ 1.0%	▲ 1.1%	▲ 1.3%	▲ 0.4%	▲ 0.7%	▲ 0.2%
Native Hawaiian and Other Pacific Islander alone, percent (a)	▲ Z	▲ Z	▲ Z	▲ 0.2%	▲ 0.1%	▲ Z
Two or More Races, percent	▲ 2.7%	▲ 1.8%	▲ 1.4%	▲ 1.5%	▲ 1.3%	▲ 0.7%
Hispanic or Latino, percent (b)	▲ 2.2%	▲ 2.1%	▲ 2.3%	▲ 3.2%	▲ 1.6%	▲ 1.0%
White alone, not Hispanic or Latino, percent	▲ 86.2%	▲ 93.5%	▲ 93.6%	▲ 94.0%	▲ 95.5%	▲ 97.7%



this article in conformity with such provisions of this constitution as are then valid.

(C) Notwithstanding any provision of this constitution or any law regarding the residence of senators and representatives, a general assembly district plan made pursuant to this section shall allow thirty days for persons to change residence in order to be eligible for election.

(D)(1) No court shall order, in any circumstance, the implementation or enforcement of any general assembly district plan that has not been approved by the commission in the manner prescribed by this article.

(2) No court shall order the commission to adopt a particular general assembly district plan or to draw a particular district.

(3) If the supreme court of Ohio determines that a general assembly district plan adopted by the commission does not comply with the requirements of Section 2, 3, 4, 5, or 7 of this article, the available remedies shall be as follows:

(a) If the court finds that the plan contains one or more isolated violations of those requirements, the court shall order the commission to amend the plan to correct the violation.

(b) If the court finds that it is necessary to amend not fewer than six house of representatives districts to correct violations of those requirements, to amend not fewer than two senate districts to correct violations of those requirements, or both, the court shall

declare the plan invalid and shall order the commission to adopt a new general assembly district plan in accordance with this article.

(c) If, in considering a plan adopted under division (C) of Section 8 of this article, the court determines that both of the following are true, the court shall order the commission to adopt a new general assembly district plan in accordance with this article:

(i) The plan significantly violates those requirements in a manner that materially affects the ability of the plan to contain districts whose voters favor political parties in an overall proportion that corresponds closely to the statewide political party preferences of the voters of Ohio, as described in division (B) of Section 6 of this article.

(ii) The statewide proportion of districts in the plan whose voters, based on statewide state and federal partisan general election results during the last ten years, favor each political party does not correspond closely to the statewide preferences of the voters of Ohio.

(1967, am. 2015)

Severability provision.

§10 The various provisions of this article are intended to be severable, and the invalidity of one or more of such provisions shall not affect the validity of the remaining provisions.

(1967, am. 2015)

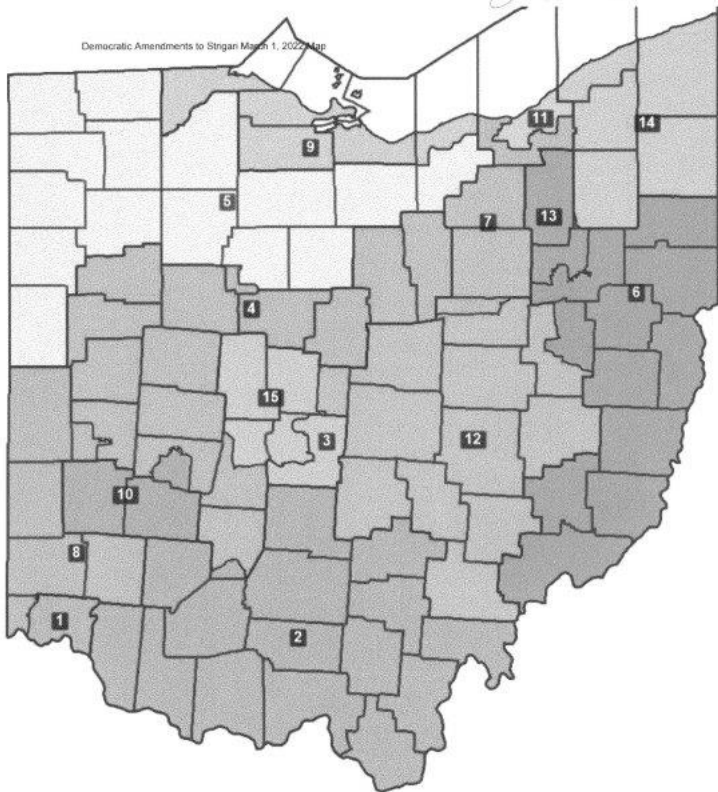
REPEALED. Senate districts.

§11

(1967, rep. 2015)

8-6-1
8-5-2

Democratic Amendments to Stigan March 1, 2022 Map



DISC_0033

SOS_000170

	District	Population	Deviation #	16 - 18 - 20 Index R	16 - 18 - 20 Index D
CD	1	786,630	0	48.99%	51.01%
CD	2	786,629	-1	69.74%	30.26%
CD	3	786,630	0	31.10%	68.90%
CD	4	786,630	0	67.85%	32.15%
CD	5	786,630	0	61.34%	38.66%
CD	6	786,630	0	59.06%	40.94%
CD	7	786,630	0	54.42%	45.58%
CD	8	786,629	-1	62.45%	37.55%
CD	9	786,630	0	49.77%	50.23%
CD	10	786,630	0	53.32%	46.68%
CD	11	786,630	0	20.17%	79.83%
CD	12	786,630	0	63.32%	36.68%
CD	13	786,630	0	47.85%	52.15%
CD	14	786,630	0	54.83%	45.17%
CD	15	786,630	0	54.31%	45.69%

From: "Oliveti, Chris" <O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EEEECCD2040743B9C449E10F1F1093-OLIVETI, CH>

To: "LaRose, Frank" <FLR@OhioSOS.Gov>, "Grodhaus, Michael" <mgrodhaus@OhioSOS.Gov>, "Mauk, Jason" <jmauk@OhioSOS.Gov>

Subject: Fwd: [EXTERNAL] Auditor Faber Email

Date: Wed, 02 Mar 2022 03:10:23 -0000

Importance: Normal

Attachments: Blocks_03.01.xlsx

Please see the attached map from the auditor

Logo for the
Office of Frank
LaRose Ohio
Secretary of
State

Chris Oliveti | Director of Legislative Affairs
Office of the Ohio Secretary of State

O: 614.728.7590

Begin forwarded message:

From: Emily Redman <EERedman@ohioauditor.gov>

Date: March 1, 2022 at 9:59:53 PM EST

To: "Oliveti, Chris" <coliveti@ohiosos.gov>, aaron.crooks@governor.ohio.gov

Subject: [EXTERNAL] Auditor Faber Email

****Secretary of State Security Notice****

This e-mail is from an external source. Think before you click links or open attachments.

Chris and Aaron -

Auditor Faber ask that I pass along the link to a draft on Dave's and the accompanying BAF attached. We acknowledge there would be some necessary cleaning up to finalize the districts, but you can see what he has been discussing as potential changes. Please let me know if you have any questions.

<https://davesredistricting.org/join/b922a7cf-76f2-44e3-a54b-2c432964a6a0>

Update 03.01.22

Redistricting Map

davesredistricting.org

DISC_0035

SOS_000454



Best,
Emily

[Facebook](#) | [Twitter](#) | [OhioAuditor.gov](#)

11:46 ↗



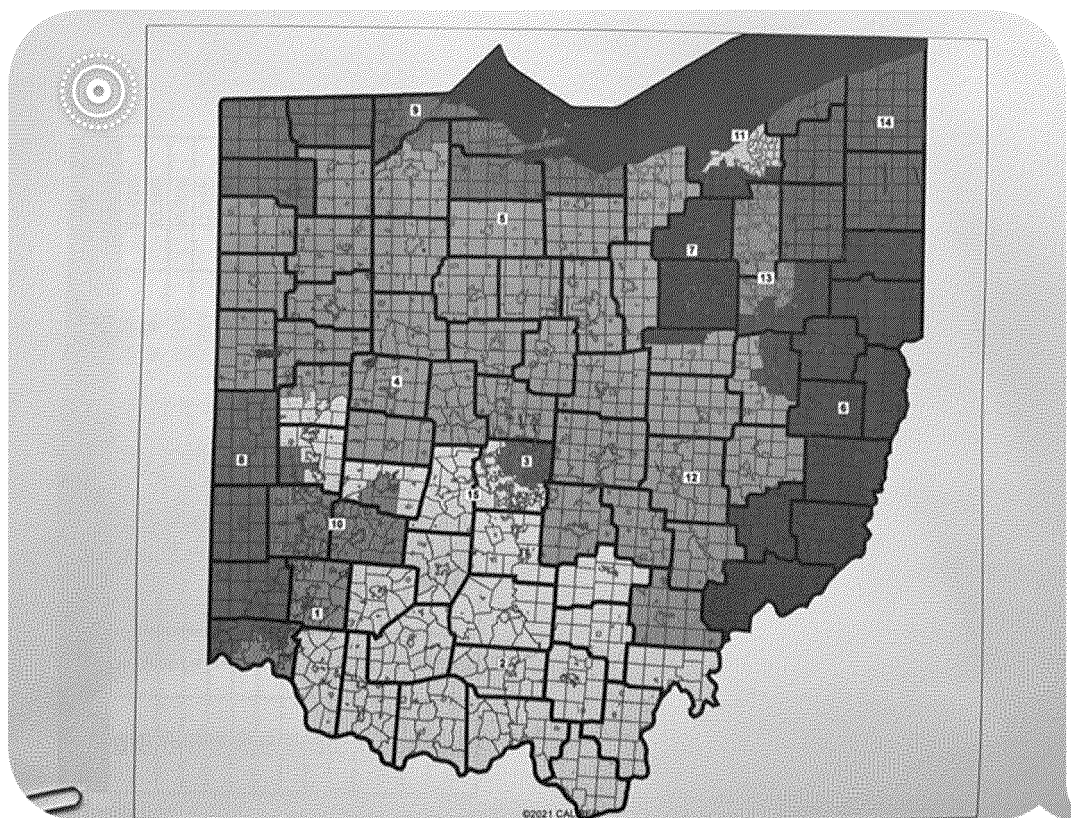
Madison Gesiotto >

Sun, Feb 27, 18:25

Hey there, hope you're doing well.
Give me a call when you have a
chance please

I'll call you right back

Tue, Mar 1, 14:07



11:46 ↗



Madison Gesiotto >

Tue, Mar 1, 15:22



On a plane now. Will call you this evening.

Tue, Mar 1, 20:07



	District	Population	Deviation #	16 - 18 - 20 Index R	16 - 18 - 20 Index D
CD	1	786,630	0	48.99%	51.01%
CD	2	786,629	-1	69.74%	30.26%
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CD	15	786,630	0	54.31%	45.69%

11:46 ↗



Madison Gesiotto >

Wed, Mar 2, 07:28

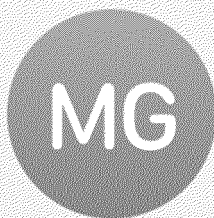
One more word of caution and you know this, the maps aren't final until they are... I'll keep you posted if there are any changes made before we pass the map today but of course there's still always a chance they could get struck down again by the courts. That's just a risk you need to calculate for in your decision making process

How quickly do you think courts will look at this map?

If approved today

The Ohio Supreme Court has been generally taking three weeks or so

11:46 ↗



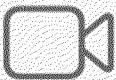
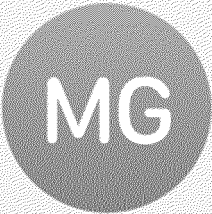
Madison Gesiotto >

The Ohio Supreme Court has been generally taking three weeks or so each time but of course the court moves at their own schedule and their could always be a federal lawsuit as well which is highly unpredictable

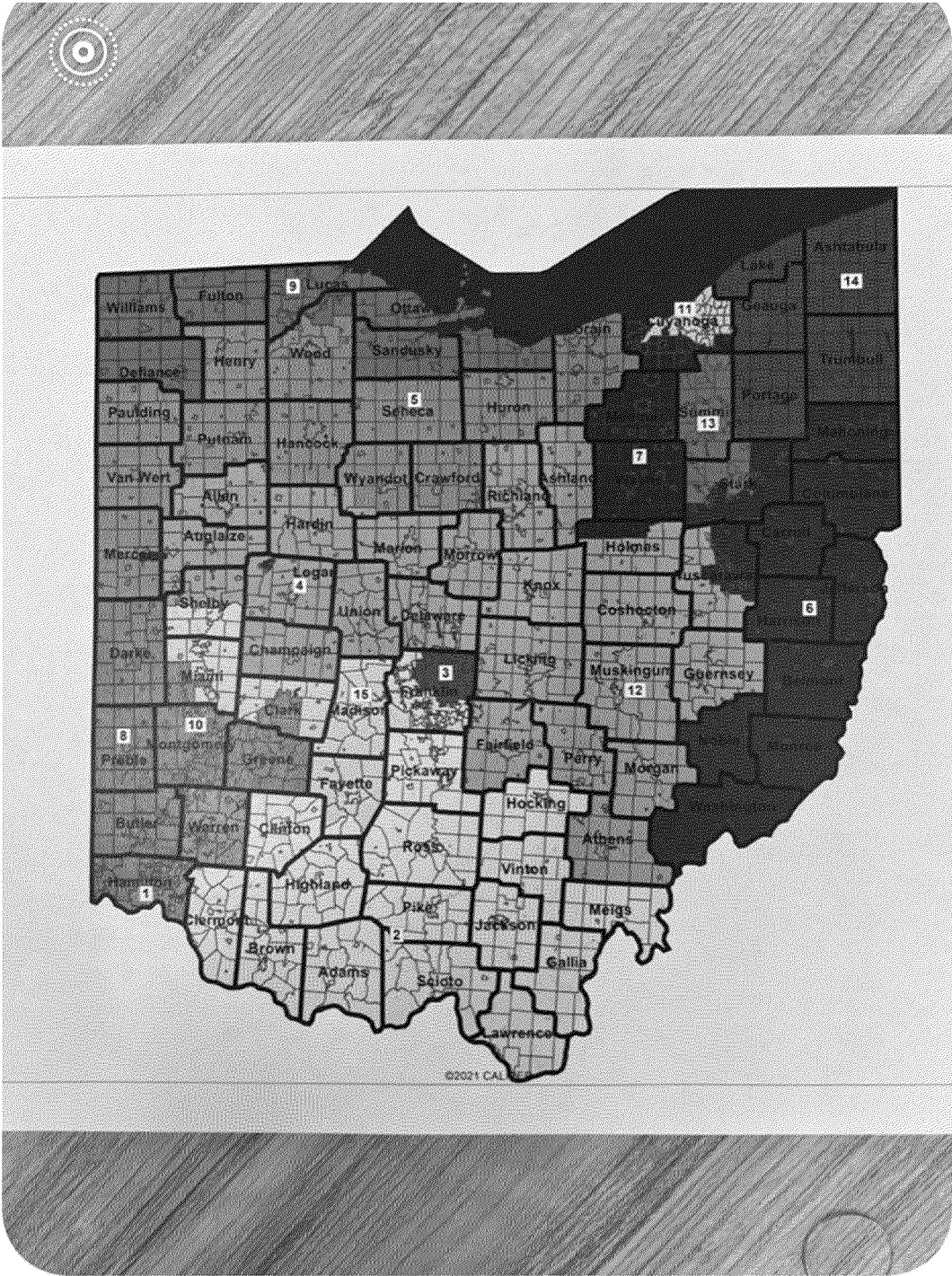
Wed, Mar 2, 11:32

The map that we just passed is basically exactly what I showed you yesterday. Any changes that were made are non-substantial and don't impact the 13th or 9th district

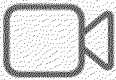
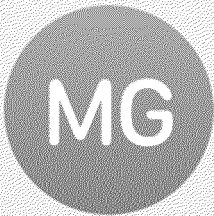




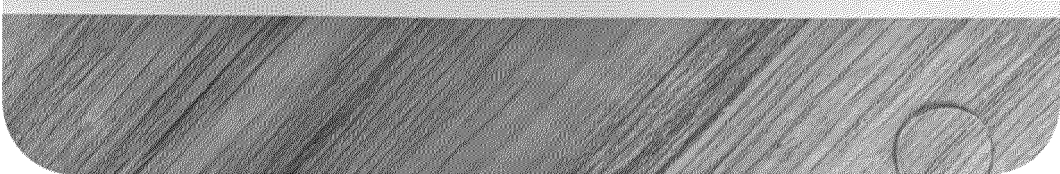
Madison Gesiotto >



District	Population	Deviation #	16 - 18 - 20	16 - 18 - 20



Madison Gesiotto >



	District	Population	Deviation #	16 - 18 - 20 Index R	16 - 18 - 20 Index D
CD	1	786,630	0	48.96%	51.04%
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CD	13	786,630	0	47.85%	52.15%
CD	14	786,630	0	54.83%	45.17%
CD	15	786,630	0	54.20%	45.80%

From: "Grodhaus, Michael" <mgrodhaus@OhioSOS.Gov>
To: "LaRose, Frank" <FLR@OhioSOS.Gov>
Cc: "Mauk, Jason" <jmauk@OhioSOS.Gov>
Subject: Art. XIX, Sec 3(B)(2)
Date: Tue, 1 Mar 2022 19:26:15 +0000
Importance: Normal
Inline-Images: image001.png

What Sen. Huffman is referring to:

“(2) If a new congressional district plan is not passed in accordance with division (B)(1) of this section and filed with the secretary of state in accordance with Section 16 of Article II of this constitution, the Ohio redistricting commission shall be reconstituted and reconvene and shall adopt a congressional district plan in accordance with the provisions of this constitution that are then valid, to be used until the next time for redistricting under this article in accordance with the provisions of this constitution that are then valid.

“The commission shall adopt that plan not later than the thirtieth day after the deadline described in division (B) (1) of this section.

“A congressional district plan adopted under this division shall remedy any legal defects in the previous plan identified by the court but shall include no other changes to the previous plan other than those made in order to remedy those defects.”



D. Michael Grodhaus | Chief Legal Counsel
Office of the Ohio Secretary of State
O: 614.728.9504
OhioSoS.gov

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From: "Mauk, Jason" <jmauk@sos.state.oh.us>

To: "Grodhaus, Michael" <mgrodhaus@OhioSOS.Gov>

Subject: Questions

Date: Tue, 22 Feb 2022 17:25:10 -0500

Importance: Normal

Inline-Images: image001.png

How their map differs from the other plans presented to or approved by the commission

What geo-political and demographic influences they considered in constructing their map

How they defined a competitive district and whether they determined the impact of competitiveness on the districts created by their map

How they interpreted the court's order, specifically as it relates to proportionality of districts

Whether they used incumbent residential data in constructing their map and how it impacted current members of the General Assembly

Whether they intentionally created competitive districts on the Republican side but created no competitive districts on the Democratic side



Jason Mauk | Chief of Staff

Office of the Ohio Secretary of State

O: 614.728.9132

M: 614.561.4994

OhioSoS.gov

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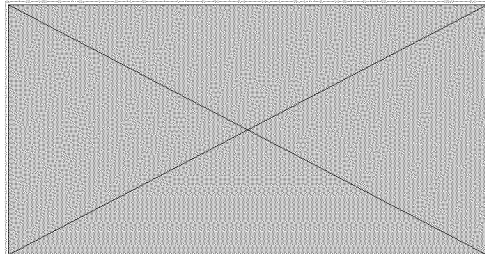
To: Cupp, Bob[Bob.Cupp@ohiohouse.gov]; rcupp@bright.net[rcupp@bright.net]
Cc: Springhetti, Blake[Blake.Springhetti@ohiohouse.gov]
From: Emily Redman
Sent: Wed 3/2/2022 2:54:30 AM
Subject: Auditor Faber Email
[Blocks 03.01.xlsx](#)

.....
>>>>>>>>

Speaker Cupp -

Auditor Faber ask that I pass along the link to a draft on Dave's and the accompanying BAF attached. We acknowledge there would be some necessary cleaning up to finalize the districts, but you can see what I believe he has discussed with you as potential changes.

<https://davesredistricting.org/join/b922a7cf-76f2-44e3-a54b-2c432964a6a0>



Update 03.01.22
Redistricting Map
davesredistricting.org

Best,
Emily Redman

[Facebook](#) [Twitter](#) [OhioAuditor.gov](#)

To: Routt, Randall[Randall.Routt@ohiosenate.gov];
'chris@projectgovern.com'[chris@projectgovern.com]; Cherry, Sarah[Sarah.Cherry@ohiohouse.gov]
Cc: Springhetti, Blake[Blake.Springhetti@ohiohouse.gov]; 'Emily Redman'[EERedman@ohioauditor.gov];
Oliveti, Chris[coliveti@OhioSOS.Gov]; Aaron Crooks
(aaron.crooks@governor.ohio.gov)[aaron.crooks@governor.ohio.gov]
From: DiRossi, Ray
Sent: Tue 3/1/2022 5:11:21 PM
Subject: CD BAF
March 1 2022 CD BAF.xlsx

....
>>>

All

Attached is a CD BAF that will be presented to the Commission this afternoon
Senator Sykes requested that any such proposal be given to the Democrat staff and Democrat Commission
members prior to the hearing
Since this is being made available before being made public, please do not share until the Commission
meeting.
Let me know if you have any issues accessing the BAF

Ray DiRossi

Director of Finance and Budget
Ohio Senate Majority Caucus
Statehouse, Suite 205
Columbus, Ohio 43215



(O) 614.466.4947

(C) 614.578.3848

ray.dirosi@ohiosenate.gov

Congressional District	Member	Trump '20 (2012)	Trump '20 (2021)	Trump '20 (2022)	Statewide '18 -'20 (2012)	Statewide '18 -'20 (2021)	Statewide '16 -'20 (2012)	Statewide '16 -'20 (2021)	Statewide '16 -'20 (2022)	Statewide '12 -'20 (2012)	Statewide '12 -'20 (2021)
1	Chabot	50.85%	48.37%	45.01%	52.84%	50.37%	53.91	51.55	48.96	56.52%	54.31%
2	Wenstrup	55.61%	67.26%	72.01%	55.72%	65.13%	57.39	66.70	69.74	58.92%	66.17%
3	Beatty	28.43%	26.41%	27.37%	28.49%	28.38%	29.78	29.66	31.09	33.28%	33.84%
4	Jordan	67.13%	65.99%	67.05%	64.34%	65.78%	65.99	67.29	67.85	65.53%	68.16%
5	Latta	61.62%	61.85%	62.62%	60.20%	59.16%	61.74	60.79	61.34	62.14%	61.07%
6	Johnson	72.20%	61.01%	63.68%	65.57%	54.65%	67.25	56.29	59.06	63.86%	53.90%
7	Gibbs	65.31%	58.44%	54.01%	61.17%	56.26%	62.89	57.88	54.42	62.67%	58.99%
8	Davidson	65.99%	60.67%	60.29%	65.82%	61.04%	67.29	62.47	62.64	67.95%	63.90%
9	Kaptur	39.73%	51.38%	50.61%	36.54%	48.88%	38.02	50.31	49.77	39.71%	50.89%
10	Turner	51.36%	50.91%	50.91%	52.52%	51.97%	53.85	53.32	53.32	56.15%	55.49%
11	Brown	19.23%	20.30%	20.68%	18.40%	19.03%	18.96	19.79	20.17	21.79%	23.13%
12	Balderson	52.23%	65.32%	64.67%	53.62%	61.50%	55.10	63.07	63.32	58.25%	62.61%
13	Open	47.62%	49.03%	47.88%	42.82%	47.71%	44.41	49.23	47.85	44.24%	51.65%
14	Joyce	53.88%	55.01%	56.80%	52.67%	52.28%	54.45	54.14	54.83	56.62%	55.61%
15	Carey	56.36%	52.10%	52.56%	54.81%	52.19%	56.34	53.89	54.20	57.92%	56.57%
16	N/A	56.48%	N/A	N/A	55.03%	N/A	56.87	N/A	N/A	58.77%	N/A

To: 'EERedman@ohioauditor.gov'[EERedman@ohioauditor.gov]
From: Springhetti, Blake
Sent: Mon 2/21/2022 3:09:12 PM
Subject: Congressional Plan Information
Proposed Congressional Plan Images and BAF.zip

;
Emily,
Christine asked me to share the attached BAF for a Congressional Plan discussed with Sloan a few weeks back.
I included images in case you are not sitting in front of Maptitude.
Kind regards,

Blake V. Springhetti

Majority Director of Finance
Ohio House of Representatives
77 S. High Street, 14th Floor | Columbus, OH 43215
Office: 614.728.5401 | Blake.Springhetti@ohiohouse.gov

To: DiRossi, Ray[Ray.DiRossi@ohiosenate.gov]; Springhetti, Blake[Blake.Springhetti@ohiohouse.gov]; 'eredman12@icloud.com'[eredman12@icloud.com]; Cherry, Sarah[Sarah.Cherry@ohiohouse.gov]; coliveti@ohiosos.gov[coliveti@ohiosos.gov]; Aaron.Crooks@governor.ohio.gov[Aaron.Crooks@governor.ohio.gov]; chris@projectgovern.com[chris@projectgovern.com]
Cc: Strigari, Frank[Frank.Strigari@ohiosenate.gov]; Barron, John[John.Barron@ohiosenate.gov]; Disantis, Paul[Paul.Disantis@ohiohouse.gov]; Rowe, Mike[Mike.Rowe@ohiosenate.gov]; 'jmauk@ohiosos.gov'[jmauk@ohiosos.gov]; Leak, Traevon[Traevon.Leak@ohiosenate.gov]
From: Routt, Randall
Sent: Wed 3/2/2022 2:36:35 AM
Subject: Democratic Amendments to Republican March 1 Congressional Map
[Democratic Amendments to March 1 Plan.xlsx](#)

::

Everyone,

As discussed in meetings this afternoon/evening I've enclosed proposed Democratic amendments to the Strigari March 1 Congressional Map.

<https://davesredistricting.org/join/03724078-b9b5-46c9-bcf0-d6d9e642e899>

Randall Routt

Policy Advisor

Senate Democratic Caucus

To: Springhetti, Blake[Blake.Springhetti@ohiohouse.gov]
From: Bob Cupp
Sent: Wed 3/2/2022 3:40:48 AM
Subject: FW: Auditor Faber Email map idea
[Blocks 03.01.xlsx](#)

.....
>>>>>>>>

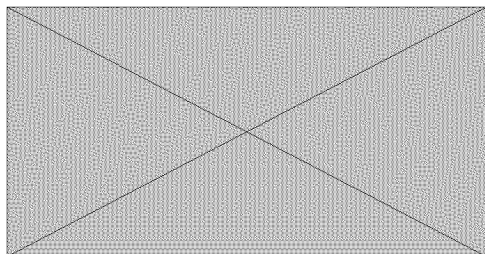
Blake – Have you seen this idea from Auditor Faber? I just received it tonight. Any thoughts.
Bob

From: Emily Redman <EERedman@ohioauditor.gov>
Sent: Tuesday, March 1, 2022 9:55 PM
To: bob.cupp@ohiohouse.gov; rcupp@bright.net
Cc: Blake.Springhetti@ohiohouse.gov
Subject: Auditor Faber Email

Speaker Cupp -

Auditor Faber ask that I pass along the link to a draft on Dave's and the accompanying BAF attached.
We acknowledge there would be some necessary cleaning up to finalize the districts, but you can see
what I believe he has discussed with you as potential changes.

<https://davesredistricting.org/join/b922a7cf-76f2-44e3-a54b-2c432964a6a0>



Update 03.01.22

Redistricting Map
davesredistricting.org

Best,
Emily Redman

[Facebook](#) [Twitter](#) [OhioAuditor.gov](#)

To: eredman12@icloud.com[eredman12@icloud.com]
From: Springhetti, Blake
Sent: Mon 2/21/2022 3:26:27 PM
Subject: Fwd: Congressional Plan Information
Proposed Congressional Plan Images and BAF.zip

;
See attached and below.
Blake

Begin forwarded message:

From: "Springhetti, Blake" <Blake.Springhetti@ohiohouse.gov>
Date: February 21, 2022 at 10:09:12 AM EST
To: eeredman@ohioauditor.gov
Subject: Congressional Plan Information

Emily,
Christine asked me to share the attached BAF for a Congressional Plan discussed with Sloan a few weeks back.
I included images in case you are not sitting in front of Maptitude.
Kind regards,
Blake V. Springhetti
Majority Director of Finance
Ohio House of Representatives
77 S. High Street, 14th Floor | Columbus, OH 43215
Office: 614.728.5401 | Blake.Springhetti@ohiohouse.gov

To: DiRossi, Ray[Ray.DiRossi@ohiosenate.gov]; Springhetti, Blake[Blake.Springhetti@ohiohouse.gov]
From: Cherry, Sarah
Sent: Sun 2/27/2022 1:04:57 AM
Subject: Fwd: Leader Russo Congressional Districts Response
[image001.gif](#)
[Leader Russo Congressional Dist. Response Ltr 2-25-22.dotx](#)

...

Here it is attached.

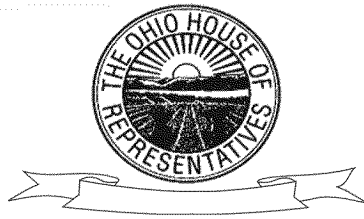
Begin forwarded message:

From: "DiPalma, Andy" <Andy.DiPalma@ohiohouse.gov>
Date: February 25, 2022 at 10:59:51 PM EST
To: "Morrison, Christine" <Christine.Morrison@ohiohouse.gov>, "Barron, John" <John.Barron@ohiosenate.gov>
Cc: "Huffman, Matt" <Matt.Huffman@ohiosenate.gov>, "Cupp, Bob" <Bob.Cupp@ohiohouse.gov>, "Strigari, Frank" <Frank.Strigari@ohiosenate.gov>, "Oliveti, Chris" <coliveti@ohiosos.gov>, Emily Redman <EERedman@ohioauditor.gov>, "Sloan T. Spalding" <STSpalding@ohioauditor.gov>, "Cherry, Sarah" <Sarah.Cherry@ohiohouse.gov>, Aaron.Crooks@governor.ohio.gov, "Boas, George" <George.Boas@ohiosenate.gov>, "Rothey, Kristin" <Kristin.Rothey@ohiosenate.gov>, "Stockman, Scott" <Scott.Stockman@ohiosenate.gov>, jmauk@ohiosos.gov, Matt Donahue <matthew.donahue@governor.ohio.gov>, Matt Grodhaus <mgrodhaus@ohiosos.gov>, "Routt, Randall" <Randall.Routt@ohiosenate.gov>, "Rowe, Mike" <Mike.Rowe@ohiosenate.gov>, Aaron.Crooks@governor.ohio.gov, "Disantis, Paul" <Paul.Disantis@ohiohouse.gov>
Subject: Leader Russo Congressional Districts Response

Christine and John,
Leader Russo asked that I send this letter from her in response to the correspondence from President Huffman and Speaker Cupp earlier today regarding the Ohio Redistricting Commission's work on a Congressional District Plan.

Andy Di Palma

Minority Deputy Chief of Staff
Ohio House of Representatives
614 - 466 - 9042



Representative C. Allison Russo
Minority Leader

February 25, 2022

Dear Senate President Huffman and Speaker Cupp:

Thank you for reaching out and offering the availability of your staff to discuss progress on a congressional map. As I indicated during this week's Commission meetings, I am always willing to set aside partisan interests and collaborate on fair maps, as we are all duty-and oath-bound to do as members of this Commission. My staff and I remain broadly available for any discussions and work sessions to comply with all laws and the Court's order as we draw new congressional districts. This is evidenced by the Democrat Commissioner's repeated attempts to solicit input and feedback throughout the Congressional and state redistricting processes. Most recently, we sent your staff an updated version of our Senate Bill 237 congressional map on February 8, 2022 and invited all commissioner's staff to a meeting on February 23, 2022 to discuss this map. Unfortunately, your staff were not available to attend, and we have not yet heard back from any commissioner or staff member on any part of our proposal.

Additionally, to ensure all future staff-level meetings are productive, I strongly encourage all commission members to direct their staff to share and discuss any commissioner's preferences for how a map should look. To date, these staff-level meetings have generally taken the form of presentations by Democratic staff on one map or another without meaningful input from Republican staff or any resolution of differences or agreement on principles. If you are unwilling to empower your staff to share this information, perhaps the best use of our time is for individual commissioners to meet in an attempt to reach consensus on some basic constitutional principles and objectives that might lead to a sincere attempt to negotiate a bipartisan map acceptable to all commission members.

I believe we can all agree that it is far past time to roll up our sleeves and get this done. Ohio voters are depending on us to pass fair and constitutional maps. Please do not hesitate to call if you would like to meet or speak with me-- I am always available.

Kind regards,

C. Allison Russo

House Minority Leader

To: Springhetti, Blake[Blake.Springhetti@ohiohouse.gov]; DiRossi, Ray[Ray.DiRossi@ohiosenate.gov];
'Project Govern'[chris@projectgovern.com]; Routt, Randall[Randall.Routt@ohiosenate.gov]
From: Cherry, Sarah
Sent: Tue 3/1/2022 5:12:01 PM
Subject: Map files

...
>>>

Hello –

The Speaker asked Leader Russo a little bit ago if she'd seen the maps yet. Can you share files? They must have spoken at Rules Committee.

Sarah A. Cherry

Legal Counsel, Minority Caucus

she/her/hers

Ohio House of Representatives

77 South High Street, 14th Floor

Columbus, OH 43215

office: (614) 466-6040

sarah.cherry@ohiohouse.gov

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To: Springhetti, Blake[Blake.Springhetti@ohiohouse.gov]
Cc: 'chris@projectgovern.com'[chris@projectgovern.com]; Cherry, Sarah[Sarah.Cherry@ohiohouse.gov]
From: Routt, Randall
Sent: Sat 2/26/2022 12:02:40 AM
Subject: Meet to discuss Congressional map proposals

;

Blake,

Senator Sykes has directed to me to contact you so we can arrange a meeting to discuss and exchange congressional map proposals that meet the requirements of the Constitution and the Court order. Let me know when is a good time to connect. I have availability tomorrow morning and all day Sunday, and Monday.

Thanks,

Randall Routt

Policy Advisor

Senate Democratic Caucus

To: Routt, Randall[Randall.Routt@ohiosenate.gov];
'chris@projectgovern.com'[chris@projectgovern.com]; DiRossi, Ray[Ray.DiRossi@ohiosenate.gov]; Springhetti,
Blake[Blake.Springhetti@ohiohouse.gov]; 'Emily Redman'[EERedman@ohioauditor.gov]; Oliveti,
Chris[coliveti@OhioSOS.Gov]; 'Aaron.Crooks@governor.ohio.gov'[Aaron.Crooks@governor.ohio.gov]
From: Cherry, Sarah
Sent: Mon 2/28/2022 3:10:29 PM
Subject: Meetings on congressional map

...

All,

Good morning. Randall and Chris and I met with Ray and Blake yesterday to talk about a congressional map redraw. Perhaps some of you did as well. When we (Dem Caucus staff) tried to schedule a meeting of the staff of all 7 commissioners earlier in the week, only the Secretary and Auditor's staff were able to make it. Ray and Blake told us they had no map and don't know when a vote will take place or when a map will be produced or what any area of the state will look like in the next map they produce. We asked for the map to be made available 24 hours before any vote and for there to be 24 hours notice of a Commission vote as well. We remain available, as do Leader Sykes and Sen. Sykes, to meet about a congressional map. We continue to invite any feedback or discussion of the Democratic congressional map versions that have been available on the Commission site since [Nov. 10](#) and [Feb. 8](#).

Thank you.

Sarah A. Cherry

Legal Counsel, Minority Caucus

she/her/hers

Ohio House of Representatives
77 South High Street, 14th Floor
Columbus, OH 43215
office: (614) 466-6040
sarah.cherry@ohiohouse.gov

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District	Population	Deviation	Republican Partisan Lean	Democrat Partisan Lean		Republican Partisan Lean (Interim)	Democrat Partisan Lean (Interim)
1	786,630	0	46.34	53.66	<i>flip</i>	51.54	48.46
2	786,630	0	68.36	31.64		66.69	33.31
3	786,630	0	29.66	70.34		29.66	70.34
4	786,630	0	67.29	32.71		67.29	32.71
5	786,630	0	61.36	38.64		60.78	39.22
6	786,629	-1	56.29	43.71		56.29	43.71
7	786,630	0	61.02	38.98		57.88	42.12
8	786,630	0	67.06	32.94		62.46	37.54
9	786,630	0	49.76	50.24	<i>flip</i>	50.31	49.69
10	786,630	0	53.11	46.89		53.32	46.68
11	786,630	0	19.66	80.34		19.79	80.21
12	786,629	-1	63.05	36.95		63.07	36.93
13	786,630	0	46.92	53.08		49.23	50.77
14	786,630	0	53.45	46.55		54.13	45.87
15	786,630	0	54.10	45.90		53.88	46.12

Ohio Population 11,799,448

Note: Uses election data from statewide races between 2016 and 2020

Note: Prior election results do not guarantee future election outcomes

To: Bob Cupp[rcupp@bright.net]
From: Springhetti, Blake
Sent: Wed 3/2/2022 11:32:44 AM
Subject: Re: Auditor Faber Email map idea
Blocks 03.01.xlsx

.....
>>>>>>>>
This is the first I'm seeing it as well.

On Mar 1, 2022, at 10:41 PM, Bob Cupp <rcupp@bright.net> wrote:

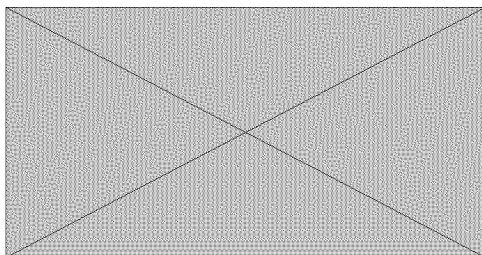
Blake – Have you seen this idea from Auditor Faber? I just received it tonight. Any thoughts.
Bob

From: Emily Redman <EERedman@ohioauditor.gov>
Sent: Tuesday, March 1, 2022 9:55 PM
To: bob.cupp@ohiohouse.gov; rcupp@bright.net
Cc: Blake.Springhetti@ohiohouse.gov
Subject: Auditor Faber Email

Speaker Cupp -

Auditor Faber ask that I pass along the link to a draft on Dave's and the accompanying BAF attached. We acknowledge there would be some necessary cleaning up to finalize the districts, but you can see what I believe he has discussed with you as potential changes.

<https://davesredistricting.org/join/b922a7cf-76f2-44e3-a54b-2c432964a6a0>



Update 03.01.22

Redistricting Map
davesredistricting.org

Best,
Emily Redman

Facebook Twitter OhioAuditor.gov

To: Cherry, Sarah[Sarah.Cherry@ohiohouse.gov]; Springhetti, Blake[Blake.Springhetti@ohiohouse.gov]
From: DiRossi, Ray
Sent: Sun 2/27/2022 2:32:47 AM
Subject: RE: Leader Russo Congressional Districts Response

....
>>>
Sarah
thanks for forwarding
I hadn't seen the letter
but i'll just say I find much of this disingenuous at best and leave it at that
Ray

From: Sarah.Cherry@ohiohouse.gov [Sarah.Cherry@ohiohouse.gov]
Sent: Saturday, February 26, 2022 8:04 PM
To: DiRossi, Ray; Blake.Springhetti@ohiohouse.gov
Subject: Fwd: Leader Russo Congressional Districts Response

Here it is attached.

Begin forwarded message:

From: "DiPalma, Andy" <Andy.DiPalma@ohiohouse.gov>
Date: February 25, 2022 at 10:59:51 PM EST
To: "Morrison, Christine" <Christine.Morrison@ohiohouse.gov>, "Barron, John" <John.Barron@ohiosenate.gov>
Cc: "Huffman, Matt" <Matt.Huffman@ohiosenate.gov>, "Cupp, Bob" <Bob.Cupp@ohiohouse.gov>, "Strigari, Frank" <Frank.Strigari@ohiosenate.gov>, "Olivet, Chris" <coliveti@ohiosos.gov>, Emily Redman <EERedman@ohioauditor.gov>, "Sloan T. Spalding" <STSpalding@ohioauditor.gov>, "Cherry, Sarah" <Sarah.Cherry@ohiohouse.gov>, Aaron.Crooks@governor.ohio.gov, "Boas, George" <George.Boas@ohiosenate.gov>, "Rothey, Kristin" <Kristin.Rothey@ohiosenate.gov>, "Stockman, Scott" <Scott.Stockman@ohiosenate.gov>, jmauk@ohiosos.gov, Matt Donahue <matthew.donahue@governor.ohio.gov>, Matt Grodhaus <mgrodhaus@ohiosos.gov>, "Routt, Randall" <Randall.Routt@ohiosenate.gov>, "Rowe, Mike" <Mike.Rowe@ohiosenate.gov>, Aaron.Crooks@governor.ohio.gov, "Disantis, Paul" <Paul.Disantis@ohiohouse.gov>
Subject: Leader Russo Congressional Districts Response

Christine and John,
Leader Russo asked that I send this letter from her in response to the correspondence from President Huffman and Speaker Cupp earlier today regarding the Ohio Redistricting Commission's work on a Congressional District Plan.

Andy Di Palma

Minority Deputy Chief of Staff
Ohio House of Representatives
614 - 466 - 9042

Cc: Routt, Randall[Randall.Routt@ohiosenate.gov]; chris@projectgovern.com[chris@projectgovern.com]; DiRossi, Ray[Ray.DiRossi@ohiosenate.gov]
To: Cherry, Sarah[Sarah.Cherry@ohiohouse.gov]
From: Springhetti, Blake
Sent: Sun 2/27/2022 1:25:45 AM
Subject: Re: Meet to discuss Congressional map proposals

;
Thank you.

On Feb 26, 2022, at 8:07 PM, Cherry, Sarah <Sarah.Cherry@ohiohouse.gov> wrote:

I forwarded her letter to you and Ray. I can make 12:30 work. Just let me know if this meeting comes together and I'll be there. Thanks.

On Feb 26, 2022, at 6:53 PM, Springhetti, Blake
<Blake.Springhetti@ohiohouse.gov> wrote:

Sarah

I have not seen such letter. I am willing to meet tomorrow, just curious if Senator Sykes and/or Leader Russo will attend.

12:30 in the Senate minority caucus room would work for me.

On Feb 26, 2022, at 6:47 PM, Cherry, Sarah
<Sarah.Cherry@ohiohouse.gov> wrote:

Blake and Ray, when and where do you propose to meet and who do you propose should attend?

Randall let Ray know yesterday that Sen. Sykes said staff can meet with staff. I believe you've seen Leader Russo's letter from last night and my email from earlier today.

If you have a congressional map to share, we'd be happy to look at it and let you know if our bosses would be interested in voting for it or if they have suggested changes.

Thank you.

Sarah

On Feb 26, 2022, at 5:07 PM, Springhetti, Blake
<Blake.Springhetti@ohiohouse.gov> wrote:

Hey Randall,
Thanks for reaching out. Would this be a staff only meeting?
Blake

On Feb 25, 2022, at 7:02 PM, Routt,
Randall
<Randall.Routt@ohiosenate.gov>
wrote:

Blake,
Senator Sykes has directed to me to contact you so we can arrange a meeting to discuss and exchange congressional map proposals that meet the requirements of the Constitution and the Court order. Let me know when is a good time to connect. I have availability tomorrow morning and all day Sunday, and Monday.
Thanks,
Randall Routt
Policy Advisor
Senate Democratic Caucus

To: Routt, Randall[Randall.Routt@ohiosenate.gov]; Springhetti, Blake[Blake.Springhetti@ohiohouse.gov]
Cc: DiRossi, Ray[Ray.DiRossi@ohiosenate.gov]; chris@projectgovern.com[chris@projectgovern.com]
From: Cherry, Sarah
Sent: Sun 2/27/2022 3:43:19 AM
Subject: Re: Meet to discuss Congressional map proposals

.....
>>>>>

I'm available at 1.

Sarah A. Cherry

Legal Counsel, Minority Caucus

she/her/hers

Ohio House of Representatives

77 South High Street, 14th Floor

Columbus, OH 43215

office: (614) 466-6040

sarah.cherry@ohiohouse.gov

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From: Routt, Randall <Randall.Routt@ohiosenate.gov>
Sent: Saturday, February 26, 2022 10:13 PM
To: Springhetti, Blake
Cc: DiRossi, Ray; Cherry, Sarah; chris@projectgovern.com
Subject: Re: Meet to discuss Congressional map proposals
I'm good with 1 pm

On Feb 26, 2022, at 10:07 PM, Blake.Springhetti@ohiohouse.gov wrote:

1p works for me.

On Feb 26, 2022, at 9:33 PM, DiRossi, Ray <Ray.DiRossi@ohiosenate.gov> wrote:

Could be do 1 PM instead?

I think I could make 12:30 but 1:00 PM would give me more time between meetings
Ray

From: Blake.Springhetti@ohiohouse.gov [Blake.Springhetti@ohiohouse.gov]
Sent: Saturday, February 26, 2022 9:04 PM
To: Routt, Randall
Cc: Sarah.Cherry@ohiohouse.gov; chris@projectgovern.com; DiRossi, Ray
Subject: Re: Meet to discuss Congressional map proposals

Sounds good to me.

On Feb 26, 2022, at 8:32 PM, Routt, Randall
<Randall.Routt@ohiosenate.gov> wrote:

I can make 12:30 tomorrow

On Feb 26, 2022, at 8:07 PM,
sarah.cherry@ohiohouse.gov wrote:

I forwarded her letter to you and Ray. I can make 12:30 work. Just let me know if this meeting comes together and I'll be there. Thanks.

On Feb 26, 2022, at 6:53 PM,
Springhetti, Blake
<Blake.Springhetti@ohiohouse.gov>
wrote:

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Thank you.

Sarah

On Feb 26,
2022, at 5:07
PM,
Springhetti,
Blake
<Blake.Springhetti@ohiohouse.gov> wrote:

Hey Randall,
Thanks for reaching out.
Would this be a staff only meeting?
Blake

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To: Morrison, Christine[Christine.Morrison@ohiohouse.gov]
From: Springhetti, Blake
Sent: Tue 3/1/2022 2:56:17 PM
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To: Morrison, Christine[Christine.Morrison@ohiohouse.gov]
From: Springhetti, Blake
Sent: Tue 3/1/2022 3:46:56 PM
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IN THE SUPREME COURT OF OHIO

Meryl Neiman, *et al.*,

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

Petitioners,

v.

Secretary of State Frank LaRose, *et al.*,

Respondents.

Case No. 2022-298

Case No. 2022-303

Consolidated

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

**AUDITOR OF STATE KEITH FABER’S OBJECTIONS AND RESPONSES TO
SUBPOENA DUCES TECUM**

Auditor of State Keith Faber (“Auditor Faber”), by and through undersigned counsel, serves his objections and responses to *Neiman* and *LWVO* Relators’ Subpoena Duces Tecum as follows:

GENERAL OBJECTIONS

Auditor Faber 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 Auditor Faber’s present knowledge, information, and belief, as derived from a review of the documents and materials maintained by Auditor Faber that would be likely to contain the information called for by the Requests. These responses are subject to amendment and supplementation as Auditor Faber acquires additional information. Auditor Faber 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 Auditor Faber responds or objects to any Requests should not be taken as an admission that Auditor Faber 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 Auditor Faber responds to all or part of any Requests is not intended to be, and shall not be construed as a waiver by Auditor Faber of any part of any objection to any Requests. Auditor Faber 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, Auditor Faber has interpreted each Request to call for discoverable matter only. To the extent any response or produced documents contains or refers to matters otherwise protected from discovery by the work product doctrine or the attorney-client 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.

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

REQUEST FOR PRODUCTION OF DOCUMENTS

1. All documents and communications concerning the General Assembly's decision not to consider or vote on any Congressional maps in 2022.

ANSWER: Auditor Faber objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege. Subject to and without waiving these

objections, Auditor Faber refers Relators to documents produced contemporaneously with these responses.

2. All documents and communications concerning the drawing of Congressional districts in 2022, including but not limited to communications between and/or among your employees, staff, officers, agents, or representatives.

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

3. All documents and communications concerning the Ohio Redistricting Commission's hearings during the Congressional redistricting process in 2022.

ANSWER: Auditor Faber refers Relators to documents produced contemporaneously with these responses.

4. All documents and communications concerning the Ohio Supreme Court's January 14, 2022 order and memorandum opinion invalidating the Ohio Congressional district plan adopted by the General Assembly in 2021, including any documents or communications concerning that order and memorandum opinion's applicability to congressional maps passed by the Ohio Redistricting Commission in 2022.

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

5. All documents and communications concerning the Commission's analysis of Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution or its applicability to congressional maps passed by the Ohio Redistricting Commission.

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

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

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

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

ANSWER: Auditor Faber refers Relators to documents produced contemporaneously with these responses.

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

ANSWER: Auditor Faber refers Relators to documents produced contemporaneously with these responses.

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

ANSWER: Auditor Faber refers Relators to documents produced contemporaneously with these responses.

10. All documents relating to meetings—both formal and informal—of any Commission 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 Commission or their staff; minutes, agendas, or presentations from Commission hearings or meetings; and any related communications, including, but not limited to, those with any member of the Commission (or representatives thereof).

ANSWER: Auditor Faber objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege. Auditor Faber further objects that this request is overly broad, unduly burdensome, and seeks information outside of Auditor Faber's knowledge. The request seeks documents and information pertaining to meetings with Commission members, regardless of whether Auditor Faber was present. The request also seeks documents considered by "any" member of the Commission or their staff. Such a request is beyond what Auditor Faber can provide. Subject to and without waiving these objections, Auditor Faber refers Relators to documents produced contemporaneously with these responses.

11. All documents relating to information that was used to draw Congressional district maps for Ohio in 2022, 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: Auditor Faber objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege. Subject to and without waiving these

objections, Auditor Faber refers Relators to documents produced contemporaneously with these responses.

12. 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, 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: Auditor Faber objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege. Auditor Faber further objects that this request seeks information beyond his knowledge as he does not speak for the entire General Assembly or the Ohio Redistricting Commission. Subject to and without waiving these objections, Auditor Faber refers Relators to documents produced contemporaneously with these responses.

13. 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: Auditor Faber objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege. Auditor Faber further objects that this request is overly broad and vague. Subject to and without waiving these objections, Auditor Faber refers Relators to documents produced contemporaneously with these responses.

14. 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: Auditor Faber objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege. Auditor Faber further objects to the extent that this request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Auditor Faber also objects that this request is not relevant, as Auditor Faber's communications with current or former members of the U.S. House of Representatives, U.S. Senate, or their staff, have no bearing on whether or not the 2022 Congressional district map violates the Ohio Constitution. Subject to and without waiving these objections, Auditor Faber refers Relators to documents produced contemporaneously with these responses.

15. 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: Auditor Faber objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege. Auditor Faber further objects to the extent that this request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Auditor Faber also objects that this request is not relevant, as even if Auditor Faber had communications with these organizations, those communications have no bearing on whether or not the 2022 Congressional district map violates the Ohio Constitution. Subject to and without waiving these objections, Auditor Faber refers Relators to documents produced contemporaneously with these responses.

16. All documents relating to analysis conducted by you, any member of the Ohio General Assembly or their staff, the Ohio General Assembly or its staff, or the Ohio Redistricting Commission or its 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: Auditor Faber objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege, and to the extent that it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Auditor Faber refers Relators to documents produced contemporaneously with these responses.

17. All documents regarding the potential, expected, or likely partisan performance or electoral outcomes of any district or districts in any Proposed Plan, including the March 2 Plan.

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

18. All documents and communications, dated between January 1, 2022, and the present, regarding the Ohio Supreme Court and/or any member of the Ohio Supreme Court, that relates in any way to the reapportionment of districts in Ohio or any decision of the Ohio Supreme Court thereof.

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

Submitted this 19th day of April, 2022.

Respectfully submitted,

/s/ Julie M. Pfeiffer

JULIE M. PFEIFFER (0069762)

Counsel of Record

JONATHAN D. BLANTON (0070035)

Deputy Attorney General

MICHAEL A. WALTON (0092201)

ALLISON D. DANIEL (0096186)

Assistant Attorneys General

Constitutional Offices Section

30 E. Broad Street, 16th Floor

Columbus, Ohio 43215

Tel: 614-466-2872 | Fax: 614-728-7592

Julie.Pfeiffer@OhioAGO.gov

Jonathan.Blanton@OhioAGO.gov

Michael.Walton@OhioAGO.gov

Allison.Daniel@OhioAGO.gov

Counsel for Secretary of State Frank LaRose

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was served via email on April 19, 2022

upon the following:

Abha Khanna (PHV 2189-2022)

Ben Stafford (PHV 25433-2022)

ELIAS LAW GROUP, LLP

1700 Seventh Ave., Suite 2100

Seattle, WA 98101

(206) 656-0176

akhanna@elias.law

Jyoti Jasrasaria (PHV 25401-2022)

Spencer W. Klein (PHV 25432-2022)

Harleen K. Gambhir (PHV 25587-2022)

Raisa Cramer (PHV 25880-2022)

ELIAS LAW GROUP, LLP

10 G St. NE, Suite 600

Washington, DC 20002

(202) 968-4490

jjasrasaria@elias.law

Donald J. McTigue (0022849)

Phillip J. Strach

Thomas A. Farr

John E. Branch, III

Alyssa M. Riggins

NELSON MULLINS RILEY & SCARBOROUGH, LLP

4140 Parklake Ave., Suite 200

Raleigh, NC 27612

(919) 329-3812

phil.strach@nelsonmullins.com

Counsel for Respondents House Speaker Robert

R. Cupp and Senate President Matt Huffman

Erik J. Clark (0078732)

Ashley Merino (0096853)

ORGAN LAW LLP

1330 Dublin Road

Columbus, OH 43215

T: (614) 481-0900

Counsel of Record
Derek S. Clinger (0092075)
McTIGUE COLOMBO & CLINGER, LLC
545 East Town Street
Columbus, OH 43215
(614) 263-7000
dmctigue@electionlawgroup.com

F: (614) 481-0904
ejclark@organlegal.com
amerino@organlegal.com

*Counsel for Respondent Ohio Redistricting
Commission*

Counsel for Neiman Petitioners

Freda J. Levenson (0045916)
ACLU of Ohio Foundation, Inc.
4506 Chester Avenue
Cleveland, Ohio 44103
Tel: 614-586-1972 x 125
flevenson@acluohio.org

David J. Carey (0088787)
ACLU of Ohio Foundation, Inc.
1108 City Park Avenue, Suite 203
Columbus, OH 43206
(614) 586-1972 x2004
dcarey@acluohio.org

Alora Thomas
Julie A. Ebenstein
American Civil Liberties Union
125 Broad Street
New York, NY 10004
(212) 519-7866
athomas@aclu.org
jebenstein@aclu.org

Robert D. Fram (PHV 25414-2021)
Donald Brown
Joshua González (PHV 25424-2021)
Juliana Goldrosen (PHV 25193-2021)
David Denuyl (PHV 25452-2021)
Covington & Burling LLP
Salesforce Tower
415 Mission Street, Suite 5400
San Francisco, CA 94105-2533
(415) 591 6000
rfram@cov.com

James Smith

Megan C. Keenan (PHV 25410-2021)
Alexander Thomson (PHV 25462-2021)
Covington & Burling LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001-4956
(202) 662-6000
mkeenan@cov.com

Anupam Sharma (PHV 25418-2021)
James Hovard (PHV 25420-2021)
Yale Fu (PHV 25419-2021)
Covington & Burling LLP
3000 El Camino Real
5 Palo Alto Square, 10th Floor
Palo Alto, CA 94306-2112
(650) 632-4700
asharma@cov.com

Madison Arent
Covington & Burling LLP
The New York Times Building
620 Eighth Avenue
New York, NY 10018-1405
(212) 841 1000
marent@cov.com

*Counsel for League of Women Voters of
Ohio Petitioners*

Respectfully submitted,

/s/ Julie M. Pfeiffer

JULIE M. PFEIFFER (0069762)

IN THE SUPREME COURT OF OHIO

Meryl Neiman, *et al.*,

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

Petitioners,

v.

Secretary of State Frank LaRose, *et al.*,

Respondents.

Case No. 2022-298

Case No. 2022-303

Consolidated

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

**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 Petitioners' Subpoena Duces Tecum as follows:

GENERAL OBJECTIONS

Mr. Springhetti makes the following answers, responses, and objections to Petitioners' 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 Petitioners 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 Petitioners 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 General Assembly's decision not to consider or vote on any Congressional maps in 2022.

ANSWER: Mr. Springhetti objects on the ground that this request seeks information outside of his knowledge. Mr. Springhetti is not a legislator, and does not speak for the entire Ohio General Assembly. Subject to and without waiving these objections, Mr. Springhetti refers Petitioners to documents being produced contemporaneously.

2. All documents and communications concerning the Ohio Redistricting Commission's hearings during the Congressional redistricting process in 2022.

ANSWER: Mr. Springhetti objects on the ground that this request seeks information outside of his knowledge. Mr. Springhetti is not a Commission member, and does not speak for the entire Ohio Redistricting Commission. Mr. Springhetti further objects that information regarding the hearings is largely publicly available on the Ohio Redistricting Commission's Website found at <https://redistricting.ohio.gov/>. Subject to and without waiving these objections, Mr. Springhetti refers Petitioners to documents being produced contemporaneously.

3. All documents and communications concerning the Ohio Redistricting Commission's Hearings during the Congressional redistricting process.

ANSWER: Mr. Springhetti objects on the ground that this request seeks information outside of his knowledge. Mr. Springhetti is not a Commission member, and does not speak for the entire Ohio Redistricting Commission. Mr. Springhetti further objects that information regarding the hearings is publicly available on the Ohio Redistricting Commission's Website found at <https://redistricting.ohio.gov/>.

4. All documents and communications concerning the Ohio Supreme Court's January 14, 2022 order and memorandum opinion invalidating the Ohio Congressional district plan adopted by the General Assembly in 2021, including any documents or communications concerning that order and memorandum opinion's applicability to congressional maps passed by the Ohio Redistricting Commission in 2022.

ANSWER: Mr. Springhetti objects to this Request because it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving this request, Mr. Springhetti refers Petitioners to comments made during the Ohio Redistricting Commission hearings regarding the Court order, and any non-privileged being produced contemporaneously.

5. All documents and communications concerning the Commission's analysis of Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution or its applicability to congressional maps passed by the Ohio Redistricting Commission.

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. Mr. Springhetti is not a member of the Ohio Redistricting Commission, and he does not speak for the entire Ohio Redistricting Commission. Subject to and without waiving these objections, Mr. Springhetti refers Petitioners to documents being produced contemporaneously.

6. All documents and communications concerning any factors you considered in the creation, consideration, and/or passage 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 he considered compliance to mean complying with all state and federal laws, and the Ohio Supreme Court's Opinion in *Adams v. DeWine* as instructed by Speaker Cupp. Mr. Springhetti further refers Petitioners to documents being produced contemporaneously.

7. 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 Petitioners to documents being produced contemporaneously.

8. 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 Petitioners to documents produced contemporaneously.

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

ANSWER: Mr. Springhetti refers Petitioners to documents being produced contemporaneously.

10. All documents relating to meetings—both formal and informal—of any Commission 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 Commission or their staff; minutes, agendas, or presentations from Commission hearings or meetings; and any related communications, including, but not limited to, those with any member of the Commission

(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 Commission members, regardless of whether Mr. Springhetti was present. The request also seeks documents considered by "any" member of the Commission or their staff. Such a request is clearly out of proportion with Petitioners needs in this case, and beyond what Mr. Springhetti can provide.

11. 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, and the Court's opinion in *Adams v. DeWine*. Mr. Springhetti further states that no racial data was considered in drawing the Congressional Plan adopted by the Commission on March 2, 2022. Subject to and without waiving these objections, Mr. Springhetti refers Petitioners to documents produced contemporaneously.

12. 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 Commission 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.

13. 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. Mr. Springhetti further objects that this Request is unduly broad and overly burdensome given that the Ohio Legislative Service Commission

had nothing to do with the drafting of the Congressional Plan challenged in this action, which was passed by the Commission, not the General Assembly.

14. 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 Petitioners to documents produced contemporaneously.

15. 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 Congressional Plan passed by the Commission on March 2, 2022 violates the Ohio Constitution. Subject to and without waiving these objections, Mr. Springhetti refers Petitioners to documents produced contemporaneously.

16. 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 Congressional Plan passed by the Commission on March 2, 2022 violates the Ohio Constitution. Subject to and without waiving these objections, Mr. Springhetti refers Petitioners to documents produced contemporaneously.

17. 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 Petitioners to documents produced contemporaneously.

18. 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 Petitioners to documents produced contemporaneously.

19. All documents and communications, dated between January 1, 2022, and the present, regarding the Ohio Supreme Court and/or any member of the Ohio Supreme Court, that relates in any way to the reapportionment of districts in Ohio or any decision of the Ohio Supreme Court 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 any communications or documents that merely reference the Ohio Supreme Court or its members is overbroad, unduly burdensome and represents an impermissible fishing expedition.

This the 19th day of April, 2022.

/s/ Phillip J. Strach

Phillip J. Strach (PHV 2022-25444)

phillip.strach@nelsonmullins.com

Thomas A. Farr (PHV 2022-25461)

tom.farr@nelsonmullins.com

John E. Branch, III (PHV 2022-25460)

john.branch@nelsonmullins.com

Alyssa M. Riggins (PHV 2022-2544)

alyssa.riggins@nelsonmullins.com

**NELSON MULLINS RILEY &
SCARBOROUGH LLP**

4140 Parklake Avenue, Suite 200

Raleigh, NC 27612

Telephone: (919) 329-3800

W. Stuart Dornette (0002955)

Beth A. Bryan (0082076)

Philip D. Williamson (0097174)

TAFT STETTINIUS & HOLLISTER LLP

425 Walnut Street, Suite 1800

Cincinnati, OH 45202-3957
Telephone: (513) 381-2838
dornette@taftlaw.com
bryan@taftlaw.com
pwilliamson@taftlaw.com

Counsel for Mr. Springhetti

CERTIFICATE OF SERVICE

I hereby certify that on this the 19th day of April, 2022, I have served the foregoing document by email:

Jonathan D. Blanton
Jonathan.Blanton@ohioAGO.gov
Michael Walton
Michael.Walton@ohioAGO.gov
Julie Pfeiffer
Julie.Pfeiffer@ohioAGO.gov
Allison D. Daniel
Allison.Blanton@ohioAGO.gov
Counsel for Respondent Ohio Secretary of State Frank LaRose

Erik Clark
ejclark@organlegal.com
Ashley Merino
amerino@organlegal.com

Counsel for Respondent Ohio Redistricting Commission

Abha Khanna
Ben Stafford
ELIAS LAW GROUP LLP
1700 Seventh Ave, Suite 2100
Seattle, WA 98101
akhanna@elias.law
bstafford@elias.law

Aria C. Branch
Jyoti Jasrasaria
Spencer W. Klein
Harleen K. Gambhir
ELIAS LAW GROUP LLP
10 G St NE, Suite 600
Washington, DC 20002
abbranch@elias.law
jjasrasaria@elias.law
sklein@elias.law
hgambhir@elias.law

Donald J. McTigue* (0022849)
*Counsel of Record
Derek S. Clinger (0092075)
MCTIGUE & COLOMBO LLC
545 East Town Street
Columbus, OH 43215
dmctigue@electionlawgroup.com
dclinger@electionlawgroup.com

Counsel for Petitioners

/s/ Phillip J. Strach

IN THE SUPREME COURT OF OHIO

Meryl Neiman, *et al.*,

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

Petitioners,

v.

Secretary of State Frank LaRose, *et al.*,

Respondents.

Case No. 2022-298

Case No. 2022-303

Consolidated

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

**OHIO GOVERNOR MIKE DEWINE’S OBJECTIONS AND RESPONSES TO
SUBPOENA DUCES TECUM**

Ohio Governor Mike DeWine (“Governor DeWine”), by and through undersigned counsel, serves his objections and responses to Relators’ Subpoena Duces Tecum as follows:

GENERAL OBJECTIONS

Governor DeWine, a non-party to this action, makes the following answers, responses, and objections to Relators’ Subpoena Duces Tecum (“Requests”).¹ 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 Governor DeWine’s present knowledge, information, and belief, as derived from a review of the documents and materials maintained by Governor DeWine that would be likely to contain the information called for by the Requests. These responses are

¹ It is noted that the Neiman petitioners had represented to this court that no discovery was required “Petitioners do not believe discovery is necessary in this case, aside from expert disclosures, which under the proposed schedule Petitioners would submit with their merits brief”. “Petitioners motion for a scheduling order” Pg 6 filed March 21, 2022. However, they now seek non-party discovery.

subject to amendment and supplementation as Governor DeWine acquires additional information. Governor DeWine 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 Governor DeWine responds or objects to any Requests should not be taken as an admission that Governor DeWine 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 Governor DeWine responds to all or part of any Requests is not intended to be, and shall not be construed as a waiver by Governor DeWine of any part of any objection to any Requests. Governor DeWine 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, Governor DeWine has interpreted each Request to call for discoverable matter only. To the extent any response or produced documents contains or refers to matters otherwise protected from discovery by the work product doctrine or the attorney-client privilege, or other applicable 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.

Governor DeWine also objects on the grounds that the timeframe 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 irrelevant, and are not reasonably limited in scope.

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

REQUEST FOR PRODUCTION OF DOCUMENTS

1. All documents and communications concerning the General Assembly's decision not to consider or vote on any Congressional maps in 2022.

ANSWER: Governor DeWine objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege. And the requests are overly broad, unduly burdensome, and seeks information outside of Governor DeWine's knowledge. Subject to and without waiving these objections, Governor DeWine refers Relators to documents produced contemporaneously with these responses.

2. All documents and communications concerning the drawing of Congressional districts in 2022, including but not limited to communications between and/or among your employees, staff, officers, agents, or representatives.

ANSWER: Governor DeWine objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege. And the requests are overly broad, unduly burdensome, and seeks information outside of Governor DeWine's knowledge. Subject to and without waiving these objections, Governor DeWine refers Relators to documents produced contemporaneously with these responses.

3. All documents and communications concerning the Ohio Redistricting Commission's hearings during the Congressional redistricting process in 2022.

ANSWER: Governor DeWine refers Relators to documents produced contemporaneously with these responses.

4. All documents and communications concerning the Ohio Supreme Court's January 14, 2022 order and memorandum opinion invalidating the Ohio Congressional district plan adopted by the General Assembly in 2021, including any documents or communications concerning that order and memorandum opinion's applicability to congressional maps passed by the Ohio Redistricting Commission in 2022.

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

5. All documents and communications concerning the Commission's analysis of Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution or its applicability to congressional maps passed by the Ohio Redistricting Commission.

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

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

ANSWER:

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

ANSWER: Governor DeWine refers Relators to documents produced contemporaneously with these responses.

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

ANSWER: Governor DeWine refers Relators to documents produced contemporaneously with these responses.

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

ANSWER: Governor DeWine refers Relators to documents produced contemporaneously with these responses.

10. All documents relating to meetings—both formal and informal—of any Commission 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 Commission or their staff; minutes, agendas, or presentations from Commission hearings or meetings; and any related communications, including, but not limited to, those with any member of the Commission (or representatives thereof).

ANSWER: Governor DeWine objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege. Governor DeWine further objects that this request is overly broad, unduly burdensome, and seeks information outside of Governor DeWine's knowledge. The request seeks documents and information pertaining to meetings with Commission members, regardless of whether Governor DeWine was present. The request also seeks documents considered by "any" member of the Commission or their staff. Such a request is beyond what Governor DeWine can provide.

11. All documents relating to information that was used to draw Congressional district maps

for Ohio in 2022, 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: Governor DeWine objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege. Subject to and without waiving these objections. Governor DeWine refers Relators to documents produced contemporaneously with these responses.

12. 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, 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: Governor DeWine objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege. Governor DeWine further objects that this request seeks information beyond his knowledge as he does not speak for the entire General Assembly or the Ohio Redistricting Commission. Subject to and without waiving these objections, Governor DeWine refers Relators to documents produced contemporaneously with these responses.

13. 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: Governor DeWine objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege. Governor DeWine further objects that this request is overly broad and vague. Governor DeWine is himself a former member of the Ohio General Assembly. Subject to and without waiving these objections, Governor DeWine refers Relators to documents produced contemporaneously with these responses.

14. 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: Governor DeWine objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege. Governor DeWine further objects that this request is overly broad and vague. Governor DeWine further objects to the extent that this request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Governor DeWine also objects that this

request is not relevant, as Governor DeWine's communications with current or former members of the U.S. House of Representatives, U.S. Senate, or their staff, have no bearing on whether or not the 2022 Congressional district map violates the Ohio Constitution. Governor DeWine is himself a former member of both the U.S. House of Representatives and the U.S. Senate Subject to and without waiving these objections, Governor DeWine refers Relators to documents produced contemporaneously with these responses.

15. 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: Governor DeWine objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege. Governor DeWine further objects to the extent that this request seeks information not within his personal knowledge, or outside of his possession, custody, or control. Governor DeWine also objects that this request is not relevant, as even if Governor DeWine had communications with these organizations, those communications have no bearing on whether or not the 2022 Congressional district map violates the Ohio Constitution. Subject to and without waiving these objections, Governor DeWine refers Relators to documents produced contemporaneously with these responses.

16. All documents relating to analysis conducted by you, any member of the Ohio General Assembly or their staff, the Ohio General Assembly or its staff, or the Ohio Redistricting Commission or its 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: Governor DeWine objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege, and to the extent that it seeks documents not in his possession, custody, or control. Subject to and without waiving these objections, Governor DeWine refers Relators to documents produced contemporaneously with these responses.

17. All documents regarding the potential, expected, or likely partisan performance or electoral outcomes of any district or districts in any Proposed Plan, including the March 2 Plan.

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

18. All documents and communications, dated between January 1, 2022, and the present, regarding the Ohio Supreme Court and/or any member of the Ohio Supreme Court, that relates in any way to the reapportionment of districts in Ohio or any decision of the Ohio

Supreme Court thereof.

ANSWER: Governor DeWine objects to this Request to the extent it seeks information covered by the attorney-client privilege or work product privilege. Further this request is overly broad and vague and that this request is not relevant as to whether or not the 2022 Congressional district map violates the Ohio Constitution. Subject to and without waiving these objections, Governor DeWine refers Relators to documents produced contemporaneously with these responses.

Submitted this 19th day of April, 2022.

DAVE YOST
OHIO ATTORNEY GENERAL

/s/ Julie M. Pfeiffer

JULIE M. PFEIFFER (0069762)

Counsel of Record

JONATHAN D. BLANTON (0070035)

Deputy Attorney General

MICHAEL A. WALTON (0092201)

ALLISON D. DANIEL (0096186)

Assistant Attorneys General

Constitutional Offices Section

30 E. Broad Street, 16th Floor

Columbus, Ohio 43215

Tel: 614-466-2872 | Fax: 614-728-7592

Julie.Pfeiffer@OhioAGO.gov

Jonathan.Blanton@OhioAGO.gov

Michael.Walton@OhioAGO.gov

Allison.Daniel@OhioAGO.gov

Counsel for Governor DeWine

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was served via email on April 19, 2022

upon the following:

Freda J. Levenson (0045916)

Counsel of Record

ACLU of Ohio Foundation, Inc.

4506 Chester Avenue

Abha Khanna (PHV 2189-2022)

Ben Stafford (PHV 25433-2022)

ELIAS LAW GROUP, LLP

1700 Seventh Ave., Suite 2100

Cleveland, Ohio 44103
Tel: 614-586-1972 x 125
flevenson@acluohio.org

David J. Carey (0088787)
ACLU of Ohio Foundation, Inc.
1108 City Park Avenue, Suite 203
Columbus, OH 43206
(614) 586-1972 x2004
dcarey@acluohio.org

Alora Thomas (PHV 22010-2022)
Julie A. Ebenstein (PHV 25423-2022)
American Civil Liberties Union
125 Broad Street
New York, NY 10004
(212) 519-7866
athomas@aclu.org
jebenstein@aclu.org

Robert D. Fram (PHV 25414-2022)
Donald Brown (PHV 25480-2022)
David Denuyl (PHV 25452-2022)
Covington & Burling LLP
Salesforce Tower
415 Mission Street, Suite 5400
San Francisco, CA 94105-2533
(415) 591 6000
rfram@cov.com

James Smith (PHV 25421-2022)
Sarah Suwanda (PHV 25602-2022)
Alexander Thomson (PHV 25462-2021)
Covington & Burling LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001-4956
(202) 662-6000
jmsmith@cov.com

Anupam Sharma (PHV 25418-2022)
Yale Fu (PHV 25419-2022)
Covington & Burling LLP
3000 El Camino Real
5 Palo Alto Square, 10th Floor
Palo Alto, CA 94306-2112

Seattle, WA 98101
(206) 656-0176
akhanna@elias.law

Jyoti Jasrasaria (PHV 25401-2022)
Spencer W. Klein (PHV 25432-2022)
Harleen K. Gambhir (PHV 25587-2022)
Raisa Cramer (PHV 25880-2022)
ELIAS LAW GROUP, LLP
10 G St. NE, Suite 600
Washington, DC 20002
(202) 968-4490
jjasrasaria@elias.law

Donald J. McTigue (0022849)
Derek S. Clinger (0092075)
McTIGUE COLOMBO & CLINGER, LLC
545 East Town Street
Columbus, OH 43215
(614) 263-7000
dmctigue@electionlawgroup.com

Counsel for Neiman Petitioners

(650) 632-4700
asharma@cov.com

Counsel for LWVO Petitioners

Bates/Control #	End Bates/Control #	Num Pages	Type	Author	From
AOS_000762	AOS_000762		1 Email	"Sloan T. Spalding" <STSpalding@ohioauditor.gov>	"Sloan T. Spalding" <STSpalding@ohioauditor.gov>
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AOS_001127	AOS_001127		1 Email	"Mary DeGenaro" <MDeGenaro@ohioauditor.gov>	Mary DeGenaro <MDeGenaro@ohioauditor.gov>
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AOS_001131	AOS_001131		1 Email	"Mary DeGenaro" <MDeGenaro@ohioauditor.gov>	Mary DeGenaro <MDeGenaro@ohioauditor.gov>
AOS_001132	AOS_001132		1 Email	"Bridget Coontz" <Bridget.Coontz@OhioAGO.gov>	Bridget Coontz <Bridget.Coontz@OhioAGO.gov>
AOS_001133	AOS_001133		2 Email	"Bridget Coontz" <Bridget.Coontz@OhioAGO.gov>	Bridget Coontz <Bridget.Coontz@OhioAGO.gov>
AOS_001134	AOS_001134		1 Email	"Bridget Coontz" <Bridget.Coontz@OhioAGO.gov>	Bridget Coontz <Bridget.Coontz@OhioAGO.gov>
AOS_001135	AOS_001135		2 Email	"Grodhaus, Michael" <mgridhaus@OhioSOS.Gov>	"Grodhaus, Michael" <mgridhaus@OhioSOS.Gov>
AOS_001136	AOS_001136		2 Email	"Julie Pfeiffer" <Julie.Pfeiffer@OhioAGO.gov>	Julie Pfeiffer <Julie.Pfeiffer@OhioAGO.gov>
AOS_001137	AOS_001137		3 Email	"Bridget Coontz" <Bridget.Coontz@OhioAGO.gov>	Bridget Coontz <Bridget.Coontz@OhioAGO.gov>
AOS_001138	AOS_001138		2 Email	"Grodhaus, Michael" <mgridhaus@OhioSOS.Gov>	"Grodhaus, Michael" <mgridhaus@OhioSOS.Gov>
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AOS_001140	AOS_001140		1 Email	"Mary DeGenaro" <MDeGenaro@ohioauditor.gov>	Mary DeGenaro <MDeGenaro@ohioauditor.gov>
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GOV_000001	GOV_000001		3 Email	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
GOV_000002	GOV_000002		2 Email	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
GOV_000003	GOV_000003		1 Email	"Hall, Michael" <Michael.Hall@governor.ohio.gov>	"Hall, Michael" <Michael.Hall@governor.ohio.gov>
GOV_000004	GOV_000004		2 Email	"Bridget Coontz" <Bridget.Coontz@OhioAGO.gov>	Bridget Coontz <Bridget.Coontz@OhioAGO.gov>
GOV_000005	GOV_000005		2 Email	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>

To	Cc	Bcc	Date	Date Sent	Privilege
"Mark D. Schade" <MDSchade@ohioauditor.gov>	"Jessica L. Friedhoff" <JLFriedhoff@ohioauditor.gov>			2/7/2022 21:32	Privilege: Attorney Client Privilege Privilege: Attorney Client Privilege
"Sloan T. Spalding" <STSpalding@ohioauditor.gov>, "James M. Coyne" <JMCoyne@ohioauditor.gov>, "Matthew R. Eiselstein" <MREiselstein@ohioauditor.gov>, Emily Redman <EERedman@ohioauditor.gov>				1/14/2022 17:38	Privilege: Attorney Client Privilege
"Keith L. Faber (KLFaber@ohioauditor.gov)" <KLFaber@ohioauditor.gov>		"faberlaw@bright.net" <faberlaw@bright.net>			Privilege: Attorney Client Privilege Privilege: Attorney Client Privilege
"Keith L. Faber" <KLFaber@ohioauditor.gov>				2/7/2022 21:31	Privilege: Attorney Client Privilege Privilege: Attorney Client Privilege
"Bridget Coontz" <Bridget.Coontz@OhioAGO.gov> Bridget Coontz <Bridget.Coontz@OhioAGO.gov> "Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>, "Mgrodhaus@OhioSoS.gov" <Mgrodhaus@OhioSoS.gov>	"Julie Pfeiffer" <Julie.Pfeiffer@OhioAGO.gov> "Sloan T. Spalding" <STSpalding@ohioauditor.gov>			2/28/2022 19:11 1/26/2022 13:42	Privilege: Attorney Client Privilege Privilege: Attorney Client Privilege
"Bridget Coontz" <Bridget.Coontz@OhioAGO.gov>, "Julie Pfeiffer" <Julie.Pfeiffer@OhioAGO.gov>				1/17/2022 22:30	Privilege: Attorney Client Privilege Privilege: Attorney Client Privilege
"Sloan T. Spalding" <STSpalding@ohioauditor.gov> "Sloan T. Spalding" <STSpalding@ohioauditor.gov>	Julie Pfeiffer <Julie.Pfeiffer@OhioAGO.gov>			2/28/2022 20:02 2/8/2022 4:44 2/27/2022 21:01	Privilege: Attorney Client Privilege Privilege: Attorney Client Privilege Privilege: Attorney Client Privilege
Mary DeGenaro <MDeGenaro@ohioauditor.gov>, "Sloan T. Spalding" <STSpalding@ohioauditor.gov>, ""Matthew.Donahue@governor.ohio.gov"" <Matthew.Donahue@governor.ohio.gov>, "Grodhaus, Michael" <mgridhaus@OhioSOS.Gov>, "Ferguson, Amanda" <AFerguson@OhioSOS.Gov>	Julie Pfeiffer <Julie.Pfeiffer@OhioAGO.gov>			1/14/2022 12:18	Privilege: Attorney Client Privilege
"Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>, "Sloan T. Spalding" <STSpalding@ohioauditor.gov>, Mary DeGenaro <MDeGenaro@ohioauditor.gov>, "Grodhaus, Michael" <mgridhaus@OhioSOS.Gov>				1/26/2022 13:17	Privilege: Attorney Client Privilege
Bridget Coontz <Bridget.Coontz@OhioAGO.gov>, "Sloan T. Spalding" <STSpalding@ohioauditor.gov>	Julie Pfeiffer <Julie.Pfeiffer@OhioAGO.gov>			2/24/2022 14:53	Privilege: Attorney Client Privilege
"Sloan T. Spalding" <STSpalding@ohioauditor.gov>, Bridget Coontz <Bridget.Coontz@OhioAGO.gov>				2/28/2022 19:11	Privilege: Attorney Client Privilege
"Sloan T. Spalding" <STSpalding@ohioauditor.gov>, Julie Pfeiffer <Julie.Pfeiffer@OhioAGO.gov>				2/28/2022 20:03	Privilege: Attorney Client Privilege
"Sloan T. Spalding" <STSpalding@ohioauditor.gov>	"Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>			1/17/2022 22:35	Privilege: Attorney Client Privilege Privilege: Attorney Client Privilege
"Sloan T. Spalding" <STSpalding@ohioauditor.gov>				1/25/2022 14:14	Privilege: Attorney Client Privilege Privilege: Attorney Client Privilege
"Mike Dewine" <Mike@silverdollarbaseball.com> "Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov> ""Matthew.Donahue@governor.ohio.gov"" <Matthew.Donahue@governor.ohio.gov>	"Hall, Michael" <Michael.Hall@governor.ohio.gov>, "Crooks, Aaron" <Aaron.Crooks@governor.ohio.gov>, "Tierney, Daniel" <Dan.Tierney@governor.ohio.gov>, "Peterson, Lisa" <Lisa.Peterson@governor.ohio.gov>, "Eck, Joshua" <Josh.Eck@governor.ohio.gov>, "Ackman, Sarah" <Sarah.Ackman@governor.ohio.gov>, "Murry, Daniel" <Daniel.Murry@governor.ohio.gov>, "Herrmann, Rachel" <Rachel.Herrmann@governor.ohio.gov>, "O'Donnell, Ann" <Ann.O'Donnell@governor.ohio.gov>, "Dawson, Laurel" <Laurel.Dawson@governor.ohio.gov> "Crooks, Aaron" <Aaron.Crooks@governor.ohio.gov>, "Hall, Michael" <Michael.Hall@governor.ohio.gov> "Crooks, Aaron" <Aaron.Crooks@governor.ohio.gov>			3/12/2022 14:03	Privilege: Attorney Client Privilege
	"Ackman, Sarah" <Sarah.Ackman@governor.ohio.gov>, "Murry, Daniel" <Daniel.Murry@governor.ohio.gov>, "Herrmann, Rachel" <Rachel.Herrmann@governor.ohio.gov>, "Hall, Michael" <Michael.Hall@governor.ohio.gov>, "Crooks, Aaron" <Aaron.Crooks@governor.ohio.gov>			1/27/2022 20:29 1/17/2022 13:44	Privilege: Attorney Client Privilege Privilege: Attorney Client Privilege
				3/15/2022 18:10	Privilege: Attorney Client Privilege
"Mike Dewine" <Mike@silverdollarbaseball.com>				2/26/2022 17:39	Privilege: Attorney Client Privilege

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GOV_000018	GOV_000018	1	Email	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
GOV_000023	GOV_000023	1	Email	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
GOV_000024	GOV_000024	3	Email	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
GOV_000025	GOV_000025	1	Email	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>	
GOV_000026	GOV_000026	2	Email	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
GOV_000027	GOV_000027	2	Email	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
GOV_000028	GOV_000028	1	Email	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
GOV_000029	GOV_000029	4	Email	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
GOV_000030	GOV_000030	5	Email	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>
GOV_000032	GOV_000032	3	Email	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>	"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov>

Bates/Control #	End Bates/Control #	Num Pages	Type	Author	From
GOV_000035	GOV_000035	2	Email	"Mike Dewine" <Mike@silverdollarbaseball.com>	Mike Dewine <Mike@silverdollarbaseball.com>
GOV_000036	GOV_000036	2	Email	"Mike Dewine" <Mike@silverdollarbaseball.com>	Mike Dewine <Mike@silverdollarbaseball.com>
GOV_000037	GOV_000037	2	Email	"Mike Dewine" <Mike@silverdollarbaseball.com>	Mike Dewine <Mike@silverdollarbaseball.com>
GOV_000038	GOV_000038	3	Email	"Mike Dewine" <Mike@silverdollarbaseball.com>	Mike Dewine <Mike@silverdollarbaseball.com>

To	Cc	Bcc	Date	Date Sent	Privilege
Jon Husted <jonahusted@gmail.com>	"Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>, "Michael.Hall@governor.ohio.gov" <Michael.Hall@governor.ohio.gov>, "Josh.Eck@governor.ohio.gov" <Josh.Eck@governor.ohio.gov>, "Aaron.Crooks@governor.ohio.gov" <Aaron.Crooks@governor.ohio.gov>, "Dan.Tierney@governor.ohio.gov" <Dan.Tierney@governor.ohio.gov>, "Lisa.Peterson@governor.ohio.gov" <Lisa.Peterson@governor.ohio.gov>, "Laurel.Dawson@governor.ohio.gov" <Laurel.Dawson@governor.ohio.gov>, "Sarah.Ackman@governor.ohio.gov" <Sarah.Ackman@governor.ohio.gov>, "Daniel.Murry@governor.ohio.gov" <Daniel.Murry@governor.ohio.gov>, "Rachel.Herrmann@governor.ohio.gov" <Rachel.Herrmann@governor.ohio.gov>			3/19/2022 15:39	Privilege: Attorney Client Privilege
"Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>	"Aaron.Crooks@governor.ohio.gov" <Aaron.Crooks@governor.ohio.gov>, "Michael.Hall@governor.ohio.gov" <Michael.Hall@governor.ohio.gov>			1/29/2022 0:58	Privilege: Attorney Client Privilege
"Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>	Jon Husted <jonahusted@gmail.com>, "Michael.Hall@governor.ohio.gov" <Michael.Hall@governor.ohio.gov>, "Josh.Eck@governor.ohio.gov" <Josh.Eck@governor.ohio.gov>, "Aaron.Crooks@governor.ohio.gov" <Aaron.Crooks@governor.ohio.gov>, "Dan.Tierney@governor.ohio.gov" <Dan.Tierney@governor.ohio.gov>, "Lisa.Peterson@governor.ohio.gov" <Lisa.Peterson@governor.ohio.gov>, "Laurel.Dawson@governor.ohio.gov" <Laurel.Dawson@governor.ohio.gov>, "Giles.Allen@governor.ohio.gov" <Giles.Allen@governor.ohio.gov>, "Rachel.Herrmann@governor.ohio.gov" <Rachel.Herrmann@governor.ohio.gov>, "Daniel.Murry@governor.ohio.gov" <Daniel.Murry@governor.ohio.gov>, "Sarah.Ackman@governor.ohio.gov" <Sarah.Ackman@governor.ohio.gov>			3/21/2022 22:48	Privilege: Attorney Client Privilege
"Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>	Jon Husted <jonahusted@gmail.com>, "Michael.Hall@governor.ohio.gov" <Michael.Hall@governor.ohio.gov>, "Aaron.Crooks@governor.ohio.gov" <Aaron.Crooks@governor.ohio.gov>, "Dan.Tierney@governor.ohio.gov" <Dan.Tierney@governor.ohio.gov>, "Lisa.Peterson@governor.ohio.gov" <Lisa.Peterson@governor.ohio.gov>, "Josh.Eck@governor.ohio.gov" <Josh.Eck@governor.ohio.gov>, "Sarah.Ackman@governor.ohio.gov" <Sarah.Ackman@governor.ohio.gov>, "Daniel.Murry@governor.ohio.gov" <Daniel.Murry@governor.ohio.gov>, "Rachel.Herrmann@governor.ohio.gov" <Rachel.Herrmann@governor.ohio.gov>, "Ann.O'Donnell@governor.ohio.gov" <Ann.O'Donnell@governor.ohio.gov>, "Laurel.Dawson@governor.ohio.gov" <Laurel.Dawson@governor.ohio.gov>			3/9/2022 1:34	Privilege: Attorney Client Privilege

Bates/Control #	End Bates/Control #	Num Pages	Type	Author	From
GOV_000039	GOV_000039	2	Email	"Mike Dewine" <Mike@silverdollarbaseball.com>	Mike Dewine <Mike@silverdollarbaseball.com>
GOV_000040	GOV_000040	2	Email	"Allison Daniel" <Allison.Daniel@OhioAGO.gov>	Allison Daniel <Allison.Daniel@OhioAGO.gov>
GOV_000041	GOV_000041	1	Email	"Marion H. Little" <little@litoio.com>	"Marion H. Little" <little@litoio.com>
GOV_000428	GOV_000428	1	PDF	VersaLink B7030	
GOV_000429	GOV_000429	6	Email	<Laurel.Dawson@governor.ohio.gov>	"Dawson, Laurel" <Laurel.Dawson@governor.ohio.gov>
GOV_000505	GOV_000505	26	PDF	VersaLink B7030	Donahue, Matthew
		2	Email	<Bridget.Coontz@OhioAGO.gov>	Bridget Coontz <Bridget.Coontz@OhioAGO.gov>

To	Cc	Bcc	Date	Date Sent	Privilege
	Jon Husted <jonahusted@gmail.com>, "Michael.Hall@governor.ohio.gov" <Michael.Hall@governor.ohio.gov>, "Aaron.Crooks@governor.ohio.gov" <Aaron.Crooks@governor.ohio.gov>, "Dan.Tierney@governor.ohio.gov" <Dan.Tierney@governor.ohio.gov>, "Lisa.Peterson@governor.ohio.gov" <Lisa.Peterson@governor.ohio.gov>, "Josh.Eck@governor.ohio.gov" <Josh.Eck@governor.ohio.gov>, "Sarah.Ackman@governor.ohio.gov" <Sarah.Ackman@governor.ohio.gov>, "Daniel.Murry@governor.ohio.gov" <Daniel.Murry@governor.ohio.gov>, "Rachel.Herrmann@governor.ohio.gov" <Rachel.Herrmann@governor.ohio.gov>, "Ann.O'Donnell@governor.ohio.gov" <Ann.O'Donnell@governor.ohio.gov>, "Laurel.Dawson@governor.ohio.gov" <Laurel.Dawson@governor.ohio.gov>				
"Matthew.Donahue@governor.ohio.gov" <Matthew.Donahue@governor.ohio.gov>				3/5/2022 16:04	Privilege: Attorney Client Privilege
"Ferguson, Amanda" <AFerguson@OhioSOS.Gov>, "Strigari, Frank" <Frank.Strigari@ohiosenate.gov>, "Paul.Disantis@ohiohouse.gov" <Paul.Disantis@ohiohouse.gov>, "Sloan T. Spalding" <STSpalding@ohioauditor.gov>, Mary DeGenaro <MDeGenaro@ohioauditor.gov>, "Grodhaus, Michael" <mgrodhaus@OhioSOS.Gov>, "matthew.donahue@governor.ohio.gov" <matthew.donahue@governor.ohio.gov> ""Matthew.Donahue@governor.ohio.gov"" <Matthew.Donahue@governor.ohio.gov>	Julie Pfeiffer <Julie.Pfeiffer@OhioAGO.gov>, Bridget Coontz <Bridget.Coontz@OhioAGO.gov>			3/11/2022 16:51	Privilege: Attorney Client Privilege
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"Donahue, Matthew" <Matthew.Donahue@governor.ohio.gov> Mike Dewine <Mike@silverdollarbaseball.com> "Grodhaus, Michael" <mgrodhaus@OhioSOS.Gov>	"Ehresman, Rachel" <Rachel.Ehresman@governor.ohio.gov>, "Harrison, April" <April.Harrison@governor.ohio.gov>			4/12/2022 16:43 1/15/2022 10:46 2/8/2022 20:21	Privilege: Attorney Client Privilege Privilege: Attorney Client Privilege Privilege: Attorney Client Privilege

IN THE SUPREME COURT OF OHIO

Meryl Neiman, *et al.*,

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

Petitioners,

v.

Secretary of State Frank LaRose, *et al.*,

Respondents.

Case No. 2022-298

Case No. 2022-303

Consolidated

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

**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 Petitioners' Subpoena Duces Tecum as follows:

GENERAL OBJECTIONS

Mr. DiRossi makes the following answers, responses, and objections to Petitioners' 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 Petitioners 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 Petitioners 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 General Assembly's decision not to consider or vote on any Congressional maps in 2022.

ANSWER: Mr. DiRossi objects on the ground that this request seeks information outside of his knowledge. Mr. DiRossi is not a legislator, and does not speak for the entire Ohio General Assembly. Subject to and without waiving these objections, Mr. DiRossi refers Petitioners to documents being produced contemporaneously.

2. All documents and communications concerning the Ohio Redistricting Commission's hearings during the Congressional redistricting process in 2022.

ANSWER: Mr. DiRossi objects on the ground that this request seeks information outside of his knowledge. Mr. DiRossi is not a Commission member, and does not speak for the entire Ohio Redistricting Commission. Mr. DiRossi further objects that information regarding the hearings is largely publicly available on the Ohio Redistricting Commission's Website found at <https://redistricting.ohio.gov/>. Subject to and without waiving these objections, Mr. DiRossi refers Petitioners to documents being produced contemporaneously.

3. All documents and communications concerning the Ohio Redistricting Commission's Hearings during the Congressional redistricting process.

ANSWER: Mr. DiRossi objects on the ground that this request seeks information outside of his knowledge. Mr. DiRossi is not a Commission member, and does not speak for the entire Ohio Redistricting Commission. Mr. DiRossi further objects that information regarding the hearings is publicly available on the Ohio Redistricting Commission's Website found at <https://redistricting.ohio.gov/>.

4. All documents and communications concerning the Ohio Supreme Court's January 14, 2022 order and memorandum opinion invalidating the Ohio Congressional district plan adopted by the General Assembly in 2021, including any documents or communications concerning that order and memorandum opinion's applicability to congressional maps passed by the Ohio Redistricting Commission in 2022.

ANSWER: Mr. DiRossi objects to this Request because it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving this request, Mr. DiRossi refers Petitioners to comments made during the Ohio Redistricting Commission hearings regarding the Court order, and any non-privileged being produced contemporaneously.

5. All documents and communications concerning the Commission's analysis of Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution or its applicability to congressional maps passed by the Ohio Redistricting Commission.

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. Mr. DiRossi is not a member of the Ohio Redistricting Commission, and he does not speak for the entire Ohio Redistricting Commission. Subject to and without waiving these objections, Mr. DiRossi refers Petitioners to documents being produced contemporaneously.

6. All documents and communications concerning any factors you considered in the creation, consideration, and/or passage 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 he considered compliance to mean complying with all state and federal laws, and the Ohio Supreme Court's Opinion in *Adams v. DeWine* as instructed by Speaker Cupp. Mr. DiRossi further refers Petitioners to documents being produced contemporaneously.

7. 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 Petitioners to documents being produced contemporaneously.

8. 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 Petitioners to documents produced contemporaneously.

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

ANSWER: Mr. DiRossi refers Petitioners to documents to being produced contemporaneously.

10. All documents relating to meetings—both formal and informal—of any Commission 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 Commission or their staff; minutes, agendas, or presentations from Commission hearings or meetings; and any related communications, including, but not limited to, those with any member of the Commission

(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 Commission members, regardless of whether Mr. DiRossi was present. The request also seeks documents considered by "any" member of the Commission or their staff. Such a request is clearly out of proportion with Petitioners needs in this case, and beyond what Mr. DiRossi can provide.

11. 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, and the Court's opinion in *Adams v. DeWine*. Mr. DiRossi further states that no racial data was considered in drawing the Congressional Plan adopted by the Commission on March 2, 2022. Subject to and without waiving these objections, Mr. DiRossi refers Petitioners to documents produced contemporaneously.

12. 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 Commission 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.

13. 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. Mr. DiRossi further objects that this Request is unduly broad and overly burdensome given that the Ohio Legislative Service Commission

had nothing to do with the drafting of the Congressional Plan challenged in this action, which was passed by the Commission, not the General Assembly.

14. 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 Petitioners to documents produced contemporaneously.

15. 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 Congressional Plan passed by the Commission on March 2, 2022 violates the Ohio Constitution. Subject to and without waiving these objections, Mr. DiRossi refers Petitioners to documents produced contemporaneously.

16. 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 Congressional Plan passed by the Commission on March 2, 2022 violates the Ohio Constitution. Subject to and without waiving these objections, Mr. DiRossi refers Petitioners to documents produced contemporaneously.

17. 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 Petitioners to documents produced contemporaneously.

18. 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 Petitioners to documents produced contemporaneously.

19. All documents and communications, dated between January 1, 2022, and the present, regarding the Ohio Supreme Court and/or any member of the Ohio Supreme Court, that relates in any way to the reapportionment of districts in Ohio or any decision of the Ohio Supreme Court 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 any communications or documents that merely reference the Ohio Supreme Court or its members is overbroad, unduly burdensome and represents an impermissible fishing expedition.

This the 19th day of April, 2022.

/s/ Phillip J. Strach

Phillip J. Strach (PHV 2022-25444)

phillip.strach@nelsonmullins.com

Thomas A. Farr (PHV 2022-25461)

tom.farr@nelsonmullins.com

John E. Branch, III (PHV 2022-25460)

john.branch@nelsonmullins.com

Alyssa M. Riggins (PHV 2022-2544)

alyssa.riggins@nelsonmullins.com

**NELSON MULLINS RILEY &
SCARBOROUGH LLP**

4140 Parklake Avenue, Suite 200

Raleigh, NC 27612

Telephone: (919) 329-3800

W. Stuart Dornette (0002955)

Beth A. Bryan (0082076)

Philip D. Williamson (0097174)

TAFT STETTINIUS & HOLLISTER LLP

425 Walnut Street, Suite 1800

Cincinnati, OH 45202-3957

Telephone: (513) 381-2838

dornette@taftlaw.com
bryan@taftlaw.com
pwilliamson@taftlaw.com

Counsel for Mr. DiRossi

CERTIFICATE OF SERVICE

I hereby certify that on this the 19th day of April, 2022, I have served the foregoing document by email:

Jonathan D. Blanton
Jonathan.Blanton@ohioAGO.gov
Michael Walton
Michael.Walton@ohioAGO.gov
Julie Pfeiffer
Julie.Pfeiffer@ohioAGO.gov
Allison D. Daniel
Allison.Blanton@ohioAGO.gov
Counsel for Respondent Ohio Secretary of State Frank LaRose

Erik Clark
ejclark@organlegal.com
Ashley Merino
amerino@organlegal.com

Counsel for Respondent Ohio Redistricting Commission

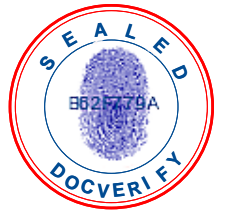
Abha Khanna
Ben Stafford
ELIAS LAW GROUP LLP
1700 Seventh Ave, Suite 2100
Seattle, WA 98101
akhanna@elias.law
bstafford@elias.law

Aria C. Branch
Jyoti Jasrasaria
Spencer W. Klein
Harleen K. Gambhir
ELIAS LAW GROUP LLP
10 G St NE, Suite 600
Washington, DC 20002
abbranch@elias.law
jjasrasaria@elias.law
sklein@elias.law
hgambhir@elias.law

Donald J. McTigue* (0022849)
*Counsel of Record
Derek S. Clinger (0092075)
MCTIGUE & COLOMBO LLC
545 East Town Street
Columbus, OH 43215
dmctigue@electionlawgroup.com
dclinger@electionlawgroup.com

Counsel for Petitioners

/s/ Phillip J. Strach



SOS Answers to Interrogatories Neiman and LWVO.pdf

DocVerify ID: B62F779A-E91F-4571-843C-F6794D5D16A1
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E-Signature 1: D. Michael Grodhaus (DMG)

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mgrodhaus@ohiosos.gov (Principal) (Personally Known)

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

April 19, 2022 11:34:57 -8:00 [32F7EA452B71] [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

Meryl Neiman, et al.,

League of Women Voters of Ohio, et al.,

Petitioners,

v.

Secretary of State Frank LaRose, et al.,

Respondents.

Case No. 2022-298

Case No. 2022-303

Consolidated

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

**RESPONDENT SECRETARY OF STATE FRANK LaROSE'S RESPONSES TO
NEIMAN PETITIONERS' FIRST SET OF INTERROGATORIES AND LWVO
PETITIONERS' SECOND SET OF INTERROGATORIES**

Abha Khanna (PHV 2189-2022)
Ben Stafford (PHV 25433-2022)
ELIAS LAW GROUP, LLP
1700 Seventh Ave., Suite 2100
Seattle, WA 98101
(206) 656-0176
akhanna@elias.law

Jyoti Jasrasaria (PHV 25401-2022)
Spencer W. Klein (PHV 25432-2022)
Harleen K. Gambhir (PHV 25587-2022)
Raisa Cramer (PHV 25880-2022)
ELIAS LAW GROUP, LLP
10 G St. NE, Suite 600
Washington, DC 20002
(202) 968-4490
jjasrasaria@elias.law

Donald J. McTigue (0022849)
Counsel of Record
Derek S. Clinger (0092075)
McTIGUE COLOMBO & CLINGER, LLC
545 East Town Street
Columbus, OH 43215
(614) 263-7000
dmctigue@electionlawgroup.com

Dave Yost
OHIO ATTORNEY GENERAL
Jonathan D. Blanton (0070035)
Julie M. Pfeiffer (0069762)
Michael A. Walton (0092201)
Allison D. Daniel (0096816)
Assistant Attorneys General
Constitutional Offices Section
30 E. Broad Street, 16th Floor
Columbus, OH 43215
(614) 466-2872
Jonathan.Blanton@OhioAGO.gov

*Counsel for Respondent Ohio Secretary of State
Frank LaRose*

Phillip J. Strach
Thomas A. Farr
John E. Branch, III
Alyssa M. Riggins
NELSON MULLINS RILEY & SCARBOROUGH, LLP
4140 Parklake Ave., Suite 200
Raleigh, NC 27612
(919) 329-3812
phil.strach@nelsonmullins.com



Counsel for Neiman Petitioners

Freda J. Levenson (0045916)
ACLU of Ohio Foundation, Inc.
4506 Chester Avenue
Cleveland, Ohio 44103
Tel: 614-586-1972 x 125
flevenson@acluohio.org

David J. Carey (0088787)
ACLU of Ohio Foundation, Inc.
1108 City Park Avenue, Suite 203
Columbus, OH 43206
(614) 586-1972 x2004
dcarey@acluohio.org

Alora Thomas
Julie A. Ebenstein
American Civil Liberties Union
125 Broad Street
New York, NY 10004
(212) 519-7866
athomas@aclu.org
jebenstein@aclu.org

Robert D. Fram (PHV 25414-2021)
Donald Brown
Joshua González (PHV 25424-2021)
Juliana Goldrosen (PHV 25193-2021)
David Denuyl (PHV 25452-2021)
Covington & Burling LLP
Salesforce Tower
415 Mission Street, Suite 5400
San Francisco, CA 94105-2533
(415) 591 6000
rfram@cov.com

James Smith
Megan C. Keenan (PHV 25410-2021)
Alexander Thomson (PHV 25462-2021)
Covington & Burling LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001-4956
(202) 662-6000

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

Erik J. Clark (0078732)
Ashley Merino (0096853)
ORGAN LAW LLP
1330 Dublin Road
Columbus, OH 43215
T: (614) 481-0900
F: (614) 481-0904
ejclark@organlegal.com
amerino@organlegal.com

*Counsel for Respondent Ohio Redistricting
Commission*



mkeenan@cov.com

Anupam Sharma (PHV 25418-2021)
James Hovard (PHV 25420-2021)
Yale Fu (PHV 25419-2021)
Covington & Burling LLP
3000 El Camino Real
5 Palo Alto Square, 10th Floor
Palo Alto, CA 94306-2112
(650) 632-4700
asharma@cov.com

Madison Arent
Covington & Burling LLP
The New York Times Building
620 Eighth Avenue
New York, NY 10018-1405
(212) 841 1000
marent@cov.com

*Counsel for League of Women Voters of
Ohio Petitioners*

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DEFINITIONS AND INSTRUCTIONS

- A. Notwithstanding any definition set forth below, each word, term, or phrase used in these Interrogatories is intended to have the broadest meaning permitted under the Ohio Rules of Civil Procedure.
- B. Words or terms not specifically defined herein have the meaning commonly understood, and no definition is intended as exclusive.
- C. The following terms shall have the meanings indicated below:
- (1) The terms “Respondent,” “you,” and “your” shall mean: Secretary of State Frank LaRose individually, as a member of the Ohio Redistricting Commission, and in your capacity as Secretary of State, as well as your present and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf.
 - (2) The term “Commission” shall mean the Ohio Redistricting Commission.
 - (3) The term “General Assembly” shall mean the Ohio General Assembly, including but not limited to the Ohio House of Representatives, the Ohio Senate, the Ohio Senate Local Government and Elections Committee, the Ohio House Government Oversight Committee, the Ohio General Assembly Joint Committee on Redistricting, and their respective members and staff.
 - (4) The term “March 2 Plan” shall mean the Congressional district plan adopted by the Ohio Redistricting Commission on March 2, 2022, or any drafts or precursors thereof, including the version of the plan presented by Senate President Matt Huffman to the Commission on March 1, 2022.
 - (5) The term “S.B. 237” shall mean the Congressional district plan proposed by Senator Vernon Sykes and Senator Kenny Yuko on February 8, 2022, or any subsequent amendments to that plan, or any drafts or precursors of that plan or its subsequent amendments, including the version proposed by Senator Sykes before the Commission on March 2, 2022.
 - (6) The term “Proposed Plans” shall mean all Congressional redistricting plans introduced by a member of the General Assembly or the Commission during 2022, including but not limited to the March 2 Plan or S.B. 237, as well as any drafts or precursors of those plans or subsequent amendments thereof.
 - (7) The term “map drawer” shall mean anyone who assisted in the creation of any Proposed Plan, regardless of whether or not they were compensated for their services.
 - (8) The term “Maptitude or other mapping software” means any and all digital programs

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that may be used to assist in drawing Congressional districts, including but not limited to Maptitude, a software program created by Caliper Corporation.

- (9) The term “describe” shall mean to set forth fully and unambiguously every fact that relates to the answer called for by the Interrogatory of which you have knowledge and to identify each individual or entity with knowledge or information that relates to your answer, and when used in reference to a factual or legal contention, to describe the full factual and legal basis for the contention, and to identify any and all persons that you believe have knowledge about each such fact or document.
- (10) The term “person” shall mean and include natural persons, governmental entities, proprietorships, corporations, partnerships, joint ventures, and each other form of organization, entity, or association.
- (11) The term “identify” shall mean, with respect to any natural person, to state his or her full name, present or last known residential address, present or last known business address, and telephone number(s).
- (12) The term “identify” shall mean, with respect to any business organization, corporation or other legal entity, to state its full name, present or last known address, principal place of business, and telephone number.
- (13) The term “identify” shall mean, with respect to any document, to state the date of the document and the type of the document (e.g., letter, memorandum, telegram, chart, photograph, sound reproduction, etc.), to identify the person(s) who prepared the document, to identify any person(s) who signed the document, to identify any person(s) to whom the document was sent, to identify the present location and custodian of the document, and to describe the contents of the document.
- (14) The term “document” is used in the broadest possible sense and shall mean, without limitation, any kind of written, printed, recorded or graphic matter, however produced or reproduced, of any kind or description, whether sent or received or neither, including originals, copies and drafts and both sides of originals, copies and drafts, and including but not limited to papers, books, letters, correspondence, telegrams, cables, telex messages, text messages, electronic messages or electronic mail (whether or not stored or recorded on-line or off-line in archive storage), financial statements, memoranda, notes, notations, work papers, transcripts, minutes, reports and recordings of telephone conversations or other conversations, or of interviews, or of conferences or other meetings, affidavits, statements, summaries, opinions, reports, studies, analyses, evaluations, contracts, agreements, journals, statistical records, desk calendars, appointment books, diaries, expense account records, lists, tabulations, summaries, sound recordings, videotapes, word processing disks and/or memory or archive systems, computer disks and/or memory or archive systems, computer printouts, data processing input and output, magnetic tapes, magnetic disks, microfilms, all other records kept by electronic, magnetic, photographic, optical or mechanical means, and things similar to any of the foregoing, however denominated.



- (15) The term “communication” shall mean the transmission of any verbal or nonverbal, written or non-written message, information, sign, symbol, or behavior, and shall include the process by which such transmission occurs.
- (16) The terms “relating to” and “concerning” shall mean referring to, related to, regarding, consisting of, pertaining to, reflecting, evidencing, describing, constituting, or being in any way logically or factually connected with the matter discussed, including any connection, direct or indirect, whatsoever with the requested topic, without limitation, unless otherwise specified in the Request.
- D. Notwithstanding any of the provisions below, Respondents should not produce any documents or communications that are publicly available on the Commission’s official website.
- E. The following rules of construction apply to all Interrogatories:
- a. The terms “all” and “any” shall each be construed as encompassing any and all;
 - b. All uses of the word “each” include “every” (and vice versa);
 - c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the Interrogatories all responses that might otherwise be construed to be outside of its scope;
 - d. The term “including” shall be construed without limitation;
 - e. The use of a verb in any tense encompasses the use of the verb in all tenses;
 - f. References to agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf include both current and former agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on your behalf; and
 - g. References to any entity include all of that entity’s agents, assigns, employees, partners, successors, predecessors, associates, personnel, staff, officers, agents, representatives, attorneys, and other persons or entities acting or purporting to act on that entities’ behalf.
 - h. The singular number and masculine gender shall include, and be applied as, the plural or the feminine gender or neuter, and vice-versa, as the circumstances of the particular interrogatory may make appropriate.
- F. All interrogatories should be answered based on the knowledge of Respondents and/or



any of Respondent's attorneys, agents, and representatives.

- G. Where an interrogatory calls for the answer in more than one part, each part shall be separately answered so as to be fully understandable. If you object to any part of an interrogatory, answer all parts of such interrogatory as to which you do not object, and as to each part to which you do object, set forth the basis for the objection.
- H. If you objective to the scope or time period of an interrogatory and refuse to answer for that scope or time period, please state your objection and answer the request for the scope or time period you believe is appropriate.
- I. If you object to any interrogatory as vague or unclear, assume a reasonable meaning, state what the assumed meaning is, and respond to the interrogatory according to the assumed meaning.
- J. If you object to any interrogatory as overbroad, provide a response that narrows the interrogatory in a way that eliminates the purported overbreadth, state the extent to which your response has narrowed the interrogatory, and respond to the narrowed interrogatory.
- K. If you withhold the answer to any part of any interrogatory on the claim of privilege, state the specific factual and legal basis for doing so and answer any part of the interrogatory that is not alleged to be objectionable. Such information should be supplied in sufficient detail to permit the Petitioners to assess the applicability of the privilege claimed.
- L. If you are unable to respond to any of the interrogatories fully and completely, after exercising due diligence to obtain the information necessary to provide a full and complete response, so state, and answer each such interrogatory to the fullest extent possible, specifying the extent of your knowledge and your inability to answer the remainder, and setting forth whatever information or knowledge you may have concerning the unanswered portions thereof and efforts you made to obtain the requested information.
- M. These interrogatories are continuing so as to require further and supplemental responses if Respondents receive or discover additional information between the time of original response and the time of any hearing, trial, or other presentation of evidence in this matter.

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INTERROGATORIES

INTERROGATORY #1

Identify all individuals involved both formally and informally in the drawing of the March 2 Plan, including, but not limited to members of the Commission, their staff, consultants, and advisors (both paid and unpaid).

OBJECTIONS: Interrogatory No. 1 does not describe with reasonable particularity the meaning of the term “involved both formally and informally” and therefore it is overbroad, vague and not reasonably calculated to lead to the discovery of admissible evidence.

ANSWER: Without waiving the above referenced objections, the members of the Commission or their staff participated in meetings to discuss the content of a congressional district plan. Other than becoming aware in the days shortly before March 2, 2022, that Ray DiRossi was preparing a draft congressional district plan, Secretary LaRose does not possess any other information responsive to Interrogatory No. 1. By way of further answer, Secretary LaRose was not involved in the drawing of the Commission-approved March 2 Plan.

INTERROGATORY #2

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

OBJECTIONS: Secretary LaRose restates his objections to Interrogatory No. 1 herein.

ANSWER: Without waiving the above referenced objections, please see Secretary LaRose’s Response to Interrogatory No. 1. Other than knowing that Ray DiRossi was preparing a draft congressional district plan, which became the Commission-approved March 2 Plan, Secretary LaRose does not possess information responsive to Interrogatory No. 2. By way of further answer, Secretary LaRose was not involved in the drawing of the Commission-approved March 2 Plan.

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INTERROGATORY #3

Identify the time period over which the March 2 Plan was created, drawn, or drafted.

ANSWER: Secretary LaRose does not possess information responsive to Interrogatory No. 3. Secretary LaRose did not create, draw, or draft the March 2 Plan or any prior draft thereof. To the best of Secretary LaRose's knowledge, at least one draft congressional district plan was in the process of being created between February 26 and March 2. Further answering, the Secretary first received a copy of a draft congressional district plan from Ray DiRossi on March 1, 2022.

INTERROGATORY #4

Identify the time at which the March 2 Plan was presented to Senator Vernon Sykes or his staff and/or to Leader Allison Russo or her staff.

ANSWER: Secretary LaRose does not possess information responsive to Interrogatory No. 4. Further answering, Secretary LaRose did not create, draw, or draft the March 2 Plan or any prior draft thereof, and therefore Secretary LaRose would not possess information about when it was presented to Senator Vernon Sykes or his staff and/or Leader Allison Russo or her staff.

INTERROGATORY #5

Identify the time at which you first received or viewed the March 2 Plan, any visual representation of the March 2 Plan, or data regarding the March 2 Plan.

ANSWER: Secretary LaRose first viewed a working draft of a congressional district map on February 27, 2022, and first received a copy of a draft plan on March 1, 2022.



INTERROGATORY #6

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 Commission, their staff, consultants, and advisors (both paid and unpaid).

OBJECTION: Interrogatory No. 6 is overly broad, unduly burdensome, and vague. Further, Interrogatory No. 6 seeks information not in Secretary LaRose's possession, custody, or control.

ANSWER: Without waiving the above referenced objections, Secretary LaRose did not create, draw, or draft any congressional district plan and did not give instructions regarding any proposed plan. Further answering, the Secretary expressed a desire that Summit County be kept whole and that the districts in northeast Ohio be compact. The Secretary does not possess information as to the instructions provided to individuals who created, or were involved in the creation of, any proposed plan.

INTERROGATORY #7

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 Commission or their representative, introduced to the Commission, including, but not limited to, the March 2 Plan.

OBJECTION: The Secretary of State objects to the extent that Interrogatory No. 7 seeks confidential, privileged information that was made during the deliberative process and/or is protected by the attorney client privilege. Interrogatory No. 7 does not identify or define with reasonable particularity "introduced to the Ohio Redistricting Commission," and therefore, it is overbroad, vague and not reasonably calculated to lead to the discovery of admissible evidence.



Finally, Interrogatory No. 7 seeks information not in the Secretary of State's possession, custody, or control.

ANSWER: Without waiving the above referenced privileges and objections, Secretary LaRose did not create, draw, or draft any congressional district plan and did not give instructions regarding any proposed plan. Secretary LaRose does not possess information as to the attempts made by those persons who created any proposed plan to comply with the listed sections of Article XIX of the Ohio Constitution.

INTERROGATORY #8

Identify and describe any persons who received compensation for services rendered in the creation of any Ohio Congressional map that the General Assembly or Commission considered and/or adopted in 2022.

ANSWER: Secretary LaRose does not possess any information as to the compensation for any services rendered in the creation of any congressional district plan considered or adopted in 2022. Further answering, all Commission members are elected officials and those officials, and their respective staff, are compensated by the State of Ohio for the performance of their official duties.

INTERROGATORY #9

Identify all individuals with whom you communicated about Congressional district plans introduced or passed during 2022.

OBJECTION: Secretary LaRose objects to the extent that Interrogatory No. 9 seeks confidential, privileged information that was made during the deliberative process and/or is protected by the attorney client privilege. Further objecting, Interrogatory No. 9 is overly broad,



unduly burdensome, and vague, and not reasonably calculated to lead to the discovery of admissible evidence.

ANSWER: Secretary LaRose communicated with other Commission members and certain members of his own staff. Secretary LaRose cannot possibly identify every individual that he communicated with about any congressional district plans that were introduced or passed during 2022.

INTERROGATORY #10

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: Secretary LaRose did not create, draw, or draft any congressional district plan. Secretary LaRose does not possess information as to the data and information used during the process of drawing any such congressional district plans.

INTERROGATORY #11

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: Secretary LaRose did not create, draw, or draft any congressional district plan. Further answering, Secretary LaRose does not possess information responsive to Interrogatory No. 11.



INTERROGATORY #12

Identify and describe all dates, times, places, and attendees of any meeting at which you discussed Congressional redistricting in 2022.

OBJECTION: Secretary LaRose objects to the extent that Interrogatory No. 12 seeks confidential, privileged information that was made during the deliberative process and/or is protected by the attorney client privilege. Further objecting, Interrogatory No. 12 is overly broad, unduly burdensome, and vague, and not reasonably calculated to lead to the discovery of admissible evidence.

ANSWER: Without waiving the above referenced privileges and objections, Secretary LaRose and/or members of his staff attended meetings with Commission members and/or their staff on February 26, 2022, and February 27, 2022. Further answering, Secretary LaRose attended the formal meetings of the Commission.

INTERROGATORY #13

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: Secretary LaRose did not create, draw, or draft any congressional district plan. Further answering, Secretary LaRose is aware that Ray DiRossi, Blake Springhetti, Randall Routt, and Chris Glassburn were involved in preparing proposed congressional district plans, but does not possess information as to the dates on which those plans were drafted, beyond that set forth in response to Interrogatory No. 3.



INTERROGATORY #14

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: Secretary LaRose did not create, draw, or draft any congressional district plan or provide give instructions for any proposed plan. Further answering, Secretary LaRose does not possess information responsive to Interrogatory No. 14.

INTERROGATORY #15

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: Secretary LaRose does not possess information responsive to Interrogatory No. 15.



VERIFICATION

STATE OF OHIO :
 :
COUNTY OF PERRY :
 :

SS.

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

D. Michael Grodhaus
Signed on 2022/04/19 11:34:57 -8:00

Sworn to before me and subscribed in my presence this 19th day of April , 2022.



MaeKenzie S. Clayton
Signed on 2022/04/19 11:34:57 -8:00

Notary Public

COMMISSION
EXPIRATION:



Respectfully submitted,

/s/ Julie M. Pfeiffer

JULIE M. PFEIFFER (0069762)

Counsel of Record

JONATHAN D. BLANTON (0070035)

Deputy Attorney General

MICHAEL A. WALTON (0092201)

ALLISON D. DANIEL (0096186)

Assistant Attorneys General

Constitutional Offices Section

30 E. Broad Street, 16th Floor

Columbus, Ohio 43215

Tel: 614-466-2872 | Fax: 614-728-7592

Julie.Pfeiffer@OhioAGO.gov

Jonathan.Blanton@OhioAGO.gov

Michael.Walton@OhioAGO.gov

Allison.Daniel@OhioAGO.gov

Counsel for Secretary of State Frank LaRose



CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was served via email on April 19, 2022

upon the following:

Freda J. Levenson (0045916)
Counsel of Record
ACLU of Ohio Foundation, Inc.
4506 Chester Avenue
Cleveland, Ohio 44103
Tel: 614-586-1972 x 125
flevenson@acluohio.org

David J. Carey (0088787)
ACLU of Ohio Foundation, Inc.
1108 City Park Avenue, Suite 203
Columbus, OH 43206
(614) 586-1972 x2004
dcarey@acluohio.org

Alora Thomas (PHV 22010-2022)
Julie A. Ebenstein (PHV 25423-2022)
American Civil Liberties Union
125 Broad Street
New York, NY 10004
(212) 519-7866
athomas@aclu.org
jebenstein@aclu.org

Robert D. Fram (PHV 25414-2022)
Donald Brown (PHV 25480-2022)
David Denuyl (PHV 25452-2022)
Covington & Burling LLP
Salesforce Tower
415 Mission Street, Suite 5400
San Francisco, CA 94105-2533
(415) 591 6000
rfram@cov.com

James Smith (PHV 25421-2022)
Sarah Suwanda (PHV 25602-2022)
Alexander Thomson (PHV 25462-2021)
Covington & Burling LLP
One CityCenter
850 Tenth Street, NW

Abha Khanna (PHV 2189-2022)
Ben Stafford (PHV 25433-2022)
ELIAS LAW GROUP, LLP
1700 Seventh Ave., Suite 2100
Seattle, WA 98101
(206) 656-0176
akhanna@elias.law

Jyoti Jasrasaria (PHV 25401-2022)
Spencer W. Klein (PHV 25432-2022)
Harleen K. Gambhir (PHV 25587-2022)
Raisa Cramer (PHV 25880-2022)
ELIAS LAW GROUP, LLP
10 G St. NE, Suite 600
Washington, DC 20002
(202) 968-4490
jjasrasaria@elias.law

Donald J. McTigue (0022849)
Derek S. Clinger (0092075)
McTIGUE COLOMBO & CLINGER, LLC
545 East Town Street
Columbus, OH 43215
(614) 263-7000
dmctigue@electionlawgroup.com

Counsel for Neiman Petitioners



Washington, DC 20001-4956
(202) 662-6000
jmsmith@cov.com

Anupam Sharma (PHV 25418-2022)
Yale Fu (PHV 25419-2022)
Covington & Burling LLP
3000 El Camino Real
5 Palo Alto Square, 10th Floor
Palo Alto, CA 94306-2112
(650) 632-4700
asharma@cov.com

Counsel for LWVO Petitioners



IN THE SUPREME COURT OF OHIO

Meryl Neiman, *et al.*,

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

Petitioners,

v.

Secretary of State Frank LaRose, *et al.*,

Respondents.

Case No. 2022-298

Case No. 2022-303

Consolidated

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

**SENATE PRESIDENT HUFFMAN’S RESPONSES TO LWVO
PETITIONERS’ SECOND SET OF REQUESTS FOR PRODUCTION**

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

GENERAL OBJECTIONS

Senate President Huffman makes the following answers, responses, and objections to Petitioners’ Second 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 Petitioners 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 Speaker of the Ohio House 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 Ohio Redistricting Commission's process of enacting the March 2, 2022 congressional plan.

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 has 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 Petitioners 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

REQUEST NO. 3

All documents and communications concerning the General Assembly's decision not to consider or vote on any Congressional maps in 2022.

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 General Assembly. Senate President Huffman further objects that this Request is overly broad and unduly burdensome in that it has no bearing on Petitioners' claims in this matter. The General Assembly did not pass a Congressional Plan and as a result, the Commission passed a Congressional Plan on March 2, 2022.

REQUEST NO. 4

All documents and communications concerning the Ohio Redistricting Commission's hearings during the Congressional redistricting process in 2022.

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. Senate President Huffman further objects that information regarding the hearings is largely publicly available on the Ohio Redistricting Commission's Website found at <https://redistricting.ohio.gov/>. Subject to and without waiving these objections, Senate President Huffman refers Petitioners to documents being produced contemporaneously.

REQUEST NO. 5

All documents and communications concerning the drawing of Congressional districts in 2022, 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 Petitioners to documents being produced contemporaneously.

REQUEST NO. 6

All documents and communications concerning the Ohio Supreme Court's January 14, 2022 order and memorandum opinion invalidating the Ohio Congressional district plan adopted by the General Assembly in 2021, including any documents or communications concerning that order and memorandum opinion's applicability to congressional maps passed by the Ohio Redistricting Commission in 2022.

ANSWER: Senate President Huffman objects to this Request because it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving this request, Senate President Huffman refers Petitioners to comments made during the Ohio Redistricting Commission hearings regarding the Court order, and any non-privileged documents being produced contemporaneously.

REQUEST NO. 7

All documents and communications concerning the Commission's analysis of Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution or its applicability to congressional maps passed by the Ohio Redistricting Commission.

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

REQUEST NO. 8

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 applicable state and federal laws, and the Ohio Supreme Court's Opinion in *Adams v. DeWine* when instructing mapdrawers and when determining to vote for the Congressional Plan adopted on March 2, 2022. Senate President Huffman further refers Petitioners to documents being produced contemporaneously.

REQUEST NO. 9

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 on the grounds that it is duplicative of Request Number 8. Subject to and without waiving these objections, Senate President Huffman refers Petitioners to his responses and objections to Request Number 8.

REQUEST NO. 10

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 Petitioners to documents being produced contemporaneously.

REQUEST NO. 11

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

ANSWER: Senate President Huffman refers Petitioners to documents produced contemporaneously with these requests and Senate President Huffman's response to Interrogatory No. 2.

REQUEST NO. 12

All documents relating to meetings—both formal and informal—of any Commission 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 Commission or their staff; minutes, agendas, or presentations from Commission hearings or meetings; and any related communications, including, but not limited to, those with any member of the Commission (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 Ohio Redistricting Commission Members, regardless of whether Senate President Huffman was present. The request also seeks documents considered by "any" member of the Commission or their staff. Such a request is clearly out of proportion with Petitioners needs in this case, and beyond what Senate President Huffman can provide.

REQUEST NO. 13

All documents relating to information that was used to draw Congressional district maps for Ohio in 2022, 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 applicable state and federal laws, and the Court's opinion in *Adams v. DeWine*. Senate President Huffman further states that no racial data was considered in drawing the Congressional Plan at issue in this action. Subject to and without waiving these objections, Senate President Huffman refers Petitioners to documents being produced contemporaneously.

REQUEST NO. 14

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. 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.

REQUEST NO. 15

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 states that to the extent any responsive documents exist, they are being produced contemporaneously.

REQUEST NO. 16

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 March 2 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Senate President Huffman states that to the extent any responsive documents exist, they are being produced contemporaneously.

REQUEST NO. 17

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 had communications with these organizations, those communications would have no bearing on whether or not the March 2 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Senate President Huffman states that to the extent any responsive documents exist, they are being produced contemporaneously.

REQUEST NO. 18

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 Petitioners to documents being produced contemporaneously.

REQUEST NO. 19

All documents and communications regarding the potential, expected, or likely partisan performance or electoral outcomes of any district or districts in any Proposed Plan, including the

March 2 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 Petitioners to documents being produced contemporaneously.

REQUEST NO. 20

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 Petitioners to documents being produced contemporaneously.

REQUEST NO. 21

All documents and communications, dated between January 1, 2022, and the present, regarding the Ohio Supreme Court and/or any member of the Ohio Supreme Court, that relates in any way to the reapportionment of districts in Ohio or any decision of the Ohio Supreme Court 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 any communications or documents that merely reference the Ohio Supreme Court or its members is overbroad, unduly burdensome and represents an impermissible fishing expedition.

REQUEST NO. 22

Any and all expert report(s) or expert affidavit(s) prepared by your Expert Witness(es) concerning (a) the March 2 Plan or (b) any expert report or expert affidavit drafted by Dr. Imai or Dr. Warshaw.

ANSWER: Senate President Huffman objects to this Requests on the grounds that it is premature. Subject to and without waiving these objections, Senate President Huffman states that if any expert reports are produced, they will be produced in accordance with the Court's existing deadlines.

This the 19th day of April, 2022.

/s/ Phillip J. Strach
Phillip J. Strach (PHV 2022-25444)
phillip.strach@nelsonmullins.com

Thomas A. Farr (PHV 2022-25461)
tom.farr@nelsonmullins.com
John E. Branch, III (PHV 2022-25460)
john.branch@nelsonmullins.com
Alyssa M. Riggins (PHV 2022-2544)
alyssa.riggins@nelsonmullins.com
**NELSON MULLINS RILEY &
SCARBOROUGH LLP**
4140 Parklake Avenue, Suite 200
Raleigh, NC 27612
Telephone: (919) 329-3800

W. Stuart Dornette (0002955)
Beth A. Bryan (0082076)
Philip D. Williamson (0097174)
TAFT STETTINIUS & HOLLISTER LLP
425 Walnut Street, Suite 1800
Cincinnati, OH 45202-3957
Telephone: (513) 381-2838
dornette@taftlaw.com
bryan@taftlaw.com
pwilliamson@taftlaw.com

Counsel for Respondents Huffman and Cupp

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of April, 2022, I have served the foregoing document by email:

Robert D. Fram (PHV 25414-2022)
Donald Brown (PHV 25480-2022)
David Denuyl (PHV 25452-2022)
COVINGTON & BURLING LLP
Salesforce Tower
415 Mission Street, Suite 5400
San Francisco, CA 94105
(415) 591-6000
rfram@cov.com

Anupam Sharma (PHV 25480-2022)
Yiye Fu (PHV 2519-2022)
COVINGTON & BURLING LLP
Salesforce Tower
3000 El Camino Real, 5 Palo Alto Square
Palo Alto, CA 94306
(650) 632-4709
asharma@cov.com

James Smith (PHV 25241-2022)
Sarah Suwanda (PHV 25602-2022)
Alex Thomson (PHV 25462-2022)
COVINGTON & BURLING LLP
One City Center
850 Tenth Street, NW
Washington, DC 20001
(202) 662-6000
jmsmith@cov.com

Freda J. Levenson (0045916)
*Counsel of Record
ACLU of OHIO FOUNDATION, INC.
4506 Chester Avenue
Cleveland, OH 44103
(614) 586-1792
flevenson@acluohio.org

David J. Carey (0088787)

Dave Yost (0056290)
Jonathan D. Blanton (0070035)
Julie M. Pfeiffer (0069762)
Michael A. Walton (0092201)
Allison D. Daniel (0096186)
OHIO ATTORNEY GENERAL
30 E. Broad Street
Columbus, Ohio 43215
T: (614) 466-2872
F: (614) 728-7592
Counsel for Respondent Secretary of State LaRose

Erik J. Clark (0078732)
Ashley Merino (0096853)
ORGAN LAW LLP
1330 Dublin Road
Columbus, Ohio 43215
T: (614) 481-0900
F: (614) 481-0904
ejclark@organlegal.com
amerino@organlegal.com
Counsel for Respondent Ohio Redistricting Commission

ACLU of OHIO FOUNDATION, INC.

1108 City Park Ave., Suite 203

Columbus, OH 43215

(614) 586-1972

dcarey@acluohio.org

Alora Thomas

Julie A. Ebenstein

**AMERICAN CIVIL LIBERTIES UNION
FOUNDATION**

125 Broad Street

New York, NY 10004

(212) 519-7866

athomas@aclu.org

Counsel for Petitioners

/s/ Phillip J. Strach

Phillip J. Strach

4857-2320-3868 v.1

IN THE SUPREME COURT OF OHIO

Meryl Neiman, *et al.*,

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

Petitioners,

v.

Secretary of State Frank LaRose, *et al.*,

Respondents.

Case No. 2022-298

Case No. 2022-303

Consolidated

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

**SENATE PRESIDENT HUFFMAN’S RESPONSE TO LWVO PETITIONERS’
SECOND SET OF INTERROGATORIES**

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

GENERAL OBJECTIONS

Senate President Huffman makes the following answers, responses, and objections to LWVO Petitioners’ Second Set of Interrogatories (“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 Petitioners 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 Speaker of the Ohio House 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 Ohio Redistricting Commission's process of enacting the March 2, 2022 congressional plan. 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 has 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 Petitioners 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.

INTERROGATORIES

INTERROGATORY NO. 2

Identify all individuals involved both formally and informally in the drawing of the March 2 Plan, including, but not limited to members of the Commission, 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 this Interrogatory 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 the Congressional Plan adopted by the Commission on March 2, 2022 was primarily drawn by Mr. Blake Springhetti and Mr. Ray DiRossi. Senate President Huffman further states that negotiations and consultation with Democratic Mapdrawer Mr. Chris Glassburn also occurred, and that Mr. Springhetti and Mr. DiRossi were available to all members of the Commission. 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 NO. 3

Describe the role played by any individuals identified in Interrogatory No. 2.

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 members of the Ohio Redistricting Commission, Mr. Christopher Glassburn, and public input.

INTERROGATORY NO. 4

Identify the time period over which the March 2 Plan was created, drawn, or drafted.

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 upon the failure of the General Assembly to pass a second Congressional Plan, the Commission began conducting hearings and working on a congressional district plan. The hearings and public testimony are available online on the Ohio Redistricting Commission website at <https://redistricting.ohio.gov/>. Ultimately, the Commission adopted a congressional district plan on March 2, 2022 in compliance with the Court’s order in *Adams v. DeWine*, and in compliance with all other applicable state and federal laws.

INTERROGATORY NO. 5

Identify the time at which the March 2 Plan was presented to Senator Vernon Sykes or his staff and/or to Leader Allison Russo or her staff.

ANSWER: Senate President Huffman objects to this Interrogatory because it seeks information not within the personal knowledge of Senate President Huffman. This request is properly directed to Senator Sykes and/or Leader Russo.

INTERROGATORY NO. 6

Identify the time at which you first received or viewed the March 2 Plan, any visual representation of the March 2 Plan, or data regarding the March 2 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. Subject to and without waiving these objections, Senate President Huffman does not recall when he first viewed the March 2 Plan, but refers Petitioners to documents produced contemporaneously showing email exchanges between Commission members and/or their staff regarding proposed congressional districting plans.

INTERROGATORY NO. 7

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 Commission, 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 applicable state and federal law including the requirements of the Ohio Constitution, and the Court's order in *Adams v. DeWine*.

INTERROGATORY NO. 8

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 Commission or their representative, introduced to the Commission, including, but not limited to, the March 2 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 further 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 the March 2 Congressional Plan was intentionally constructed to comply with the Court's order in *Adams v. DeWine*, and all applicable provisions of the Ohio Constitution.

INTERROGATORY NO. 9

Identify and describe any persons who received compensation for services rendered in the creation of any Ohio Congressional map that the General Assembly or Commission considered and/or adopted in 2022.

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. 2. Subject to and without waiving these objections, Senate President Huffman states that he and the individuals identified in Interrogatory No. 2 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 NO. 10

Identify all individuals with whom you communicated about Congressional district plans introduced or passed during 2022.

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. Springhetti, members of his staff, Mr. DiRossi, Senate President Huffman, and members of the Ohio Redistricting Commission. Senate President Huffman further states that he discussed Congressional district plans at all Commission hearings identified in response to Interrogatory No. 13 and the members of the public that spoke at those hearings.

INTERROGATORY NO. 11

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 Petitioners to the shapefiles and other data to be produced.

INTERROGATORY NO. 12

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 Petitioners to the shapefiles and other data to be produced.

INTERROGATORY NO. 13

Identify and describe all dates, times, places, and attendees of any meeting at which you discussed Congressional redistricting in 2022.

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 Petitioners' Complaint. Subject to and without waiving these objections, Senate President Huffman identifies the Ohio Redistricting Commission Committee meetings on February 22, 2022; February 23, 2022; February 24, 2022; March 1, 2022; March 2, 2022.

INTERROGATORY NO. 14

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. 2. Subject to and without waiving these objections, Senate President Huffman refers Petitioners to his response to Interrogatory No. 2.

INTERROGATORY NO. 15

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 March 2 Congressional Plan. Senate President Huffman further states that maps were drawn and submitted on the Ohio Redistricting Commission Website. Senate President Huffman further refers Petitioners to documents produced contemporaneously with this request.

INTERROGATORY NO. 16

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 Petitioners to his response to Interrogatory No. 2, detailing the individuals involved in drafting the 2021 Congressional Plan.

This the 19th day of April, 2022.

/s/ Phillip J. Strach

Phillip J. Strach (PHV 2022-25444)

phillip.strach@nelsonmullins.com

Thomas A. Farr (PHV 2022-25461)

tom.farr@nelsonmullins.com

John E. Branch, III (PHV 2022-25460)

john.branch@nelsonmullins.com

Alyssa M. Riggins (PHV 2022-2544)

alyssa.riggins@nelsonmullins.com

**NELSON MULLINS RILEY &
SCARBOROUGH LLP**

4140 Parklake Avenue, Suite 200

Raleigh, NC 27612

Telephone: (919) 329-3800

W. Stuart Dornette (0002955)

Beth A. Bryan (0082076)

Philip D. Williamson (0097174)

TAFT STETTINIUS & HOLLISTER LLP

425 Walnut Street, Suite 1800

Cincinnati, OH 45202-3957

Telephone: (513) 381-2838

dornette@taftlaw.com

bryan@taftlaw.com

pwilliamson@taftlaw.com

Counsel for Respondents Huffman and Cupp

CERTIFICATE OF SERVICE

I hereby certify that on this the 19th day of April, 2022, I have served the foregoing document via email to:

Robert D. Fram (PHV 25414-2022)
Donald Brown (PHV 25480-2022)
David Denuyl (PHV 25452-2022)
COVINGTON & BURLING LLP
Salesforce Tower
415 Mission Street, Suite 5400
San Francisco, CA 94105
(415) 591-6000
rfram@cov.com

Anupam Sharma (PHV 25480-2022)
Yiye Fu (PHV 2519-2022)
COVINGTON & BURLING LLP
Salesforce Tower
3000 El Camino Real, 5 Palo Alto Square
Palo Alto, CA 94306
(650) 632-4709
asharma@cov.com

James Smith (PHV 25241-2022)
Sarah Suwanda (PHV 25602-2022)
Alex Thomson (PHV 25462-2022)
COVINGTON & BURLING LLP
One City Center
850 Tenth Street, NW
Washington, DC 20001
(202) 662-6000
jmsmith@cov.com

Freda J. Levenson (0045916)
*Counsel of Record
ACLU of OHIO FOUNDATION, INC.
4506 Chester Avenue
Cleveland, OH 44103
(614) 586-1792
flevenson@acluohio.org

David J. Carey (0088787)

Dave Yost (0056290)
Jonathan D. Blanton (0070035)
Julie M. Pfeiffer (0069762)
Michael A. Walton (0092201)
Allison D. Daniel (0096186)
OHIO ATTORNEY GENERAL
30 E. Broad Street
Columbus, Ohio 43215
T: (614) 466-2872
F: (614) 728-7592
*Counsel for Respondent Secretary of State
LaRose*

Erik J. Clark (0078732)
Ashley Merino (0096853)
ORGAN LAW LLP
1330 Dublin Road
Columbus, Ohio 43215
T: (614) 481-0900
F: (614) 481-0904
ejclark@organlegal.com
amerino@organlegal.com
*Counsel for Respondent
Ohio Redistricting Commission*

ACLU of OHIO FOUNDATION, INC.

1108 City Park Ave., Suite 203

Columbus, OH 43215

(614) 586-1972

dcarey@acluohio.org

Alora Thomas

Julie A. Ebenstein

**AMERICAN CIVIL LIBERTIES UNION
FOUNDATION**

125 Broad Street

New York, NY 10004

(212) 519-7866

athomas@aclu.org

Counsel for Petitioners

/s/ Phillip J. Strach

Phillip J. Strach

IN THE SUPREME COURT OF OHIO

Meryl Neiman, *et al.*,

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

Petitioners,

v.

Secretary of State Frank LaRose, *et al.*,

Respondents.

Case No. 2022-298

Case No. 2022-303

Consolidated

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

**SENATE PRESIDENT HUFFMAN’S RESPONSES TO NEIMAN
PETITIONERS’ FIRST SET OF REQUESTS FOR PRODUCTION**

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

GENERAL OBJECTIONS

Senate President Huffman makes the following answers, responses, and objections to Petitioners’ 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 Petitioners 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 Speaker of the Ohio House 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 Ohio Redistricting Commission's process of enacting the March 2, 2022 congressional plan.

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 has 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 Petitioners 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 General Assembly's decision not to consider or vote on any Congressional maps in 2022.

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 General Assembly. Senate President Huffman further objects that this Request is overly broad and unduly burdensome in that it has no bearing on Petitioners' claims in this matter. The General Assembly did not pass a Congressional Plan and as a result, the Commission passed a Congressional Plan on March 2, 2022.

2. All documents and communications concerning the Ohio Redistricting Commission's hearings during the Congressional redistricting process in 2022.

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. Senate President Huffman further objects that information regarding the hearings is largely publicly available on the Ohio Redistricting Commission's Website found at <https://redistricting.ohio.gov/>. Subject to and without waiving these objections, Senate President Huffman refers Petitioners to documents being produced contemporaneously.

3. All documents and communications concerning the drawing of Congressional districts in 2022, 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 Petitioners to documents being produced contemporaneously.

4. All documents and communications concerning the Ohio Supreme Court's January 14, 2022 order and memorandum opinion invalidating the Ohio Congressional district plan adopted by the General Assembly in 2021, including any documents or communications concerning that order and memorandum opinion's applicability to congressional maps passed by the Ohio Redistricting Commission in 2022.

ANSWER: Senate President Huffman objects to this Request because it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving this request, Senate President Huffman refers Petitioners to comments made during the Ohio Redistricting Commission hearings regarding the Court order, and any non-privileged documents being produced contemporaneously.

5. All documents and communications concerning the Commission's analysis of Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution or its applicability to congressional maps passed by the Ohio Redistricting Commission.

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

6. 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 applicable state and federal laws, and the Ohio Supreme Court's Opinion in *Adams v. DeWine* when instructing mapdrawers and when determining to vote for the Congressional Plan adopted on March 2, 2022. Senate President Huffman further refers Petitioners to documents being produced contemporaneously.

7. 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 on the grounds that it is duplicative of Request number 6. Subject to and without waiving these objections, Senate President Huffman refers Petitioners to his responses and objections to Request Number 6.

8. 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 Petitioners to documents being produced contemporaneously.

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

ANSWER: Senate President Huffman refers Petitioners to documents produced

contemporaneously with these requests and Senate President Huffman's response to Interrogatory No. 1.

10. All documents relating to meetings—both formal and informal—of any Commission 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 Commission or their staff; minutes, agendas, or presentations from Commission hearings or meetings; and any related communications, including, but not limited to, those with any member of the Commission (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 Ohio Redistricting Commission Members, regardless of whether Senate President Huffman was present. The request also seeks documents considered by "any" member of the Commission or their staff. Such a request is clearly out of proportion with Petitioners needs in this case, and beyond what Senate President Huffman can provide.

11. All documents relating to information that was used to draw Congressional district maps for Ohio in 2022, 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 applicable state and federal laws, and the Court's opinion in *Adams v. DeWine*. Senate President Huffman further states that no racial data was considered in drawing the Congressional Plan at issue in this action. Subject to and without waiving these objections, Senate President Huffman refers Petitioners to documents being produced contemporaneously.

12. 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. 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.

13. 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 states that to the extent any responsive documents exist, they are being produced contemporaneously.

14. 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 March 2 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Senate President Huffman states that to the extent any responsive documents exist, they are being produced contemporaneously.

15. 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 had communications with these organizations, those communications would have no bearing on whether or not the March 2 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Senate President Huffman states that to the extent any responsive documents exist, they are being produced contemporaneously.

16. 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 Petitioners to documents being produced contemporaneously.

17. All documents and communications regarding the potential, expected, or likely partisan performance or electoral outcomes of any district or districts in any Proposed Plan, including the March 2 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 Petitioners to documents being produced contemporaneously.

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 Petitioners to documents being produced contemporaneously.

19. All documents and communications, dated between January 1, 2022, and the present, regarding the Ohio Supreme Court and/or any member of the Ohio Supreme Court, that relates in any way to the reapportionment of districts in Ohio or any decision of the Ohio Supreme Court 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 any communications or documents that merely

reference the Ohio Supreme Court or its members is overbroad, unduly burdensome and represents an impermissible fishing expedition.

This the 19th day of April, 2022.

/s/ Phillip J. Strach

Phillip J. Strach (PHV 2022-25444)

phillip.strach@nelsonmullins.com

Thomas A. Farr (PHV 2022-25461)

tom.farr@nelsonmullins.com

John E. Branch, III (PHV 2022-25460)

john.branch@nelsonmullins.com

Alyssa M. Riggins (PHV 2022-2544)

alyssa.riggins@nelsonmullins.com

**NELSON MULLINS RILEY &
SCARBOROUGH LLP**

4140 Parklake Avenue, Suite 200

Raleigh, NC 27612

Telephone: (919) 329-3800

W. Stuart Dornette (0002955)

Beth A. Bryan (0082076)

Philip D. Williamson (0097174)

TAFT STETTINIUS & HOLLISTER LLP

425 Walnut Street, Suite 1800

Cincinnati, OH 45202-3957

Telephone: (513) 381-2838

dornette@taftlaw.com

bryan@taftlaw.com

pwilliamson@taftlaw.com

Counsel for Respondents Huffman and Cupp

CERTIFICATE OF SERVICE

I hereby certify that on this the 19th day of April, 2022, I have served the foregoing document by email:

Jonathan D. Blanton
Jonathan.Blanton@ohioAGO.gov
Michael Walton
Michael.Walton@ohioAGO.gov
Julie Pfeiffer
Julie.Pfeiffer@ohioAGO.gov
Allison D. Daniel
Allison.Blanton@ohioAGO.gov
*Counsel for Respondent Ohio Secretary of
State Frank LaRose*

Erik Clark
ejclark@organlegal.com
Ashley Merino
amerino@organlegal.com

*Counsel for Respondent Ohio Redistricting
Commission*

Abha Khanna
Ben Stafford
ELIAS LAW GROUP LLP
1700 Seventh Ave, Suite 2100
Seattle, WA 98101
akhanna@elias.law
bstafford@elias.law

Aria C. Branch
Jyoti Jasrasaria
Spencer W. Klein
Harleen K. Gambhir
ELIAS LAW GROUP LLP
10 G St NE, Suite 600
Washington, DC 20002
abbranch@elias.law
jjasrasaria@elias.law
sklein@elias.law
hgambhir@elias.law

Donald J. McTigue* (0022849)
*Counsel of Record
Derek S. Clinger (0092075)
MCTIGUE & COLOMBO LLC
545 East Town Street
Columbus, OH 43215
dmctigue@electionlawgroup.com
dclinger@electionlawgroup.com

Counsel for Petitioners

/s/ Phillip J. Strach

4865-1087-9772 v.1

IN THE SUPREME COURT OF OHIO

Meryl Neiman, *et al.*,

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

Petitioners,

v.

Secretary of State Frank LaRose, *et al.*,

Respondents.

Case No. 2022-298

Case No. 2022-303

Consolidated

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

**SENATE PRESIDENT HUFFMAN’S RESPONSE TO NEIMAN PETITIONERS’
FIRST SET OF INTERROGATORIES**

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

GENERAL OBJECTIONS

Senate President Huffman makes the following answers, responses, and objections to Petitioners’ First Set of Interrogatories (“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 Petitioners 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 Speaker of the Ohio House 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 Ohio Redistricting Commission's process of enacting the March 2, 2022 congressional plan. 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 has 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 Petitioners 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.

INTERROGATORIES

INTERROGATORY #1

Identify all individuals involved both formally and informally in the drawing of the March 2 Plan, including, but not limited to members of the Commission, 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 the Congressional Plan adopted by the Commission on March 2, 2022 was primarily drawn by Mr. Blake Springhetti and Mr. Ray DiRossi. Senate President Huffman further states that negotiations and consultation with Democratic Mapdrawer Mr. Chris Glassburn also occurred, and that Mr. Springhetti and Mr. DiRossi were available to all members of the Commission. 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 members of the Ohio Redistricting Commission, Mr. Christopher Glassburn, and public input.

INTERROGATORY #3

Identify the time period over which the March 2 Plan was created, drawn, or drafted.

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 upon the failure of the General Assembly to pass a second Congressional Plan, the Commission began conducting hearings and working on a congressional district plan. The hearings and public testimony are available online on the Ohio Redistricting Commission website at <https://redistricting.ohio.gov/>. Ultimately, the Commission adopted a congressional district plan on March 2, 2022 in compliance with the Court’s order in *Adams v. DeWine*, and in compliance with all other applicable state and federal laws.

INTERROGATORY #4

Identify the time at which the March 2 Plan was presented to Senator Vernon Sykes or his staff and/or to Leader Allison Russo or her staff.

ANSWER: Senate President Huffman objects to this Interrogatory because it seeks information not within the personal knowledge of Senate President Huffman. This request is properly directed to Senator Sykes and/or Leader Russo.

INTERROGATORY #5

Identify the time at which you first received or viewed the March 2 Plan, any visual representation of the March 2 Plan, or data regarding the March 2 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. Subject to and without waiving these objections, Senate President Huffman does not recall when he first viewed the March 2 Plan, but refers Petitioners to documents produced contemporaneously showing email exchanges between Commission members and/or their staff regarding proposed congressional districting plans.

INTERROGATORY #6

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 Commission, 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 2022 Congressional Plan were instructed to comply with applicable state and federal law including the requirements of the Ohio Constitution, and the Court's order in *Adams v. DeWine*.

INTERROGATORY #7

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 Commission or their representative, introduced to the Commission, including, but not limited to, the March 2 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 further 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 the March 2 Congressional Plan was intentionally constructed to comply with the Court's order in *Adams v. DeWine*, and all applicable provisions of the Ohio Constitution.

INTERROGATORY #8

Identify and describe any persons who received compensation for services rendered in the creation of any Ohio Congressional map that the General Assembly or Commission considered and/or adopted in 2022.

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 #9

Identify all individuals with whom you communicated about Congressional district plans introduced or passed during 2022.

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. Springhetti, members of his staff, Mr. DiRossi, Speaker Cupp, and members of the Ohio Redistricting Commission. Senate President Huffman further states that he discussed Congressional district plans at all Commission hearings identified in response to Interrogatory No. 12 and the members of the public that spoke at those hearings.

INTERROGATORY #10

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 Petitioners to the shapefiles and other data to be produced.

INTERROGATORY #11

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 Petitioners to the shapefiles and other data to be produced.

INTERROGATORY #12

Identify and describe all dates, times, places, and attendees of any meeting at which you discussed Congressional redistricting in 2022.

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 Petitioners' Complaint. Subject to and without waiving these objections, Senate President Huffman identifies the Ohio Redistricting Commission Committee meetings on February 22, 2022; February 23, 2022; February 24, 2022; March 1, 2022; March 2, 2022.

INTERROGATORY #13

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 Petitioners to his response to Interrogatory No. 1.

INTERROGATORY #14

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 March 2 Congressional Plan. Senate President Huffman further states that maps were drawn and submitted on the Ohio Redistricting Commission Website. Senate President Huffman further refers Petitioners to documents produced contemporaneously with this request.

INTERROGATORY #15

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 Petitioners to his response to Interrogatory No. 1, detailing the individuals involved in drafting the 2022 Congressional Plan.

This the 19th day of April, 2022.

/s/ Phillip J. Strach

Phillip J. Strach (PHV 2022-25444)

phillip.strach@nelsonmullins.com

Thomas A. Farr (PHV 2022-25461)

tom.farr@nelsonmullins.com

John E. Branch, III (PHV 2022-25460)

john.branch@nelsonmullins.com

Alyssa M. Riggins (PHV 2022-2544)

alyssa.riggins@nelsonmullins.com

**NELSON MULLINS RILEY &
SCARBOROUGH LLP**

4140 Parklake Avenue, Suite 200

Raleigh, NC 27612

Telephone: (919) 329-3800

W. Stuart Dornette (0002955)

Beth A. Bryan (0082076)

Philip D. Williamson (0097174)

TAFT STETTINIUS & HOLLISTER LLP

425 Walnut Street, Suite 1800

Cincinnati, OH 45202-3957

Telephone: (513) 381-2838

dornette@taftlaw.com

bryan@taftlaw.com

pwilliamson@taftlaw.com

Counsel for Respondents Huffman and Cupp

CERTIFICATE OF SERVICE

I hereby certify that on this the 19th day of April, 2022, I have served the foregoing document by email:

Jonathan D. Blanton
Jonathan.Blanton@ohioAGO.gov

Michael Walton
Michael.Walton@ohioAGO.gov

Julie Pfieffer
Julie.Pfieffer@ohioAGO.gov

Allison D. Daniel
Allison.Blanton@ohioAGO.gov
*Counsel for Respondent Ohio Secretary of
State Frank LaRose*

Erik Clark
ejclark@organlegal.com
Ashley Merino
amerino@organlegal.com

*Counsel for Respondent Ohio Redistricting
Commission*

Abha Khanna
Ben Stafford
ELIAS LAW GROUP LLP
1700 Seventh Ave, Suite 2100
Seattle, WA 98101
akhanna@elias.law
bstafford@elias.law

Aria C. Branch
Jyoti Jasrasaria
Spencer W. Klein
Harleen K. Gambhir
ELIAS LAW GROUP LLP
10 G St NE, Suite 600
Washington, DC 20002
abbranch@elias.law
jjasrasaria@elias.law
sklein@elias.law
hgambhir@elias.law

Donald J. McTigue* (0022849)
*Counsel of Record
Derek S. Clinger (0092075)
MCTIGUE & COLOMBO LLC
545 East Town Street
Columbus, OH 43215
dmctigue@electionlawgroup.com
dclinger@electionlawgroup.com

Counsel for Petitioners

/s/ Phillip J. Strach

IN THE SUPREME COURT OF OHIO

Meryl Neiman, *et al.*,

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

Petitioners,

v.

Secretary of State Frank LaRose, *et al.*,

Respondents.

Case No. 2022-298

Case No. 2022-303

Consolidated

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

**SPEAKER CUPP’S RESPONSE TO LWVO PETITIONERS’
SECOND SET OF INTERROGATORIES**

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

GENERAL OBJECTIONS

Speaker Cupp makes the following answers, responses, and objections to LWVO Petitioners’ Second Set of Interrogatories (“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 Petitioners 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 Ohio Redistricting Commission's process of enacting the March 2, 2022 congressional plan. 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 has 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 Petitioners 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.

INTERROGATORIES

INTERROGATORY NO. 2

Identify all individuals involved both formally and informally in the drawing of the March 2 Plan, including, but not limited to members of the Commission, 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 this Interrogatory 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 the Congressional Plan adopted by the Commission on March 2, 2022 was primarily drawn by Mr. Blake Springhetti and Mr. Ray DiRossi. Speaker Cupp further states that negotiations and consultation with Democratic Mapdrawer Mr. Chris Glassburn also occurred, and that Mr. Springhetti and Mr. DiRossi were available to all members of the Commission. Speaker Cupp further identifies any employee of Ohio University that participated in creating the Common Unified Redistricting Database (otherwise known as the CURD).

INTERROGATORY NO. 3

Describe the role played by any individuals identified in Interrogatory No. 2.

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 members of the Ohio Redistricting Commission, Mr. Christopher Glassburn, and public input.

INTERROGATORY NO. 4

Identify the time period over which the March 2 Plan was created, drawn, or drafted.

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 upon the failure of the General Assembly to pass a second Congressional Plan, the Commission began conducting hearings and working on a congressional district plan. The hearings and public testimony are available online on the Ohio Redistricting Commission website at <https://redistricting.ohio.gov/>. Ultimately, the Commission adopted a congressional district plan on March 2, 2022 in compliance with the Court's order in *Adams v. DeWine*, and in compliance with all other applicable state and federal laws.

INTERROGATORY NO. 5

Identify the time at which the March 2 Plan was presented to Senator Vernon Sykes or his staff and/or to Leader Allison Russo or her staff.

ANSWER: Speaker Cupp objects to this Interrogatory because it seeks information not within the personal knowledge of Speaker Cupp. This request is properly directed to Senator Sykes and/or Leader Russo.

INTERROGATORY NO. 6

Identify the time at which you first received or viewed the March 2 Plan, any visual representation of the March 2 Plan, or data regarding the March 2 Plan.

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 does not recall when he first viewed the March 2 Plan, but refers Petitioners to documents produced contemporaneously showing email exchanges between Commission members and/or their staff regarding proposed congressional districting plans.

INTERROGATORY NO. 7

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 Commission, 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 applicable state and federal law including the requirements of the Ohio Constitution, and the Court's order in *Adams v. DeWine*.

INTERROGATORY NO. 8

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 Commission or their representative, introduced to the Commission, including, but not limited to, the March 2 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 further 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 the March 2 Congressional Plan was intentionally constructed to comply with the Court's order in *Adams v. DeWine*, and all applicable provisions of the Ohio Constitution.

INTERROGATORY NO. 9

Identify and describe any persons who received compensation for services rendered in the creation of any Ohio Congressional map that the General Assembly or Commission considered and/or adopted in 2022.

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. 2. Subject to and without waiving these objections, Speaker Cupp states that he and the individuals identified in Interrogatory No. 2 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 NO. 10

Identify all individuals with whom you communicated about Congressional district plans introduced or passed during 2022.

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 the Ohio Redistricting Commission. Speaker Cupp further states that he discussed Congressional district plans at all Commission hearings identified in response to Interrogatory No. 13 and the members of the public that spoke at those hearings.

INTERROGATORY NO. 11

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 Petitioners to the shapefiles and other data to be produced.

INTERROGATORY NO. 12

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 Petitioners to the shapefiles and other data to be produced.

INTERROGATORY NO. 13

Identify and describe all dates, times, places, and attendees of any meeting at which you discussed Congressional redistricting in 2022.

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 Petitioners' Complaint. Subject to and without waiving these objections, Speaker Cupp identifies the Ohio Redistricting Commission Committee meetings on February 22, 2022; February 23, 2022; February 24, 2022; March 1, 2022; March 2, 2022.

INTERROGATORY NO. 14

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. 2. Subject to and without waiving these objections, Speaker Cupp refers Petitioners to his response to Interrogatory No. 2.

INTERROGATORY NO. 15

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 March 2 Congressional Plan. Speaker Cupp further states that maps were drawn and submitted on the Ohio Redistricting Commission Website. Speaker Cupp further refers Petitioners to documents produced contemporaneously with this request.

INTERROGATORY NO. 16

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 Petitioners to his response to Interrogatory No. 2, detailing the individuals involved in drafting the 2021 Congressional Plan.

This the 19th day of April, 2022.

/s/ Phillip J. Strach

Phillip J. Strach (PHV 2022-25444)

phillip.strach@nelsonmullins.com

Thomas A. Farr (PHV 2022-25461)

tom.farr@nelsonmullins.com

John E. Branch, III (PHV 2022-25460)

john.branch@nelsonmullins.com

Alyssa M. Riggins (PHV 2022-2544)

alyssa.riggins@nelsonmullins.com

NELSON MULLINS RILEY &

SCARBOROUGH LLP

4140 Parklake Avenue, Suite 200

Raleigh, NC 27612

Telephone: (919) 329-3800

W. Stuart Dornette (0002955)

Beth A. Bryan (0082076)

Philip D. Williamson (0097174)

TAFT STETTINIUS & HOLLISTER LLP

425 Walnut Street, Suite 1800

Cincinnati, OH 45202-3957
Telephone: (513) 381-2838
dornette@taftlaw.com
bryan@taftlaw.com
pwilliamson@taftlaw.com

Counsel for Respondents Huffman and Cupp

CERTIFICATE OF SERVICE

I hereby certify that on this the 19th day of April, 2022, I have served the foregoing document via email to:

Robert D. Fram (PHV 25414-2022)
Donald Brown (PHV 25480-2022)
David Denuyl (PHV 25452-2022)
COVINGTON & BURLING LLP
Salesforce Tower
415 Mission Street, Suite 5400
San Francisco, CA 94105
(415) 591-6000
rfram@cov.com

Anupam Sharma (PHV 25480-2022)
Yiye Fu (PHV 2519-2022)
COVINGTON & BURLING LLP
Salesforce Tower
3000 El Camino Real, 5 Palo Alto Square
Palo Alto, CA 94306
(650) 632-4709
asharma@cov.com

James Smith (PHV 25241-2022)
Sarah Suwanda (PHV 25602-2022)
Alex Thomson (PHV 25462-2022)
COVINGTON & BURLING LLP
One City Center
850 Tenth Street, NW
Washington, DC 20001
(202) 662-6000
jmsmith@cov.com

Freda J. Levenson (0045916)
*Counsel of Record
ACLU of OHIO FOUNDATION, INC.
4506 Chester Avenue
Cleveland, OH 44103
(614) 586-1792
flevenson@acluohio.org

David J. Carey (0088787)

Dave Yost (0056290)
Jonathan D. Blanton (0070035)
Julie M. Pfeiffer (0069762)
Michael A. Walton (0092201)
Allison D. Daniel (0096186)
OHIO ATTORNEY GENERAL
30 E. Broad Street
Columbus, Ohio 43215
T: (614) 466-2872
F: (614) 728-7592
*Counsel for Respondent Secretary of State
LaRose*

Erik J. Clark (0078732)
Ashley Merino (0096853)
ORGAN LAW LLP
1330 Dublin Road
Columbus, Ohio 43215
T: (614) 481-0900
F: (614) 481-0904
ejclark@organlegal.com
amerino@organlegal.com
*Counsel for Respondent
Ohio Redistricting Commission*

ACLU of OHIO FOUNDATION, INC.

1108 City Park Ave., Suite 203

Columbus, OH 43215

(614) 586-1972

dcarey@acluohio.org

Alora Thomas

Julie A. Ebenstein

**AMERICAN CIVIL LIBERTIES UNION
FOUNDATION**

125 Broad Street

New York, NY 10004

(212) 519-7866

athomas@aclu.org

Counsel for Petitioners

/s/ Phillip J. Strach

Phillip J. Strach

4866-7065-6796 v.1

IN THE SUPREME COURT OF OHIO

Meryl Neiman, *et al.*,

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

Petitioners,

v.

Secretary of State Frank LaRose, *et al.*,

Respondents.

Case No. 2022-298

Case No. 2022-303

Consolidated

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

**SPEAKER CUPP’S RESPONSES TO LWVO PETITIONERS’ SECOND SET OF
REQUESTS FOR PRODUCTION**

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

GENERAL OBJECTIONS

Speaker Cupp makes the following answers, responses, and objections to Petitioners’ Second 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 Petitioners 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 Ohio Redistricting Commission's process of enacting the March 2, 2022 congressional plan.

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 has 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 Petitioners 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

REQUEST NO. 3

All documents and communications concerning the General Assembly's decision not to consider or vote on any Congressional maps in 2022.

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 General Assembly. Speaker Cupp further objects that this Request is overly broad and unduly burdensome in that it has no bearing on Petitioners' claims in this matter. The General Assembly did not pass a Congressional Plan and as a result, the Commission passed a Congressional Plan on March 2, 2022.

REQUEST NO. 4

All documents and communications concerning the Ohio Redistricting Commission's hearings during the Congressional redistricting process in 2022.

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. Speaker Cupp further objects that information regarding the hearings is largely publicly available on the Ohio Redistricting Commission's Website found at <https://redistricting.ohio.gov/>. Subject to and without waiving these objections, Speaker Cupp refers Petitioners to documents being produced contemporaneously.

REQUEST NO. 5

All documents and communications concerning the drawing of Congressional districts in 2022, 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 Petitioners to documents being produced contemporaneously.

REQUEST NO. 6

All documents and communications concerning the Ohio Supreme Court's January 14, 2022 order and memorandum opinion invalidating the Ohio Congressional district plan adopted by the General Assembly in 2021, including any documents or communications concerning that order and memorandum opinion's applicability to congressional maps passed by the Ohio Redistricting Commission in 2022.

ANSWER: Speaker Cupp objects to this Request because it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving this request, Speaker Cupp refers Petitioners to comments made during the Ohio Redistricting Commission hearings regarding the Court order, and any non-privileged documents being produced contemporaneously.

REQUEST NO. 7

All documents and communications concerning the Commission's analysis of Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution or its applicability to congressional maps passed by the Ohio Redistricting Commission.

ANSWER: Speaker Cupp objects to this Request because it seeks information covered by the attorney-client, work product, or legislative privileges. Speaker Cupp further objects on the ground that this request seeks information outside of his knowledge. Speaker Cupp does not speak for the entire Ohio Redistricting Commission.

REQUEST NO. 8

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 applicable state and federal laws, and the Ohio Supreme Court's Opinion in *Adams v. DeWine* when instructing mapdrawers and when determining to vote for the Congressional Plan adopted on March 2, 2022. Speaker Cupp further refers Petitioners to documents being produced contemporaneously.

REQUEST NO. 9

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 on the grounds that it is duplicative of Request Number 8. Subject to and without waiving these objections, Speaker Cupp refers Petitioners to his responses and objections to Request Number 8.

REQUEST NO. 10

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 Petitioners to documents being produced contemporaneously.

REQUEST NO. 11

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

ANSWER: Speaker Cupp refers Petitioners to documents produced contemporaneously with these requests and Speaker Cupp's response to Interrogatory No. 2.

REQUEST NO. 12

All documents relating to meetings—both formal and informal—of any Commission 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 Commission or their staff; minutes, agendas, or presentations from Commission hearings or meetings; and any related communications, including, but not limited to, those with any member of the Commission (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 Ohio Redistricting Commission Members, regardless of whether Speaker Cupp was present. The request also seeks documents considered by "any" member of the Commission or their staff. Such a request is clearly out of proportion with Petitioners needs in this case, and beyond what Speaker Cupp can provide.

REQUEST NO. 13

All documents relating to information that was used to draw Congressional district maps for Ohio in 2022, 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 applicable state and federal laws, and the Court's opinion in *Adams v. DeWine*. Speaker Cupp further states that no racial data was considered in drawing the Congressional Plan at issue in this action. Subject to and without waiving these objections, Speaker Cupp refers Petitioners to documents being produced contemporaneously.

REQUEST NO. 14

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. 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.

REQUEST NO. 15

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 states that to the extent any responsive documents exist, they are being produced contemporaneously.

REQUEST NO. 16

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 March 2 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Speaker Cupp states that to the extent any responsive documents exist, they are being produced contemporaneously.

REQUEST NO. 17

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 March 2 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Speaker Cupp states that to the extent any responsive documents exist, they are being produced contemporaneously.

REQUEST NO. 18

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 Petitioners to documents being produced contemporaneously.

REQUEST NO. 19

All documents and communications regarding the potential, expected, or likely partisan performance or electoral outcomes of any district or districts in any Proposed Plan, including the March 2 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 Petitioners to documents being produced contemporaneously.

REQUEST NO. 20

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 Petitioners to documents being produced contemporaneously.

REQUEST NO. 21

All documents and communications, dated between January 1, 2022, and the present, regarding the Ohio Supreme Court and/or any member of the Ohio Supreme Court, that relates in any way to the reapportionment of districts in Ohio or any decision of the Ohio Supreme Court 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 any communications or documents that merely reference the Ohio Supreme Court or its members is overbroad, unduly burdensome and represents an impermissible fishing expedition.

REQUEST NO. 22

Any and all expert report(s) or expert affidavit(s) prepared by your Expert Witness(es) concerning (a) the March 2 Plan or (b) any expert report or expert affidavit drafted by Dr. Imai or Dr. Warshaw.

ANSWER: Speaker Cupp objects to this Requests on the grounds that it is premature. Subject to and without waiving these objections, Speaker Cupp states that if any expert reports are produced, they will be produced in accordance with the Court's existing deadlines.

This the 19th day of April, 2022.

/s/ Phillip J. Strach

Phillip J. Strach (PHV 2022-25444)

phillip.strach@nelsonmullins.com

Thomas A. Farr (PHV 2022-25461)

tom.farr@nelsonmullins.com

John E. Branch, III (PHV 2022-25460)

john.branch@nelsonmullins.com

Alyssa M. Riggins (PHV 2022-2544)
alyssa.riggins@nelsonmullins.com
**NELSON MULLINS RILEY &
SCARBOROUGH LLP**
4140 Parklake Avenue, Suite 200
Raleigh, NC 27612
Telephone: (919) 329-3800

W. Stuart Dornette (0002955)
Beth A. Bryan (0082076)
Philip D. Williamson (0097174)
TAFT STETTINIUS & HOLLISTER LLP
425 Walnut Street, Suite 1800
Cincinnati, OH 45202-3957
Telephone: (513) 381-2838
dornette@taftlaw.com
bryan@taftlaw.com
pwilliamson@taftlaw.com

Counsel for Respondents Huffman and Cupp

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of April, 2022, I have served the foregoing document by email:

Robert D. Fram (PHV 25414-2022)
Donald Brown (PHV 25480-2022)
David Denuyl (PHV 25452-2022)
COVINGTON & BURLING LLP
Salesforce Tower
415 Mission Street, Suite 5400
San Francisco, CA 94105
(415) 591-6000
rfram@cov.com

Anupam Sharma (PHV 25480-2022)
Yiye Fu (PHV 2519-2022)
COVINGTON & BURLING LLP
Salesforce Tower
3000 El Camino Real, 5 Palo Alto Square
Palo Alto, CA 94306
(650) 632-4709
asharma@cov.com

James Smith (PHV 25241-2022)
Sarah Suwanda (PHV 25602-2022)
Alex Thomson (PHV 25462-2022)
COVINGTON & BURLING LLP
One City Center
850 Tenth Street, NW
Washington, DC 20001
(202) 662-6000
jmsmith@cov.com

Freda J. Levenson (0045916)
*Counsel of Record
ACLU of OHIO FOUNDATION, INC.
4506 Chester Avenue
Cleveland, OH 44103
(614) 586-1792
flevenson@acluohio.org

David J. Carey (0088787)

Dave Yost (0056290)
Jonathan D. Blanton (0070035)
Julie M. Pfeiffer (0069762)
Michael A. Walton (0092201)
Allison D. Daniel (0096186)
OHIO ATTORNEY GENERAL
30 E. Broad Street
Columbus, Ohio 43215
T: (614) 466-2872
F: (614) 728-7592
*Counsel for Respondent Secretary of State
LaRose*

Erik J. Clark (0078732)
Ashley Merino (0096853)
ORGAN LAW LLP
1330 Dublin Road
Columbus, Ohio 43215
T: (614) 481-0900
F: (614) 481-0904
ejclark@organlegal.com
amerino@organlegal.com
*Counsel for Respondent
Ohio Redistricting Commission*

ACLU of OHIO FOUNDATION, INC.

1108 City Park Ave., Suite 203

Columbus, OH 43215

(614) 586-1972

dcarey@acluohio.org

Alora Thomas

Julie A. Ebenstein

**AMERICAN CIVIL LIBERTIES UNION
FOUNDATION**

125 Broad Street

New York, NY 10004

(212) 519-7866

athomas@aclu.org

Counsel for Petitioners

/s/ Phillip J. Strach

Phillip J. Strach

4881-5740-7260 v.1

IN THE SUPREME COURT OF OHIO

Meryl Neiman, *et al.*,

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

Petitioners,

v.

Secretary of State Frank LaRose, *et al.*,

Respondents.

Case No. 2022-298

Case No. 2022-303

Consolidated

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

**SPEAKER CUPP’S RESPONSE TO NEIMAN PETITIONERS’
FIRST SET OF INTERROGATORIES**

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

GENERAL OBJECTIONS

Speaker Cupp makes the following answers, responses, and objections to Petitioners’ First Set of Interrogatories (“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 Petitioners 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 Ohio Redistricting Commission's process of enacting the March 2, 2022 congressional plan. 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 has 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 Petitioners 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.

INTERROGATORIES

INTERROGATORY #1

Identify all individuals involved both formally and informally in the drawing of the March 2 Plan, including, but not limited to members of the Commission, 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 the Congressional Plan adopted by the Commission on March 2, 2022 was primarily drawn by Mr. Blake Springhetti and Mr. Ray DiRossi. Speaker Cupp further states that negotiations and consultation with Democratic Mapdrawer Mr. Chris Glassburn also occurred, and that Mr. Springhetti and Mr. DiRossi were available to all members of the Commission. 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 members of the Ohio Redistricting Commission, Mr. Christopher Glassburn, and public input.

INTERROGATORY #3

Identify the time period over which the March 2 Plan was created, drawn, or drafted.

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 upon the failure of the General Assembly to pass a second Congressional Plan, the Commission began conducting hearings and working on a congressional district plan. The hearings and public testimony are available online on the Ohio Redistricting Commission website at <https://redistricting.ohio.gov/>. Ultimately, the Commission adopted a congressional district plan on March 2, 2022 in compliance with the Court's order in *Adams v. DeWine*, and in compliance with all other applicable state and federal laws.

INTERROGATORY #4

Identify the time at which the March 2 Plan was presented to Senator Vernon Sykes or his staff and/or to Leader Allison Russo or her staff.

ANSWER: Speaker Cupp objects to this Interrogatory because it seeks information not within the personal knowledge of Speaker Cupp. This request is properly directed to Senator Sykes and/or Leader Russo.

INTERROGATORY #5

Identify the time at which you first received or viewed the March 2 Plan, any visual representation of the March 2 Plan, or data regarding the March 2 Plan.

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 does not recall when he first viewed the March 2 Plan, but refers Petitioners to documents produced contemporaneously showing email exchanges between Commission members and/or their staff regarding proposed congressional districting plans.

INTERROGATORY #6

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 Commission, 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 2022 Congressional Plan were instructed to comply with applicable state and federal law including the requirements of the Ohio Constitution, and the Court's order in *Adams v. DeWine*.

INTERROGATORY #7

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 Commission or their representative, introduced to the Commission, including, but not limited to, the March 2 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 further 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 the March 2 Congressional Plan was intentionally constructed to comply with the Court's order in *Adams v. DeWine*, and all applicable provisions of the Ohio Constitution.

INTERROGATORY #8

Identify and describe any persons who received compensation for services rendered in the creation of any Ohio Congressional map that the General Assembly or Commission considered and/or adopted in 2022.

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 #9

Identify all individuals with whom you communicated about Congressional district plans introduced or passed during 2022.

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 the Ohio Redistricting Commission. Speaker Cupp further states that he discussed Congressional district plans at all Commission hearings identified in response to Interrogatory No. 12 and the members of the public that spoke at those hearings.

INTERROGATORY #10

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 Petitioners to the shapefiles and other data to be produced.

INTERROGATORY #11

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 Petitioners to the shapefiles and other data to be produced.

INTERROGATORY #12

Identify and describe all dates, times, places, and attendees of any meeting at which you discussed Congressional redistricting in 2022.

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 Petitioners' Complaint. Subject to and without waiving these objections, Speaker Cupp identifies the Ohio Redistricting Commission Committee meetings on February 22, 2022; February 23, 2022; February 24, 2022; March 1, 2022; March 2, 2022.

INTERROGATORY #13

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 Petitioners to his response to Interrogatory No. 1.

INTERROGATORY #14

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 March 2 Congressional Plan. Speaker Cupp further states that maps were drawn and submitted on the Ohio Redistricting Commission Website. Speaker Cupp further refers Petitioners to documents produced contemporaneously with this request.

INTERROGATORY #15

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 Petitioners to his response to Interrogatory No. 1, detailing the individuals involved in drafting the 2022 Congressional Plan.

This the 19th day of April, 2022.

/s/ Phillip J. Strach

Phillip J. Strach (PHV 2022-25444)

phillip.strach@nelsonmullins.com

Thomas A. Farr (PHV 2022-25461)

tom.farr@nelsonmullins.com

John E. Branch, III (PHV 2022-25460)

john.branch@nelsonmullins.com

Alyssa M. Riggins (PHV 2022-2544)

alyssa.riggins@nelsonmullins.com

NELSON MULLINS RILEY &

SCARBOROUGH LLP

4140 Parklake Avenue, Suite 200

Raleigh, NC 27612

Telephone: (919) 329-3800

W. Stuart Dornette (0002955)

Beth A. Bryan (0082076)

Philip D. Williamson (0097174)

TAFT STETTINIUS & HOLLISTER LLP

425 Walnut Street, Suite 1800

Cincinnati, OH 45202-3957
Telephone: (513) 381-2838
dornette@taftlaw.com
bryan@taftlaw.com
pwilliamson@taftlaw.com

Counsel for Respondents Huffman and Cupp

CERTIFICATE OF SERVICE

I hereby certify that on this the 19th day of April, 2022, I have served the foregoing document by email:

Jonathan D. Blanton
Jonathan.Blanton@ohioAGO.gov

Michael Walton
Michael.Walton@ohioAGO.gov

Julie Pfieffer
Julie.Pfieffer@ohioAGO.gov

Allison D. Daniel
Allison.Blanton@ohioAGO.gov
*Counsel for Respondent Ohio Secretary of
State Frank LaRose*

Erik Clark
ejclark@organlegal.com
Ashley Merino
amerino@organlegal.com

*Counsel for Respondent Ohio Redistricting
Commission*

Abha Khanna
Ben Stafford
ELIAS LAW GROUP LLP
1700 Seventh Ave, Suite 2100
Seattle, WA 98101
akhanna@elias.law
bstafford@elias.law

Aria C. Branch
Jyoti Jasrasaria
Spencer W. Klein
Harleen K. Gambhir
ELIAS LAW GROUP LLP
10 G St NE, Suite 600
Washington, DC 20002
abbranch@elias.law
jjasrasaria@elias.law
sklein@elias.law
hgambhir@elias.law

Donald J. McTigue* (0022849)
*Counsel of Record
Derek S. Clinger (0092075)
MCTIGUE & COLOMBO LLC
545 East Town Street
Columbus, OH 43215
dmctigue@electionlawgroup.com
dclinger@electionlawgroup.com

Counsel for Petitioners

/s/ Phillip J. Strach

IN THE SUPREME COURT OF OHIO

Meryl Neiman, *et al.*,

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

Petitioners,

v.

Secretary of State Frank LaRose, *et al.*,

Respondents.

Case No. 2022-298

Case No. 2022-303

Consolidated

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

**SPEAKER CUPP’S RESPONSES TO NEIMAN PETITIONERS’
FIRST SET OF REQUESTS FOR PRODUCTION**

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

GENERAL OBJECTIONS

Speaker Cupp makes the following answers, responses, and objections to Petitioners’ 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 Petitioners 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 Ohio Redistricting Commission's process of enacting the March 2, 2022 congressional plan.

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 has 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 Petitioners 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 General Assembly's decision not to consider or vote on any Congressional maps in 2022.

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 General Assembly. Speaker Cupp further objects that this Request is overly broad and unduly burdensome in that it has no bearing on Petitioners' claims in this matter. The General Assembly did not pass a Congressional Plan and as a result, the Commission passed a Congressional Plan on March 2, 2022.

2. All documents and communications concerning the Ohio Redistricting Commission's hearings during the Congressional redistricting process in 2022.

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. Speaker Cupp further objects that information regarding the hearings is largely publicly available on the Ohio Redistricting Commission's Website found at <https://redistricting.ohio.gov/>. Subject to and without waiving these objections, Speaker Cupp refers Petitioners to documents being produced contemporaneously.

3. All documents and communications concerning the drawing of Congressional districts in 2022, 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 Petitioners to documents being produced contemporaneously.

4. All documents and communications concerning the Ohio Supreme Court's January 14, 2022 order and memorandum opinion invalidating the Ohio Congressional district plan adopted by the General Assembly in 2021, including any documents or communications concerning that order and memorandum opinion's applicability to congressional maps passed by the Ohio Redistricting Commission in 2022.

ANSWER: Speaker Cupp objects to this Request because it seeks information covered by the attorney-client, work product, or legislative privileges. Subject to and without waiving this request, Speaker Cupp refers Petitioners to comments made during the Ohio Redistricting Commission hearings regarding the Court order, and any non-privileged

documents being produced contemporaneously.

5. All documents and communications concerning the Commission's analysis of Article XIX, Section 1(C)(3)(a) and Section 1(C)(3)(b) of the Ohio Constitution or its applicability to congressional maps passed by the Ohio Redistricting Commission.

ANSWER: Speaker Cupp objects to this Request because it seeks information covered by the attorney-client, work product, or legislative privileges. Speaker Cupp further objects on the ground that this request seeks information outside of his knowledge. Speaker Cupp does not speak for the entire Ohio Redistricting Commission.

6. 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 applicable state and federal laws, and the Ohio Supreme Court's Opinion in *Adams v. DeWine* when instructing mapdrawers and when determining to vote for the Congressional Plan adopted on March 2, 2022. Speaker Cupp further refers Petitioners to documents being produced contemporaneously.

7. 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 on the grounds that it is duplicative of Request number 6. Subject to and without waiving these objections, Speaker Cupp refers Petitioners to his responses and objections to Request Number 6.

8. 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 Petitioners to documents being produced contemporaneously.

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

ANSWER: Speaker Cupp refers Petitioners to documents produced contemporaneously

with these requests and Speaker Cupp's response to Interrogatory No. 1.

10. All documents relating to meetings—both formal and informal—of any Commission 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 Commission or their staff; minutes, agendas, or presentations from Commission hearings or meetings; and any related communications, including, but not limited to, those with any member of the Commission (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 Ohio Redistricting Commission Members, regardless of whether Speaker Cupp was present. The request also seeks documents considered by "any" member of the Commission or their staff. Such a request is clearly out of proportion with Petitioners' needs in this case, and beyond what Speaker Cupp can provide.

11. All documents relating to information that was used to draw Congressional district maps for Ohio in 2022, 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 applicable state and federal laws, and the Court's opinion in *Adams v. DeWine*. Speaker Cupp further states that no racial data was considered in drawing the Congressional Plan at issue in this action. Subject to and without waiving these objections, Speaker Cupp refers Petitioners to documents being produced contemporaneously.

12. 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. 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.

13. 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 states that to the extent any responsive documents exist, they are being produced contemporaneously.

14. 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 March 2 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Speaker Cupp states that to the extent any responsive documents exist, they are being produced contemporaneously.

15. 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 March 2 Congressional Plan violates the Ohio Constitution. Subject to and without waiving these objections, Speaker Cupp states that to the extent any responsive documents exist, they are being produced

contemporaneously.

16. 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 Petitioners to documents being produced contemporaneously.

17. All documents and communications regarding the potential, expected, or likely partisan performance or electoral outcomes of any district or districts in any Proposed Plan, including the March 2 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 Petitioners to documents being produced contemporaneously.

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 Petitioners to documents being produced contemporaneously.

19. All documents and communications, dated between January 1, 2022, and the present, regarding the Ohio Supreme Court and/or any member of the Ohio Supreme Court, that relates in any way to the reapportionment of districts in Ohio or any decision of the Ohio Supreme Court 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 any communications or documents that merely reference the Ohio Supreme Court or its members is overbroad, unduly burdensome and represents an impermissible fishing expedition.

This the 19th day of April, 2022.

/s/ Phillip J. Strach

Phillip J. Strach (PHV 2022-25444)

phillip.strach@nelsonmullins.com

Thomas A. Farr (PHV 2022-25461)

tom.farr@nelsonmullins.com

John E. Branch, III (PHV 2022-25460)

john.branch@nelsonmullins.com

Alyssa M. Riggins (PHV 2022-2544)

alyssa.riggins@nelsonmullins.com

**NELSON MULLINS RILEY &
SCARBOROUGH LLP**

4140 Parklake Avenue, Suite 200

Raleigh, NC 27612

Telephone: (919) 329-3800

W. Stuart Dornette (0002955)

Beth A. Bryan (0082076)

Philip D. Williamson (0097174)

TAFT STETTINIUS & HOLLISTER LLP

425 Walnut Street, Suite 1800

Cincinnati, OH 45202-3957

Telephone: (513) 381-2838

dornette@taftlaw.com

bryan@taftlaw.com

pwilliamson@taftlaw.com

Counsel for Respondents Huffman and Cupp

CERTIFICATE OF SERVICE

I hereby certify that on this the 19th day of April, 2022, I have served the foregoing document by email:

Jonathan D. Blanton
Jonathan.Blanton@ohioAGO.gov

Michael Walton
Michael.Walton@ohioAGO.gov

Julie Pfeiffer
Julie.Pfeiffer@ohioAGO.gov

Allison D. Daniel
Allison.Blanton@ohioAGO.gov
*Counsel for Respondent Ohio Secretary of
State Frank LaRose*

Erik Clark
ejclark@organlegal.com
Ashley Merino
amerino@organlegal.com

*Counsel for Respondent Ohio Redistricting
Commission*

Abha Khanna
Ben Stafford
ELIAS LAW GROUP LLP
1700 Seventh Ave, Suite 2100
Seattle, WA 98101
akhanna@elias.law
bstafford@elias.law

Aria C. Branch
Jyoti Jasrasaria
Spencer W. Klein
Harleen K. Gambhir
ELIAS LAW GROUP LLP
10 G St NE, Suite 600
Washington, DC 20002
abbranch@elias.law
jjasrasaria@elias.law
sklein@elias.law
hgambhir@elias.law

Donald J. McTigue* (0022849)
*Counsel of Record
Derek S. Clinger (0092075)
MCTIGUE & COLOMBO LLC
545 East Town Street
Columbus, OH 43215
dmctigue@electionlawgroup.com
dclinger@electionlawgroup.com

Counsel for Petitioners

/s/ Phillip J. Strach

4881-3165-0076 v.1

CERTIFICATE OF SERVICE

I, Freda J. Levenson, hereby certify that on this 25th day of April 2022, I caused a true and correct copy of the foregoing to be served by email upon the counsel below:

Julie M. Pfeiffer, Julie.Pfeiffer@OhioAGO.gov
Bridget C. Coontz, bridget.coontz@ohioago.gov
Jonathan Blanton, jonathan.blanton@ohioago.gov
Michael Walton, michael.walton@ohioago.gov
Allison Daniel, allison.daniel@ohioago.gov

Counsel for Respondent Secretary of State Frank LaRose

Phillip J. Strach, phil.strach@nelsonmullins.com
Thomas A. Farr, tom.farr@nelsonmullins.com
John E. Branch, III, john.branch@nelsonmullins.com
Alyssa M. Riggins, alyssa.riggins@nelsonmullins.com

W. Stuart Dornette, dornette@taftlaw.com
Beth A. Bryan, bryan@taftlaw.com
Philip D. Williamson, pwilliamson@taftlaw.com

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

Erik J. Clark, ejclark@organlegal.com

Counsel for Respondent Ohio Redistricting Commission

/s/ Freda J. Levenson
Freda J. Levenson (0045916)

*Counsel for League of Women Voters
Petitioners*