

**FILED**  
**U.S. DISTRICT COURT**  
**EASTERN DISTRICT ARKANSAS**

AO 187 (Rev. 7/87) Exhibit and Witness List

FEB 08 2022

Plaintiff

TAMMY H. DOWNS, CLERK

By: H. Cane  
DEP CLERK

# United States District Court

## Eastern District of Arkansas

The Arkansas State  
Conference NAACP, et alV. The Arkansas Board of  
Apportionment, et al.

## EXHIBIT AND WITNESS LIST

CASE NUMBER: 4:21-cv-1239-LPR

PRESIDING JUDGE Lee P. Rudofsky					PLAINTIFF'S ATTORNEY <input checked="" type="checkbox"/> Gary Sullivan	DEFENDANT'S ATTORNEY Leslie Rutledge
TRIAL DATE(S) Feb. 1, 2, 3, 4					COURT REPORTER Karen Dellinger	COURTROOM DEPUTY <input checked="" type="checkbox"/> Heather Clark
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES	
1		2-1-22		✓	November 29, 2021 Board of Apportionment's Redistricting Plan	
2		2-1-22		✓	Illustrative Redistricting Plan	
3		2-1-22		✓	July 29, 2021 Board of Apportionment's Monticello, AR Public Hearing Transcript	
4		2-1-22		✓	Aug. 5, 2021 Board of Apportionment's Bentonville, AR Public Hearing Transcript	
5		2-1-22		✓	Aug. 24, 2021 Board of Apportionment's Little Rock, AR Public Hearing Transcript	
6		2-1-22		✓	Oct. 29, 2021 Board of Apportionment's Little Rock, AR Public Hearing Transcript	
7		2-1-22		✓	Dec. 29, 2021 Anthony E. Fairfax Expert Report	
7A		2-1-22		✓	Dec. 29, 2021 Appendix A to Fairfax Report: Resume	
7B		2-1-22		✓	Dec. 29, 2021 Appendix B to Fairfax Report: Illustrative and BOA Maps	
7C		2-1-22		✓	Dec. 29, 2021 Appendix C to Fairfax Report: Comparative Reports	
8		2-2-22		✓	Dec. 28, 2021 Dr. Lisa Handley Expert Report and Supporting Appendices	
8A		2-2-22		✓	Dec. 28, 2021 Appendix A to Handley Report: BVAP and Effectiveness of Plans	
8B		2-2-22		✓	Dec. 28, 2021 Appendix B to Handley Report: Statewide Candidate Support by Race	
8C		2-2-22		✓	Dec. 28, 2021 Appendix C to Handley Report: Voting Behavior in AR Elections	
8D		2-2-22		✓	Dec. 28, 2021 Appendix D to Handley Report: CV	
9		2-2-22		✓	Dec. 28, 2021 Dr. Jay Barth Expert Report and Supporting Appendices	
10		2-1-22		✓	Compilation of Public Comments to Arkansas Board of Apportionment	
11		2-1-22		✓	2020 U.S. Census Data - Arkansas	
12		2-1-22		✓	Jan. 26, 2022 Anthony E. Fairfax Rebuttal Expert Report	
12A		2-1-22		✓	Jan. 26, 2022 Appendix A to Fairfax Rebuttal:	
12B		2-1-22		✓	Jan. 26, 2022 Appendix B to Fairfax Rebuttal:	
12C		2-1-22		✓	Jan. 26, 2022 Appendix C to Fairfax Rebuttal:	

include a notation as to the location of any exhibit not held with the case file or not available because of size.

AO 187A (Rev. 7/87)

## EXHIBIT AND WITNESS LIST - CONTINUATION

The Arkansas State  
Conference NAACP, et alThe Arkansas Board of  
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CASE NUMBER: 4:21-cv-1239-LPR

PIF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
13		2-2-22		✓	Jan. 26 2022 Dr. Lisa Handley Rebuttal Expert Report
14		2-2-22		✓	Jan. 26, 2022 Dr. Jay Barth Supplemental Declaration
15		2-1-22		✓	Jan. 26, 2022 Core Constituencies Report: Current AR House Plan
16		2-1-22		✓	Jan. 26, 2022 Core Constituencies Report: Final AR BOA Plan
17		2-1-22		✓	Jan. 27, 2022 Core Constituencies Report: Current Illustrative AR House Plan
18					At-Large and District Elections and the Impact on Representation
19					The Dynamics of Racial Resentment Across the 50 US States
20					2018 Diabetes Mortality Disparity Fact Sheet
21					2020 Factsheet—The State of America's Children in Arkansas
22					2021 Factsheet—The State of America's Children in Arkansas
23					Caraballo, (Arkansas Economic Development Institute, 2021)
24					Hajnal and Trounstein, The Journal of Politics 67, no. 2 (2005): 515
25					Hajnal and Lewis, Urban Affairs Review 38(5) (2003): 645
26					Parker, "In Arkansas, Racism Cuts Against Obama," WaPo, 25 May 2012
27					Reese, KATV, 20 October 2018
28					Kenneth Meier, et al. American Journal of Political Science 49 (2005): 758
29					Ramsey, Arkansas Times, 14 May 2018
30					Hardy, Arkansas Times, 15 May 2018
31					Worthen, Arkansas Democrat-Gazette, 7 Apr. 2015
32					Dunaway, Arkansas Democrat-Gazette, 16 Feb. 2016
33					Villarreal, Newsweek, 28 Aug. 2020
34		2-1-22		✓	Redistricting Criteria and Goals - Arkansas Board of Apportionment
35		2-1-22		✓	Redistricting Standards and Requirements - Arkansas Board of Apportionment
36		2-1-22		✓	Vote Dilution - Arkansas Board of Apportionment
37		2-1-22		✓	Frequently Asked Questions - Arkansas Board of Apportionment
38		2-1-22		✓	Nov. 29, 2021 Board of Apportionment's Public Hearing Transcript
39		2-1-22		✓	Aug. 19, 2021 Board of Apportionment's Jonesboro, AR Public Hearing Transcript



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PRESIDING JUDGE <b>Lee P. Rudofsky</b>					PLAINTIFF'S ATTORNEY  <b>Gary Sullivan</b>	DEFENDANT'S ATTORNEY <b>Leslie Rutledge</b>
TRIAL DATE(S) <b>Feb. 1, 2, 3, 4 2022</b>					COURT REPORTER <b>Karen Dellinger</b>	COURTROOM DEPUTY  <b>Heather Clark</b>
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES	
40		2-1-22		✓	August 17, 2021 Board of Apportionment's Fort Smith, AR public hearing transcript	
41		2-1-22		✓	August 12, 2021 Board of Apportionment's Helena, AR public hearing transcript	
42		2-1-22		✓	August 10, 2021 Board of Apportionment's Hope, AR public hearing transcript	
43		2-1-22		✓	August 3, 2021 Board of Apportionment's Mountain Home, AR public hearing transcript	
44		2-7-22		✓	August 24, 2021 ACLU AR Letter to Board of Apportionment	
45		2-7-22		✓	October 20, 2021 ACLU AR Letter to Board of Apportionment	
46		2-7-22		✓	October 26, 2021 Board of Apportionment Letter to ACLU AR	
47		2-7-22		✓	November 24, 2021 ACLU AR Letter to Board of Apportionment	
48					November 24, 2021 Email from Alison Williams 1	
49		2-7-22		✓	November 24, 2021 Email from Alison Williams 2	
50		2-7-22		✓	November 26, 2021 ACLU AR Letter to Board of Apportionment	
51		2-7-22		✓	November 26, 2021 Email from Alison Williams	
52		2-7-22		✓	November 30, 2021 ACLU AR Letter to Board of Apportionment	
53		2-7-22		✓	November 30, 2021 Email from Alison Williams	
54		2-7-22		✓	December 2, 2021 Email from Devyn Young	
55					Statement of Interest of the United States, LULAC v. Abbott	
56					NBER Working Paper Series "Perceptions of Racial Gaps, Their Causes, and Ways to Reduce Them"	
57					Pew Research Center "Deep Divisions in American's Views of Nation's Racial History- and How to Address It"	
58					Democracy Fund Voter Study Group "Partisan Shifts on Racial Attitudes Over the Last Decade"	
59		2-1-22		✓	January 20, 2022 Declaration of Bill Kopsky on Behalf of the Arkansas Public Policy Panel	
60		2-1-22		✓	January 20, 2022 Declaration of Barry Jefferson on behalf of The Arkansas State Conference NAACP	
61		2-1-22		✓	2002 Plan AR State House Districts map	

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62		2-1-22		✓	2002 Plan Communities of Interest Reports
63		2-1-22		✓	Feb. 5, 2020 African American AR House Representatives
64		2-1-22		✓	Black-American Members by State and Territory, 1870-Present, US House Hist.
65		2-1-22		✓	2011 Plan AR State House Districts Map
66		2-1-22		✓	Arkansas.com Regions, last visited Jan. 29, 2022
67		2-1-22		✓	2021 Cong. Districts as enacted by Act 1116 of AR State Legislature
68		2-1-22		✓	2013-2021 Plan Arkansas Congressional Districts
69					Perry et al., The Arkansas Poll, 2008 Summary Report
70		2-1-22		✓	Stipulations
71		2-5-22		✓	Effectiveness Scores House District <sup>98 and 34</sup>
72		2-5-22		✓	Opportunity Districts? Yes or No
73		2-7-22		✓	map - Amagon to Almyra
74		2-7-22		✓	map - Campton to Mt. Pleasant City Hall
75		2-7-22		✓	map - Marianna to Arkansas City
76		2-7-22		✓	map - Wheatley to Rohwer
77		2-7-22		✓	map - Blytheville to West Memphis
78		2-7-22		✓	2022 Election Dates
79		2-7-22		✓	2018 Preferential Primary + Nonpartisan
80		2-7-22		✓	March 3, 2020 - 2020 Preferential Primary +
81		2-7-22		✓	Nonpartisan Judicial General Election
82	01	2-7-22		✓	Preferential Primary + Nonpartisan General
83		2-7-22		✓	Election Official County Results
84		2-7-22		✓	Set of Indexes
85		2-7-22		✓	Board of Apportionment Website
110		2-5-22	✓		Richard Bearden's Notes
110A		2-5-22		✓	Excerpt of Richard Bearden's Notes
111		2-5-22	✓		State Representative District 11
112		2-5-22	✓		Census Data Titled
113		2-5-22	✓		Hispanic or Latino, + Not Hispanic or Latino by Race
					Census Data Titled
					Race