

Ex. 2

Russ, John (CRT)

From: Russ, John (CRT)
Sent: Tuesday, March 17, 2015 10:05 AM
To: 'Murphy, Katherine'; Meza, Catherine (CRT); Peters, Alec; Strach, Phillip J.; 'butch@butchbowers.com'; Farr, Thomas A.; stephens, Robert; McKnight, Michael D.
Cc: Cooper, David (CRT); Fisher, Spencer (CRT); Garrett, Jenigh (CRT); McFarland, Ernest A (CRT); Ryan, Elizabeth (CRT); Shapiro, Avner (CRT); Donovan, Daniel T.; Allen, Winn; Peng, Julie B.; *phair@advancementproject.org; *dlieberman@advancementproject.org; 'Anita Earls' (AnitaEarls@southerncoalition.org); *AStein@tinfulton.com; *ijoyner@NCCU.EDU; 'dale.ho@aclu.org'; 'Allison Riggs'; 'jebenstein@aclu.org'; 'Christopher Brook'; 'efrost@perkinscoie.com'; 'George Eppsteiner'; O'Hale, John W.; Kaul, Joshua L. (Perkins Coie)
Subject: RE: NAACP v. McCrory/LWV v. NC/U.S. v. NC - United States' Discovery Requests

Kathy,

Thank you for the email. As we noted earlier, the Department will seek leave from the court for the State to answer all of the proposed requests for admission. We will ask the court to expedite consideration of this issue.

Thanks again,
Bert Russ

From: Murphy, Katherine [mailto:KMurphy@ncdoj.gov]
Sent: Tuesday, March 17, 2015 9:21 AM
To: Russ, John (CRT); Meza, Catherine (CRT); Peters, Alec; Strach, Phillip J.; 'butch@butchbowers.com'; Farr, Thomas A.; stephens, Robert; McKnight, Michael D.
Cc: Cooper, David (CRT); Fisher, Spencer (CRT); Garrett, Jenigh (CRT); McFarland, Ernest A (CRT); Ryan, Elizabeth (CRT); Shapiro, Avner (CRT); Donovan, Daniel T.; Allen, Winn; Peng, Julie B.; *phair@advancementproject.org; *dlieberman@advancementproject.org; 'Anita Earls' (AnitaEarls@southerncoalition.org); *AStein@tinfulton.com; *ijoyner@NCCU.EDU; 'dale.ho@aclu.org'; 'Allison Riggs'; 'jebenstein@aclu.org'; 'Christopher Brook'; 'efrost@perkinscoie.com'; 'George Eppsteiner'; O'Hale, John W.; Kaul, Joshua L. (Perkins Coie)
Subject: RE: NAACP v. McCrory/LWV v. NC/U.S. v. NC - United States' Discovery Requests

Thanks Bert, Defendants will respond to the 25 requests for admissions that you have identified below and will object to the remainder.

From: Russ, John (CRT) [John.Russ@usdoj.gov]
Sent: Friday, March 13, 2015 11:14 AM
To: Russ, John (CRT); Murphy, Katherine; Meza, Catherine (CRT); Peters, Alec; Strach, Phillip J.; 'butch@butchbowers.com'; Farr, Thomas A.; stephens, Robert; McKnight, Michael D.
Cc: Cooper, David (CRT); Fisher, Spencer (CRT); Garrett, Jenigh (CRT); McFarland, Ernest A (CRT); Ryan, Elizabeth (CRT); Shapiro, Avner (CRT); Donovan, Daniel T.; Allen, Winn; Peng, Julie B.; *phair@advancementproject.org; *dlieberman@advancementproject.org; 'Anita Earls' (AnitaEarls@southerncoalition.org); *AStein@tinfulton.com; *ijoyner@NCCU.EDU; 'dale.ho@aclu.org'; 'Allison Riggs'; 'jebenstein@aclu.org'; 'Christopher Brook'; 'efrost@perkinscoie.com'; 'George Eppsteiner'; O'Hale, John W.; Kaul, Joshua L. (Perkins Coie)
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Kathy,

To follow up on yesterday's email, to the extent the Defendants seek to answer certain requests for admission first, the Department asks them to prioritize these 25: # 22-27, 36, 38, 40, 42, 49, 54, 56, 57, 59, 62, 64, 66, 75-77, 88-89, 91, 93.

Please let us know if the State will consent to answering all of the requests, or whether the plaintiffs will need to seek leave with the court.

Thank you,
Bert Russ

From: Russ, John (CRT)
Sent: Thursday, March 12, 2015 1:47 PM
To: 'Murphy, Katherine'; Meza, Catherine (CRT); Peters, Alec; Strach, Phillip J.; 'butch@butchbowers.com'; Farr, Thomas A.; stephens, Robert; McKnight, Michael D.
Cc: Cooper, David (CRT); Fisher, Spencer (CRT); Garrett, Jenigh (CRT); McFarland, Ernest A (CRT); Ryan, Elizabeth (CRT); Shapiro, Avner (CRT); Donovan, Daniel T.; Allen, Winn; Peng, Julie B.; *phair@advancementproject.org; *dlieberman@advancementproject.org; 'Anita Earls' (AnitaEarls@southerncoalition.org); *AStein@tinfulton.com; *ijoyner@NCCU.EDU; 'dale.ho@aclu.org'; 'Allison Riggs'; 'jebenstein@aclu.org'; 'Christopher Brook'; 'efrost@perkinscoie.com'; 'George Eppsteiner'; O'Hale, John W.; Kaul, Joshua L. (Perkins Coie)
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Kathy,

We believe that Defendants will not be prejudiced in answering the 96 requests for admission served on February 18, 2015, as the magistrate judge's order contemplated a total of 100 requests for admission from the various plaintiff groups, and Defendants have not been served any other requests for admission. Answering these straightforward requests will allow the parties to reach stipulations on a number of factual matters, which will lead to a more efficient trial.

If Defendants are not willing to answer all of the requests, Plaintiffs jointly will move for leave of the court to treat the timely requests for admissions served on February 18 as joint requests from all Plaintiff groups, and that Defendants should answer all of the requests. Separately, we will also identify the 25 requests that we want the Defendants to answer first.

Bert Russ

From: Murphy, Katherine [mailto:KMurphy@ncdoj.gov]
Sent: Wednesday, March 11, 2015 6:42 PM
To: Meza, Catherine (CRT); Peters, Alec; Strach, Phillip J.; 'butch@butchbowers.com'; Farr, Thomas A.; stephens, Robert; McKnight, Michael D.
Cc: Cooper, David (CRT); Fisher, Spencer (CRT); Garrett, Jenigh (CRT); McFarland, Ernest A (CRT); Russ, John (CRT); Ryan, Elizabeth (CRT); Shapiro, Avner (CRT); Donovan, Daniel T.; Allen, Winn; Peng, Julie B.; *phair@advancementproject.org; *dlieberman@advancementproject.org; 'Anita Earls' (AnitaEarls@southerncoalition.org); *AStein@tinfulton.com; *ijoyner@NCCU.EDU; 'dale.ho@aclu.org'; 'Allison Riggs'; 'jebenstein@aclu.org'; 'Christopher Brook'; 'efrost@perkinscoie.com'; 'George Eppsteiner'; O'Hale, John W.; Kaul, Joshua L. (Perkins Coie)
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Catherine:

Thank you for your response. Your request that we consider the United States' Requests for Admissions as having come from all plaintiff groups is not consistent with the document we received, which is titled "Plaintiff United States' First Set of Requests for Admission" and clearly states "Plaintiff the United States of America requests that Defendants . . . answer the following requests for admissions within thirty (30) days." Please let us know by Friday which 25 requests you would like for Defendants to respond to, or Defendants will respond to Nos. 1-25 and object to the remainder.

Thanks,
Kathy

From: Meza, Catherine (CRT) [Catherine.Meza@usdoj.gov]

Sent: Wednesday, March 11, 2015 11:04 AM

To: Murphy, Katherine; Peters, Alec; Strach, Phillip J.; 'butch@butchbowers.com'; Farr, Thomas A.; stephens, Robert; McKnight, Michael D.

Cc: Cooper, David (CRT); Fisher, Spencer (CRT); Garrett, Jenigh (CRT); McFarland, Ernest A (CRT); Russ, John (CRT); Ryan, Elizabeth (CRT); Shapiro, Avner (CRT); Donovan, Daniel T.; Allen, Winn; Peng, Julie B.;

*phair@advancementproject.org; *dlieberman@advancementproject.org; 'Anita Earls' (AnitaEarls@southerncoalition.org);

*AStein@tinfulton.com; *ijoyner@NCCU.EDU; 'dale.ho@aclu.org'; 'Allison Riggs'; 'jebenstein@aclu.org'; 'Christopher Brook'; 'efrost@perkinscoie.com'; 'George Eppsteiner'; O'Hale, John W.; Kaul, Joshua L. (Perkins Coie)

Subject: RE: NAACP v. McCrory/LWV v. NC/U.S. v. NC - United States' Discovery Requests

Hello Kathy,

Thank you for your message. As noted, the December 13, 2013 order provides for up to 25 requests for admission from each Plaintiff group for a total of 100 requests. On behalf of all Plaintiffs, please consider the requests for admission reflected in the United States' First Set of Requests for Admission as requests from each Plaintiff group.

Thank you.

Catherine Meza

Trial Attorney

U.S. Department of Justice

Civil Rights Division, Voting Section

950 Pennsylvania Avenue, NW

Washington, DC 20530

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f: 202.307.3961

catherine.meza@usdoj.gov

From: Murphy, Katherine [mailto:KMurphy@ncdoj.gov]

Sent: Monday, March 09, 2015 12:38 PM

To: Meza, Catherine (CRT); Peters, Alec; Strach, Phillip J.; 'butch@butchbowers.com'; Farr, Thomas A.; stephens, Robert; McKnight, Michael D.

Cc: Cooper, David (CRT); Fisher, Spencer (CRT); Garrett, Jenigh (CRT); McFarland, Ernest A (CRT); Russ, John (CRT); Ryan, Elizabeth (CRT); Shapiro, Avner (CRT); Donovan, Daniel T.; Allen, Winn; Peng, Julie B.;

*phair@advancementproject.org; *dlieberman@advancementproject.org; 'Anita Earls' (AnitaEarls@southerncoalition.org);

*AStein@tinfulton.com; *ijoyner@NCCU.EDU; 'dale.ho@aclu.org'; 'Allison Riggs'; 'jebenstein@aclu.org'; 'Christopher Brook'; 'efrost@perkinscoie.com'; 'George Eppsteiner'; O'Hale, John W.; Kaul, Joshua L. (Perkins Coie)

Subject: RE: NAACP v. McCrory/LWV v. NC/U.S. v. NC - United States' Discovery Requests

Catherine:

Pursuant to the Court's Scheduling Order filed on December 13, 2013, each Plaintiff group may serve up to 25 requests for admission on the Defendants. Plaintiff United States' First Set of Request for Admission consists of 96 Requests for Admissions. Please let us know by Friday, March 13, which 25 you would like for Defendants to respond to. If we haven't heard from you by Friday, we will respond to Nos. 1-25.

Thank you,
Kathy

Katherine A. Murphy
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From: Meza, Catherine (CRT) [<mailto:Catherine.Meza@usdoj.gov>]

Sent: Wednesday, February 18, 2015 7:24 PM

To: Peters, Alec; Strach, Phillip J.; 'butch@butchbowers.com'; Murphy, Katherine; Farr, Thomas A.; stephens, Robert; McKnight, Michael D.

Cc: Cooper, David (CRT); Fisher, Spencer (CRT); Garrett, Jenigh (CRT); McFarland, Ernest A (CRT); Russ, John (CRT); Ryan, Elizabeth (CRT); Shapiro, Avner (CRT); Donovan, Daniel T.; Allen, Winn; Peng, Julie B.;

*phair@advancementproject.org; *dlieberman@advancementproject.org; 'Anita Earls' (AnitaEarls@southerncoalition.org);

*AStein@tinfulton.com; *jjoyner@NCCU.EDU; 'dale.ho@aclu.org'; 'Allison Riggs'; 'jebenstein@aclu.org'; 'Christopher Brook'; 'efrost@perkinscoie.com'; 'George Eppsteiner'; O'Hale, John W.; Kaul, Joshua L. (Perkins Coie)

Subject: RE: NAACP v. McCrory/LWV v. NC/U.S. v. NC - United States' Discovery Requests

Dear Counsel,

Attached are the United States' (1) Sixth Set of Requests for Production of Documents; (2) Fourth Set of Interrogatories; and (3) First Set of Requests for Admissions.

Regards,

Catherine Meza

Trial Attorney

U.S. Department of Justice

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