

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

ANNIE LOIS GRANT; QUENTIN T.
HOWELL; ELROY TOLBERT; THERON
BROWN; TRIANA ARNOLD JAMES;
EUNICE SYKES; ELBERT SOLOMON;
and DEXTER WIMBISH,

Plaintiffs,

v.

BRAD RAFFENSPERGER, in his official
capacity as the Georgia Secretary of State;
SARA TINDALL GHAZAL, in her
official capacity as a member of the State
Election Board; ANH LE, in her official
capacity as a member of the State Election
Board; EDWARD LINDSEY, in his
official capacity as a member of the State
Election Board; and MATTHEW
MASHBURN, in his official capacity as a
member of the State Election Board,

Defendants.

CIVIL ACTION FILE
NO. 1:22-CV-00122-SCJ

**PLAINTIFFS' LISTS OF WITNESSES AND EXHIBITS FOR
PRELIMINARY INJUNCTION PROCEEDINGS**

Pursuant to the Court's coordinated order of January 28, 2022, *see* ECF No. 44, Plaintiffs respectfully submit the following lists of witnesses they expect to

testify and exhibits they expect to use in connection with the preliminary injunction hearing anticipated to commence on February 7, 2022.

WITNESSES¹

Plaintiffs expect the following witnesses to testify live at the preliminary injunction hearing:

Witness	Previously Filed Report(s)/Declaration(s)
Blakeman B. Esselstyn	ECF Nos. 20-1, 20-47, 36-1
Dr. Maxwell Palmer	ECF No. 20-2
Dr. Orville Vernon Burton	ECF Nos. 20-3, 36-2
Dr. Loren Collingwood	ECF No. 20-4
Rep. El-Mahdi Holly	N/A
Rep. Derrick Jackson	N/A
Rep. David Wilkerson	N/A
Former Sen. Jason Carter	N/A

Plaintiffs expect the following witnesses to testify via affidavit at the preliminary injunction hearing:

Witness	Previously Filed Report(s)/Declaration(s)
Annie Lois Grant	ECF No. 20-5
Quentin T. Howell	ECF No. 20-6
Elroy Tolbert	ECF No. 20-7
Theron Brown	ECF No. 20-8

¹ Plaintiffs reserve the right to call witnesses listed by any other party to this action, as well as by the plaintiffs in the *Pendergrass* and *Alpha Phi Alpha* cases.

Witness	Previously Filed Report(s)/Declaration(s)
Triana Arnold James	ECF No. 20-9
Eunice Sykes	ECF No. 20-10
Elbert Solomon	ECF No. 20-11
Dexter Wimbish	ECF No. 20-12

EXHIBITS²

To promote efficiency and avoid duplication, Plaintiffs and the *Pendergrass* plaintiffs have coordinated a consolidated exhibit set that they will provide to the Court and Defendants. The following exhibit list includes only those exhibits filed in this case:

Exhibit No.	Description	Docket Location
3	Expert report of Blakeman B. Esselstyn dated January 13, 2022	ECF Nos. 20-1, 20-47
4	Supplemental expert report of Blakeman B. Esselstyn dated January 20, 2022	ECF No. 36-1
6	Expert report of Dr. Maxwell Palmer of Boston University dated January 12, 2022	ECF No. 20-2
9	Expert report of Dr. Orville Vernon Burton of Clemson University dated January 10, 2022	ECF No. 20-3
10	Supplemental expert report of Dr. Orville Vernon Burton of Clemson University, dated January 20, 2022	ECF No. 36-2

² Plaintiffs reserve the right to use exhibits listed by any other party to this action, as well as by the plaintiffs in the *Pendergrass* and *Alpha Phi Alpha* cases.

Exhibit No.	Description	Docket Location
12	Expert report of Dr. Loren Collingwood of the University of New Mexico dated January 13, 2022	ECF No. 20-4
19	Declaration of Annie Lois Grant dated January 13, 2022	ECF No. 20-5
20	Declaration of Quentin T. Howell dated January 12, 2022	ECF No. 20-6
21	Declaration of Elroy Tolbert dated January 11, 2022	ECF No. 20-7
22	Declaration of Theron Brown dated January 12, 2022	ECF No. 20-8
23	Declaration of Triana Arnold James dated January 10, 2022	ECF No. 20-9
24	Declaration of Eunice Sykes dated January 12, 2022	ECF No. 20-10
25	Declaration of Elbert Solomon dated January 10, 2022	ECF No. 20-11
26	Declaration of Dexter Wimbish dated January 11, 2022	ECF No. 20-12
29	Georgia Public Broadcasting article entitled “Senate’s Redistricting Map Advances; Georgia Assembly Honors Max Cleland” dated November 9, 2021 (<i>publicly available at: https://www.gpb.org/news/2021/11/09/senates-redistricting-map-advances-georgia-assembly-honors-max-cleland</i>)	ECF No. 20-13
30	<i>Athens Banner-Herald</i> article entitled “Georgia House Wraps up Legislative Redistricting with Passage of GOP State Senate Map” dated November 15, 2021 (<i>publicly available at: https://www.onlineathens.com/story/news/2021/11/15/georgia-house-approves-new-map-state-senate-districts/8626264002</i>)	ECF No. 20-14

Exhibit No.	Description	Docket Location
31	Georgia Public Broadcasting article entitled “Georgia House, Senate Approve Their Redistricting Maps. What’s Next?” dated November 10, 2021 (<i>publicly available at: https://www.gpb.org/news/2021/11/10/georgia-house-senate-approve-their-redistricting-maps-whats-next</i>)	ECF No. 20-15
32	Georgia Public Broadcasting article entitled “Georgia House Legislative Redistricting Map Heads to Governor” dated November 12, 2021 (<i>publicly available at: https://www.gpb.org/news/2021/11/12/georgia-house-legislative-redistricting-map-heads-governor</i>)	ECF No. 20-16
33	<i>The Albany Herald</i> article entitled “Public to State Lawmakers: Slow Redistricting Process Down” dated November 9, 2021 (<i>publicly available at: https://www.albanyherald.com/news/public-to-state-lawmakers-slow-redistricting-process-down/article_75e30286-4158-11ec-9cbb-cf2518e93cb2.html</i>)	ECF No. 20-17
35	<i>U.S. News & World Report</i> article entitled “Georgia Senate GOP Passes Map to Retain Republican Majority” dated November 9, 2021 (<i>publicly available at: https://www.usnews.com/news/best-states/georgia/articles/2021-11-09/georgia-senate-gop-passes-map-to-retain-republican-majority</i>)	ECF No. 20-18
36	<i>The Albany Herald</i> article entitled “Georgia Lawmakers Pass Republican-Backed House Redistricting Map” dated November 11, 2021 (<i>publicly available at: https://www.albanyherald.com/news/georgia-lawmakers-pass-republican-backed-house-redistricting-map/article_f5fe6ff6-431e-11ec-aa63-439c16f8deb6.html</i>)	ECF No. 20-19

Exhibit No.	Description	Docket Location
37	<i>The Atlanta Journal-Constitution</i> article entitled “Georgia Redistricting Signed into Law and Lawsuits Quickly Follow” dated December 30, 2021 (publicly available at: https://www.ajc.com/politics/georgia-redistricting-signed-into-law-as-lawsuits-loom/KDMPMUEXTZGDHIRUOYQAJSIUR4)	ECF No. 20-20
39	Georgia General Assembly document entitled “2021 Committee Guidelines” printed on January 12, 2022 (publicly available at: https://www.legis.ga.gov/api/document/docs/default-source/reapportionment-document-library/2021-senate-redistricting-committee-guidelines.pdf?sfvrsn=a9bbb991_2)	ECF No. 20-21
40	Georgia House of Representatives document entitled “2021-2022 Guidelines for the House Legislative and Congressional Reapportionment Committee” printed on December 29, 2021 (publicly available at: https://www.house.ga.gov/Documents/CommitteeDocuments/2021/Legislative_and_Congressional_Reapportionment/2021-2022%20House%20Reapportionment%20Committee%20Guidelines.pdf)	ECF No. 20-22
41	U.S. Department of Justice letter from Assistant Attorney General John R. Dunne to Senior Assistant Attorney General Mark H. Cohen dated March 20, 1992 (publicly available at: https://www.justice.gov/sites/default/files/crt/legacy/2014/05/30/GA-2360.pdf)	ECF No. 20-23
42	U.S. Department of Justice letter from Assistant Attorney General William Bradford Reynolds to Attorney General Michael Bowers dated February 11, 1982 (publicly available at: https://www.justice.gov/sites/default/files/crt/legacy/2014/05/30/GA-1870.pdf)	ECF No. 20-24

Exhibit No.	Description	Docket Location
43	<i>The Atlanta Journal-Constitution</i> article entitled “Douglas Leader’s Racial Comments Spark Calls That He Resign” dated September 30, 2016 (<i>publicly available at: https://www.ajc.com/news/local/douglas-leader-racial-comments-spark-calls-that-resign/AVjoe8BDCXLsut6OBPjIHl</i>)	ECF No. 20-25
44	CNN article entitled “GOP Candidate’s Husband Shares Image Urging Voters to ‘Free the Black Slaves from the Democratic Plantation’” dated May 2, 2017 (<i>publicly available at: https://www.cnn.com/2017/05/02/politics/kfile-karen-handel-husband-tweet/index.html</i>)	ECF No. 20-26
45	Appen Media Group article entitled “Roswell’s Wood Says ‘Ossoff’ Has Off-Puttingly Muslim Ring” dated March 15, 2017 (<i>publicly available at: https://www.appenmedia.com/opinion/columnists/roswell-s-wood-says-ossoff-has-off-puttingly-muslim-ring/article_729681a0-e082-5a2c-a639-9f15369a730a.html</i>)	ECF No. 20-27
46	<i>The Atlanta Journal-Constitution</i> article entitled “Warring Republicans Try to Unite Against Ossoff in Georgia’s Sixth” dated April 15, 2017 (<i>publicly available at: https://www.ajc.com/blog/politics/warring-republicans-try-unite-against-ossoff-georgia-sixth/CJca8W1Alqeob6jvA8gB5H</i>)	ECF No. 20-28
47	<i>The Atlanta Journal-Constitution</i> article entitled “Gwinnett Commissioner Calls John Lewis ‘a Racist Pig,’ Faces Backlash” dated January 16, 2017 (<i>publicly available at: https://www.ajc.com/news/gwinnett-commissioner-calls-john-lewis-racist-pig-faces-backlash/K2uAUZFikv57szlncpZilO</i>)	ECF No. 20-29

Exhibit No.	Description	Docket Location
48	<i>The Washington Post</i> article entitled “Racist ‘Magical Negro’ Robo-Call from ‘Oprah’ Targets Stacey Abrams in Georgia Governor’s Race” dated November 5, 2018 (<i>publicly available at: https://www.washingtonpost.com/politics/2018/11/04/racist-magical-negro-robo-call-oprah-targets-stacey-abrams-georgia-governors-race</i>)	ECF No. 20-30
49	Slate article entitled “It Was Too Easy for Brian Kemp’s Last-Minute Dog Whistle About Stacey Abrams to Go Viral” dated November 6, 2018 (<i>publicly available at: https://slate.com/technology/2018/11/brian-kemp-stacey-abrams-dog-whistle-black-panthers-facebook.html</i>)	ECF No. 20-31
50	<i>USA Today</i> article entitled “Georgia Gubernatorial Candidate Brian Kemp Suggests Truck Is for Rounding up ‘Illegals’” dated May 10, 2018 (<i>publicly available at: https://www.usatoday.com/story/news/nation/2018/05/10/brian-kemp-illegals-ad/600212002</i>)	ECF No. 20-32
51	Salon article entitled “Kelly Loeffler’s New Facebook Ad Darkens Skin of Raphael Warnock, Her Black Opponent” dated January 4, 2021 (<i>publicly available at: https://www.salon.com/2021/01/04/kelly-loefflers-new-facebook-ad-darkens-skin-of-raphael-warnock-her-black-opponent</i>)	ECF No. 20-33
52	ABC News article entitled “Perdue’s Campaign Deletes Ad That Enlarges Jewish Opponent’s Nose, Insists It Was Accident” dated July 28, 2020 (<i>publicly available at: https://abcnews.go.com/Politics/perdues-campaign-deletes-ad-enlarges-jewish-opponents-nose/story?id=72039950</i>)	ECF No. 20-34

Exhibit No.	Description	Docket Location
53	CNN article entitled “Georgia Republican Senator Willfully Mispronounces Kamala Harris’ Name at Trump Rally” dated October 17, 2020 (<i>publicly available at: https://www.cnn.com/2020/10/16/politics/david-perdue-kamala-harris/index.html</i>)	ECF No. 20-35
54	<i>The Atlanta Journal-Constitution</i> article entitled “Crime Fears Emerge in Johns Creek, Sandy Springs Municipal Elections” dated October 26, 2021 (<i>publicly available at: https://www.ajc.com/neighborhoods/north-fulton/crime-fears-emerge-in-johns-creek-sandy-springs-municipal-elections/HAMJ4MEMVVA3BCYC36ZOGR3OKM</i>)	ECF No. 20-36
55	Georgia Legislative Black Caucus website page entitled “2021-2022 GLBC Members” printed on January 3, 2022 (<i>publicly available at: https://gablackcaucus.org/members</i>)	ECF No. 20-37
56	<i>Governing</i> article entitled “Blacks in State Legislatures: A State-by-State Map” dated January 13, 2021 (<i>publicly available at: https://www.governing.com/now/blacks-in-state-legislatures-a-state-by-state-map.html</i>)	ECF No. 20-38
57	National Conference of State Legislatures article entitled “State Legislator Demographics” dated December 1, 2020 (<i>publicly available at: https://www.ncsl.org/research/about-state-legislatures/state-legislator-demographics.aspx</i>)	ECF No. 20-39
58	National Governors Association website page entitled “Former Georgia Governors” printed on December 31, 2021 (<i>publicly available at: https://www.nga.org/former-governors/Georgia</i>)	ECF No. 20-40

Exhibit No.	Description	Docket Location
59	<i>The Atlanta Journal-Constitution</i> article entitled “Stacey Abrams Is Running for Georgia Governor in 2022” dated December 1, 2021 (<i>publicly available at: https://www.ajc.com/politics/politics-blog/breaking-stacey-abrams-is-running-for-georgia-governor-in-2022/VRUXXJSQWBBAXAZQZV72FLP4LM</i>)	ECF No. 20-41
60	U.S. Senate website page entitled “States in the Senate Georgia Senators” printed on December 31, 2021 (<i>publicly available at: https://www.senate.gov/states/GA/senators.htm</i>)	ECF No. 20-42
61	WUGA article entitled “Report Shows Black Georgians Were More Likely to Be Denied Unemployment Benefits” dated November 19, 2021 (<i>publicly available at: https://www.wuga.org/post/report-shows-black-georgians-were-more-likely-be-denied-unemployment-benefits</i>)	ECF No. 20-43
62	Georgia House of Representatives final report of the House of Representatives Study Committee on Maternal Mortality dated 2019 (<i>publicly available at: https://www.house.ga.gov/Documents/CommitteeDocuments/2019/MaternalMortality/HR_589_Final_Report.pdf</i>)	ECF No. 20-44
63	<i>The Atlanta Journal-Constitution</i> article entitled “Bill in Congress Could Bring Relief to Uninsured Georgians” dated December 1, 2021 (<i>publicly available at: https://www.ajc.com/life/health/bill-in-congress-could-bring-relief-to-uninsured-georgians/BQOWOU7O35FADAXG4LAL57YELQ</i>)	ECF No. 20-45

Exhibit No.	Description	Docket Location
66	Georgia Secretary of State document entitled “2022 State Elections & Voter Registration Calendar” printed on December 31, 2021 (<i>publicly available at: https://sos.ga.gov/admin/uploads/2022_State_Short_Calendar9.pdf</i>)	ECF No. 20-46

Dated: January 31, 2022

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CERTIFICATE OF SERVICE

I hereby certify that I have on this date emailed the foregoing Plaintiffs' PLAINTIFFS' LISTS OF WITNESSES AND EXHIBITS FOR PRELIMINARY INJUNCTION PROCEEDINGS with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to counsel of record.

Dated: January 31, 2022

Joyce Gist Lewis

Counsel for Plaintiffs