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Rule of Evidence 807 permits the introduction of hearsay if (1) the statement has sufficient "circumstantial guarantees of trustworthiness"; (2) "it is offered as evidence of a material fact"; (3) "it is more probative on the point for which it is offered than any other evidence that the proponent can obtain through reasonable efforts"; and (4) "admitting it will best serve the purposes of these rules and the interests of justice." Described as the "residential exception to the hearsay rule," Rule 807 allows for the admission of statements that might otherwise constitute hearsay "[w]hen a party seeks to introduce out-of-court statements that contain strong circumstantial indicia of reliability, that are highly probative on the material questions at trial, and that are better than other evidence otherwise available." *United States v. Dunford*, 148 F.3d 385, 393 (4th Cir. 1998) (internal quotation omitted). Plaintiffs' proffered press articles meet all four of Rule 807's requirements:

*First*, each statement appears in a respected North Carolina publication, demonstrating that the statements have the requisite "circumstantial guarantees of trustworthiness." Moreover, the lawmakers quoted in the press accounts have never publicly disclaimed the statements attributed to them, nor has any publication issued a retraction of the quoted statements. *Second*, the statements are "offered as evidence of a material fact" because they tend to show that members of the North Carolina legislature were aware that S.L. 2013-381 would have a disparate impact on minority voters, a key



















