

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

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NORTH CAROLINA STATE  
CONFERENCE OF THE NAACP, et al.,

Plaintiffs,

v.

PATRICK LLOYD MCCRORY, in his official  
capacity as the Governor of North Carolina, et  
al.,

Defendants.

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**PLAINTIFFS' DESIGNATIONS  
OF DEPOSITION TESTIMONY  
IN SUPPORT OF MOTION FOR  
PRELIMINARY INJUNCTION**

**Case No.: 1:13-CV-658**

LEAGUE OF WOMEN VOTERS OF  
NORTH CAROLINA, et al.,

Plaintiffs,

v.

THE STATE OF NORTH CAROLINA, et al.,

Defendants.

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**Case No.: 1:13-CV-660**

UNITED STATES OF AMERICA,

Plaintiffs,

v.

THE STATE OF NORTH CAROLINA, et al,

Defendants.

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**Case No.: 1:13-CV-861**

## PRELIMINARY STATEMENT

Plaintiffs hereby submit the following designations of testimony in support of their Motion for Preliminary Injunction. The parties could not agree as to the descriptions of the testimony requested by the Court. Plaintiffs understood the Court to have requested short descriptions of the testimony, consisting of a couple of lines per witness. Thus, the following designations are provided to the Court on behalf of the Plaintiffs only. Consistent with the Court's request, Plaintiffs have provided for each deposition excerpt a brief description of why the testimony is being offered in support of their motion for preliminary injunction. The designations, counter-designations, and excerpts of testimony contain what Plaintiffs understand to be both Plaintiffs' and Defendants' designations. For the Court's convenience, Plaintiffs' designations are highlighted in blue. Defendants' designations are highlighted in red.

With respect to the impasse reached between the parties as to the appropriate characterizations of the designated testimony, Plaintiffs object to the descriptions offered by Defendants in connection with the designations primarily because many of the descriptions mischaracterize testimony and purport to provide findings of fact. Furthermore, Defendants' descriptions—which are nearly 80 pages in length—are contrary to what the Court requested. Plaintiffs' understanding is that the parties were to submit *very short* descriptions of the testimony they designated. Defendants had the opportunity to present live witnesses, but made the strategic decision not to. Defendants should not now be permitted to argue their case through lengthy and often misleading

descriptions of the testimony they designated. Accordingly, Plaintiffs respectfully request that the Court reject the descriptions contained in Defendants' Designations of Deposition Testimony In Connection with Plaintiffs' Motions for Preliminary Injunction and order Defendants to provide short descriptions consistent with the Court's directive. Plaintiffs otherwise reserve the right to respond in due course to the misleading or mischaracterized testimony contained in Defendants' submission.

### **PLAINTIFFS' DESIGNATIONS OF DEPOSITION TESTIMONY**

#### **I. PLAINTIFFS' DESIGNATIONS OF DEPOSITION TESTIMONY OF KIMBERLY W. STRACH.**

Mrs. Kimberly W. Strach is the Executive Director of the North Carolina State Board of Elections (SBOE) and was designated by Defendants as the 30(b)(6) representative for the SBOE on all topics. Mrs. Strach's testimony establishes: (1) the ability of the SBOE to implement early voting, same day registration, and out-of-precinct voting as they existed prior to the enactment of HB 589 in time for the General Election (*see e.g.*, 7/1/14 Strach Dep. 9:14-10:18, 66:13-67:25), (2) the lack of any rational basis for eliminating or reducing same day registration, early voting, out-of-precinct voting, and preregistration and SBOE's discriminatory implementation of the repeal of pre-registration (*see, e.g.*, 4/16/14 Strach Dep. 134:18-136:12, 208:19-210:21, 277:1-278:11, 306:23-311:25; 7/1/14 Strach Dep. 37:22-39:19, 40:13-25, 41:7-43:15, 60:23-63:16, 92:8-93:18, 94:16-25, 98:9-99:7, 100:4-100:19, 102:24-104:19), (3) that primary and general elections are not comparable (*see, e.g.*, 7/1/14 Strach Dep. 15:19-16:1, 17:4-18:2), (4) the disparate treatment of voters who cast their ballot in-person as opposed to

by absentee ballot (*see, e.g., id.* at 71:17-73:5, 73:15-76:6), and (5) the lack of training and guidance that has been provided to poll workers in implementing and preparing voters for the voter ID requirement (*see, e.g.,* 4/16/14 Strach Dep. 234:3-237:8, 234:3-237:8).

Plaintiffs hereby submit the following designations of testimony from the April 16, 2014 and July 1, 2014 depositions of Kimberly W. Strach in this matter in support of their Motion for Preliminary Injunction. Because Defendants designated Mrs. Strach's testimony in its entirety, full transcripts of Mrs. Strach's testimony are attached hereto as Ex. A and Ex. B.

Deposition Designations for Kimberly W. Strach 4/16/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
13	23	13	25
17	8	18	7
26	13	26	15
134	18	136	12
158	17	159	25
180	2	180	9
208	19	210	21
212	21	213	16
228	14	228	20
229	7	229	25
234	3	237	8
248	3	248	16
249	14	250	6
273	13	273	18

Deposition Designations for Kimberly W. Strach 4/16/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
274	10	275	3
277	1	278	11
306	23	311	25
314	21	320	10
315	1	317	13
323	13	325	17
328	10	330	22

Deposition Designations for Kimberly W. Strach 7/1/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
8	13	9	3
9	14	10	18
12	6	12	22
14	3	14	7
14	10	15	13
15	19	16	1
17	4	18	2
19	18	20	1
20	7	20	24
25	9	26	3
26	20	26	24
28	14	29	5
29	10	29	14
30	11	31	21
33	19	34	8

Deposition Designations for Kimberly W. Strach  
7/1/2014

BEG PAGE	BEG LINE	END PAGE	END LINE
36	19	36	25
37	22	39	19
40	13	40	25
41	7	43	15
46	19	48	11
49	4	49	10
49	17	50	6
50	9	50	23
50	25	52	20
52	24	55	4
55	6	55	24
56	7	57	18
57	23	58	14
60	23	63	16
64	21	66	4
66	13	67	25
68	6	69	25
70	10	70	22
71	17	73	5
73	15	76	6
79	8	79	24
80	17	82	10
83	7	85	4
86	16	87	17
92	8	93	18
94	16	94	25

Deposition Designations for Kimberly W. Strach 7/1/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
98	9	99	7
100	4	100	19
102	24	104	19

**II. PLAINTIFFS' DESIGNATIONS AND COUNTER-DESIGNATIONS OF DEPOSITION TESTIMONY OF CHERIE POUCHER.**

Cherie Poucher is the current director of the Wake County Board of Election. Ms. Poucher submitted a declaration on behalf of Defendants and was deposed in this matter on July 2, 2014. Plaintiffs designations of Ms. Poucher's deposition are to highlight her testimony that: (1) pre-registration of 16 and 17-year-olds was a highly successful initiative prior to HB 589 in Wake County, and that she has no evidence to show that voters who pre-registered failed the verification process at a higher rate than voters who registered through the normal registration process (*see, e.g.,* 7/2/14 Poucher Dep. 15:24-17:10, 18:21-20:11, 21:17-24, 78:8-79:24); (2) HB 589 has not alleviated any administrative process related to out-of-precinct provisional ballots on Election Day because a voter who shows up at the incorrect precinct on Election day must still be given a provisional ballot (*see, e.g., id.* at 47:14-50:15); and (3) in 2005, Ms. Poucher testified in front of the U.S. Election Assistance Commission that provisional voting is an important mechanism to ensure that all citizens have a chance to vote and maintains the integrity of elections (*see, e.g., id.* at 52:8-10, 52:21-23, 55:8-57:6).

Plaintiffs hereby submit the following designations and counter-designations of testimony from the July 2, 2014 deposition of Cherie Poucher in support of their motion for preliminary injunction. Ms. Poucher's designated testimony is attached hereto as Ex. C.

Deposition Designations for Cherie Poucher 7/2/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
8	1	8	6
11	7	12	10
15	24	17	10
17	19	18	13
18	21	20	11
21	17	21	24
24	19	25	16
25	17	25	23
31	10	32	11
40	5	41	3
47	14	50	15
52	8	52	10
52	21	52	23
52	24	54	3
55	8	57	6
66	2	66	22
78	8	79	24



**III. PLAINTIFFS' DESIGNATIONS OF DEPOSITION TESTIMONY OF CAROLYN JUSTICE.**

Carolyn Justice is a former representative of the North Carolina House of Representatives. Ms. Justice submitted a declaration for the Defendants and was deposed in this matter on July 1, 2014. Plaintiffs' designations of Ms. Justice's deposition are to highlight her testimony that: (1) none of the bills relating to voting laws that were pending in the 2013 session were substantively considered by the North Carolina General Assembly; (2) each prior legislative process she highlighted comparing the HB 589 to other bills featured a far more robust consideration that that associated with HB 589; and (3) recent changes to election regulation in North Carolina each received much more thorough legislative consideration than HB 589.

Plaintiffs hereby submit the following designations of testimony from the July 1, 2014 deposition of Carolyn Justice in support of their Motion for Preliminary Injunction. Ms. Justice's designated testimony is attached hereto as Ex. D.

Deposition Designations for Carolyn Justice 7/1/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
33	23	35	14
38	8	39	13
41	15	44	3
47	9	49	10
51	11	52	22
53	15	56	2
56	18	57	19

Deposition Designations for Carolyn Justice 7/1/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
61	19	63	22
67	24	68	18
69	14	69	20
70	1	70	7
71	22	73	17
73	21	74	1
75	17	75	19
75	25	76	13
77	15	77	24
78	16	78	25
79	16	80	12

**IV. PLAINTIFFS' COUNTER-DESIGNATIONS OF DEPOSITION TESTIMONY OF MICHAEL DICKERSON.**

Michael Dickerson is the current director of the Mecklenburg County Board of Election. Mr. Dickerson submitted a declaration on behalf of Defendants and was deposed in this matter on July 1, 2014. Plaintiffs' designations of Mr. Dickerson's deposition are to highlight his testimony that: (1) in order to meet the early-voting hours-matching requirement, he believes that the Mecklenburg County Board of Elections will need to open five new early-voting sites (*see, e.g.,* 7/1/14 Dickerson Dep. 20:16 - 23:10); (2) shortening of the early-voting period will not result in cost-savings for the Mecklenburg County Board of Elections (*see, e.g., id.* at 26:15-27:5); (3) it is possible that some voters who have utilized out-of-precinct provisional balloting have done so

because the voter does not have enough time to get to their home precinct before the polls close, may be confused about the location of their proper precinct, or may only intend to cast a ballot for certain national, statewide, or countywide races (*see, e.g., id.* at 35:1-38:15); and (4) same-day registration cut down tremendously, by two-thirds, on the number of provisional ballots cast on election day in Mecklenburg County (*see, e.g., id.* at 31:2-32:4).

Plaintiffs hereby submit the following counter-designations of testimony from the July 1, 2014 deposition of Michael Dickerson in this matter in support of their Motion for Preliminary Injunction. Mr. Dickerson’s designated testimony is attached hereto as Ex. E.

Deposition Designations for Michael Dickerson 7/1/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
20	16	23	10
26	15	27	5
28	2	28	4
31	2	32	4
35	1	38	15

**V. PLAINTIFFS’ COUNTER-DESIGNATIONS OF TESTIMONY OF SEN. EARLINE W. PARMON.**

Senator Parmon is a current elected state senator from District 32, Forsyth County. Senator Parmon submitted a declaration on behalf of Plaintiffs and was deposed in this matter on June 28, 2014. Plaintiffs’ designations of Sen. Parmon’s deposition are to

highlight her testimony: (1) that the passage of HB 589 did not follow the normal process and protocol, including that it limited opportunities to ask questions about the bill (*see, e.g.,* 6/28/14 Parmon Dep. 56:11-20; 63:16-64:2; 65:4-66:9), (2) regarding the observed benefits of early voting and same day registration and how these features facilitate voting by the low income community and African Americans (*see, e.g., id.* at 74:13-75:18; 77:10-82:3), and (3) that some voters were unable to vote during the 2014 Primary because they believed that they could still register and vote on the same day (*see, e.g., id.* at 70:7-71:4).

Plaintiffs hereby submit the following counter-designations of testimony from the April 29, 2014 deposition of Sen. Earline Parmon in support of their Motion for Preliminary Injunction. Sen. Parmon’s designated testimony is attached hereto as Ex. F.

Deposition Designations for Sen. Earline Parmon 6/27/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
18	13	18	20
25	9	25	17
56	3	56	20
58	11	58	20
59	4	60	23
61	11	62	19
63	16	64	2
65	4	66	9
70	7	71	4
74	13	75	18
77	10	82	3

Deposition Designations for Sen. Earline Parmon 6/27/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
85	7	85	22
92	15	93	20

**VI. PLAINTIFFS' COUNTER-DESIGNATIONS OF TESTIMONY OF REP. RICHARD GLAZIER.**

Representative Richard Glazier is a current representative in the North Carolina House of Representatives. Representative Glazier submitted a declaration for the Plaintiffs and was deposed in this matter on June 20, 2014. Plaintiffs' counter-designations of Representative Glazier's deposition are to highlight: (1) the unusual and inadequate legislative process used to consider the final, massively expanded version of HB 589; (2) the dramatically more robust legislative and public deliberations on other measures regulating the North Carolina electoral process during his decade-plus in the North Carolina House of Representatives; (3) and to give context to the Defendants' designations and witness summary that mischaracterizes Representative Glazier's testimony.

Plaintiffs hereby submit the following counter-designations of testimony from the June 20, 2014 deposition of Rep. Richard Glazier in support of their Motion for Preliminary Injunction. Rep. Glazier's designated testimony is attached hereto as Ex. G.

Deposition Designations for Rep. Rick Glazier 6/20/2014			
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BEG PAGE	BEG LINE	END PAGE	END LINE
22	16	25	21
45	25	51	3
68	19	72	13
101	25	102	18
104	7	104	17
106	18	107	12
111	10	116	13
118	10	119	21
125	2	127	22
128	2	130	5

**VII. PLAINTIFFS' COUNTER-DESIGNATIONS OF TESTIMONY OF DR. CHARLES STEWART.**

Dr. Charles Stewart is an expert witness retained on behalf of Plaintiffs. Dr. Stewart was deposed in this matter on June 19, 2014. Defendants have designated many passages comprising a large portion of Dr. Stewart's deposition transcript, much of which is repetitive with his live testimony on July 8-9. Along with their designations, Defendants have submitted 20 pages of text purporting to summarize each designated passage. A great many of these "summaries" are argumentative and mischaracterize Dr. Stewart's testimony. As noted above, the Plaintiffs object to these "summaries." We have counter-designated passages that provide important context for understanding the testimony in the designated passages. The import of Dr. Stewart's testimony was discussed in the United States' briefs in support of its motion for a preliminary injunction, as well as during oral argument at the close of this week's hearing.

Plaintiffs hereby submit the following counter-designations of testimony from the June 19, 2014 deposition of Dr. Stewart in support of their Motion for Preliminary Injunction. Dr. Stewart's designated testimony is attached hereto as Ex. H.

Deposition Designations for Dr. Charles Stewart 6/19/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
46	19	47	15
48	9	49	4
50	6	50	17
73	18	74	11
76	22	77	2
86	1	86	2
89	7	90	1
92	22	93	3
93	18	93	18
94	21	95	15
97	1	97	19
98	13	98	13
104	4	104	9
106	11	109	16
109	17	111	4
116	6	117	12
119	15	120	1
122	11	123	10
127	12	129	1
129	2	130	22
142	3	142	4
146	20	147	3

Deposition Designations for Dr. Charles Stewart  
6/19/2014

BEG PAGE	BEG LINE	END PAGE	END LINE
147	19	148	15
149	14	150	5
151	11	151	14
153	3	153	3
154	1	154	1
157	18	160	14
163	11	163	15
164	3	164	7
171	8	171	8
177	8	180	10
180	21	181	5
181	6	183	7
181	10	181	12
190	10	190	13
190	16	190	22
192	2	194	14
192	6	193	5
193	16	194	14
194	7	195	6
194	7	196	6
194	19	196	3
202	3	205	4
202	18	202	20
202	22	203	8
202	22	205	7
202	22	206	12



Deposition Designations for Dr. Charles Stewart 6/19/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
209	2	209	5
210	21	211	8
211	19	212	4
214	3	215	1
218	3	219	21
221	22	222	3
233	10	234	4
235	15	236	6
236	16	238	5
238	22	239	13
239	19	240	8
243	5	245	3
246	1	246	16
247	1	249	6
253	19	254	6
264	22	265	16
266	5	266	12
267	16	272	3
277	21	278	20

**VIII. PLAINTIFFS' COUNTER-DESIGNATIONS OF TESTIMONY OF DR. JANET THORTON.**

Dr. Janet Thornton is trained labor economist and served as one of the Defendants' experts. Dr. Thornton was deposed in this matter on June 9, 2014. The Plaintiffs designations of Dr. Thornton's deposition are to highlight that: (1) prior to being retained

in this case, she had never provided an expert opinion on voting laws or applied the type of analysis she used in this case (*see, e.g.*, Thorton Dep. 28:1-31:25); (2) she is not an expert on early voting, same day registration, or out of precinct provisional voting (*see id.* at 118:19-119:25); and (3) she agreed that African Americans use the first week of early voting, same day registration, and out of precinct provisional voting at a high rate than white voters (*see id.* at 40:7-41:25).

Plaintiffs hereby submit the following counter-designations of testimony from the June 9, 2014 deposition of Janet Thorton in support of their Motion for Preliminary Injunction. Ms. Thorton's designated testimony is attached hereto as Ex. I.

Deposition Designations for Janet Thornton 6/9/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
23	10	26	8
28	1	29	25
30	21	32	15
40	7	42	19
47	1	48	4
49	21	50	16
57	6	57	10
88	11	89	10
90	5	90	25
118	19	119	25
135	4	138	17
185	4	185	12
192	19	193	6
208	5	208	12

**IX. PLAINTIFFS' COUNTER-DESIGNATIONS OF TESTIMONY DR. THEODORE ALLEN.**

Dr. Theodore Allen is an expert in industrial and operations engineering. Dr. Allen provided an expert report on behalf of Plaintiffs on the subject of waiting times and voter turnout. He was deposed in this matter on June 18, 2014. Along with their designations, Defendants have submitted over 6 pages of text purporting to summarize each designated passage. A great many of these “summaries” are argumentative and mischaracterize Dr. Allen’s testimony. As noted above, Plaintiffs object to these “summaries.” We have counter-designated passages that provide important context for understanding the testimony in the designated passages. Dr. Allen’s conclusion—which was based on his analysis of the best data available from the state of North Carolina—is that a reduction in early voting would cause waiting times to vote to increase on Election Day. That conclusion is not affected by minor differences in assumptions about the characteristics of precincts, or average waiting times to vote in recent elections.

Plaintiffs hereby submit the following counter-designations of testimony from the June 18, 2014 deposition of Dr. Allen in support of their Motion for Preliminary Injunction. Dr. Allen’s designated testimony is attached hereto as Ex. J.

Deposition Designations for Dr. Theodore Allen 6/18/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
19	17	20	13
84	6	85	8
107	10	109	6

Deposition Designations for Dr. Theodore Allen 6/18/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
112	20	118	8
152	3	153	10
238	10	239	18
348	19	349	12
352	12	354	15
362	8	363	21
366	13	367	18
368	3	376	12

**X. PLAINTIFFS' COUNTER-DESIGNATIONS OF TESTIMONY OF SEAN TRENDE.**

Mr. Sean Trende provided a declaration on behalf of Defendants and was deposed in this matter on June 6, 2014. Along with their designations, Defendants have submitted over 5 pages of text purporting to summarize each designated passage. As noted above, Plaintiffs object to these "summaries." As detailed in Plaintiffs' Daubert motion, Mr. Trende does not have the experience or qualifications of a political scientist. His report suffers from numerous methodological defects and factual errors, and mischaracterizes the state of academic literature concerning the provisions at issue in this case. He also failed to correct for biases in the Census data underlying his analysis, notwithstanding the fact that he previously authored an article titled, "Sweeping Conclusions From Census Data Are a Mistake."

Plaintiffs hereby submit the following counter-designations of testimony from the June 28, 2014 deposition of Mr. Trende in support of their Motion for Preliminary Injunction. Mr. Trende's designated testimony is attached hereto as Ex. K.

Deposition Designations for Sean Trende 6/6/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
16	3	19	11
26	16	27	20
30	2	32	21
34	22	38	11
44	7	45	10
77	16	81	11
93	15	99	16
108	5	110	8
131	11	132	14
140	12	140	16
145	6	145	22
151	13	153	8
162	19	165	21
166	13	170	24
173	15	186	7
206	11	223	23
229	15	232	20
238	6	240	20
245	15	259	5
260	13	265	15
268	8	269	12
272	21	274	21

Deposition Designations for Sean Trende 6/6/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
279	1	280	5
305	17	306	17
307	19	308	14
311	12	311	22

**XI. PLAINTIFFS' COUNTER-DESIGNATIONS OF TESTIMONY OF GARY BARTLETT.**

Gary Bartlett is the former director of the North Carolina State Board of Elections (SBOE). He served as the director of the SBOE for 20 years. Mr. Bartlett was deposed in this matter on June 24, 2014. Plaintiffs' counter-designations highlight: (1) Mr. Bartlett's personal knowledge of why the challenged elements of HB 589 would be burdensome on North Carolina voters and would have a disproportionate impact on voters of color and (2) how the repealed provisions were efficiently and effectively implemented prior to HB 589

Plaintiffs hereby submit the following counter-designations of testimony from the June 24, 2014 deposition of Gary Bartlett in support of their Motion for Preliminary Injunction. Mr. Bartlett's designated testimony is attached hereto as Ex. L.

Deposition Designations for Gary Bartlett 6/24/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
16	1	16	6
20	10	20	25

Deposition Designations for Gary Bartlett 6/24/2014			
BEG PAGE	BEG LINE	END PAGE	END LINE
43	9	44	13
52	6	56	1
84	23	85	8
147	23	148	2
193	13	194	12
194	19	198	3
198	19	199	19
201	10	203	7
204	23	207	11
208	25	210	12

**XII. PLAINTIFFS' COUNTER-DESIGNATIONS OF TESTIMONY OF DR. J. MORGAN KOUSSER**

Dr. J. Morgan Kousser is recognized by a multitude of courts as an expert in history and voting rights. He was deposed in this matter on June 20, 2014. Plaintiffs' counter-designations highlight: (1) Dr. Kousser's well-established historical method and (2) Dr. Kousser's conclusion that numerous Senate Factors are present currently in the state of North Carolina.

Plaintiffs hereby submit the following counter-designations of testimony from the June 20, 2014 deposition of Dr. Kousser in support of their Motion for Preliminary Injunction. Dr. Kousser's designated testimony is attached hereto as Ex. M.

Deposition Designations for Dr. J. Morgan Kousser  
6/20/2014

BEG PAGE	BEG LINE	END PAGE	END LINE
24	1	25	14
26	15	26	21
30	5	31	18
31	21	32	3
36	19	39	4
40	11	41	1
54	22	55	5
56	4	57	7
61	17	61	21
68	5	68	7
97	4	97	9
118	3	119	1
125	6	125	7
126	8	127	14
131	12	132	5
133	11	135	5
137	7	137	18
140	9	140	20
143	21	144	14
181	20	181	20
187	15	187	16
188	17	191	15
193	1	193	10
194	21	199	2
202	1	202	16
208	17	210	17



Deposition Designations for Dr. J. Morgan Kousser  
6/20/2014

BEG PAGE	BEG LINE	END PAGE	END LINE
214	20	215	22
216	15	219	19
221	22	222	2
224	12	225	9
227	8	227	12
230	7	235	4
261	10	261	14
289	4	289	19
297	9	297	18

Dated: July 11, 2014

Respectfully submitted,

Penda D. Hair  
Edward A. Hailes, Jr.  
Denise D. Lieberman  
Donita Judge  
Caitlin Swain  
ADVANCEMENT PROJECT  
Suite 850  
1220 L Street, N.W.  
Washington, DC 20005  
Phone: (202) 728-9557  
phair@advancementproject.com

Irving Joyner (N.C. State Bar #  
7830)  
P.O. Box 374  
Cary, NC 27512  
Phone: (919)319-353  
ijoyner@ncsu.edu

By: /s/ Adam Stein

Adam Stein (N.C. State Bar # 4145)  
Of Counsel  
TIN FULTON WALKER & OWEN, PLLC  
312 West Franklin Street  
Chapel Hill, NC 27516  
Phone: (919) 240-7089  
astein@tinfulton.com

/s/ Daniel T. Donovan

Thomas D. Yannucci  
Daniel T. Donovan  
Susan M. Davies  
Bridget K. O'Connor  
K. Winn Allen  
Uzoma Nkwonta  
Kimberly D. Rancour  
Jodi Wu  
KIRKLAND & ELLIS LLP  
655 Fifteenth St., N.W.  
Washington, DC 20005  
Phone: (202) 879-5000  
tyannucci@kirkland.com

*Attorneys for Plaintiffs in North Carolina Conference of NAACP, et al. v. McCrory, et al.*

Dated: July 11, 2014

Respectfully submitted,

Laughlin McDonald\*  
ACLU Voting Rights Project  
2700 International Tower  
229 Peachtree Street, NE  
Atlanta, GA 30303  
(404) 500-1235  
lmcdonald@aclu.org  
\* *appearing pursuant to Local Rule  
83.1(d)*

Christopher Brook (State Bar  
#33838) ACLU of North Carolina  
Legal Foundation  
P.O. Box 28004  
Raleigh, NC 27611-8004  
Telephone: 919-834-3466  
Facsimile: 866-511-1344  
E-mail: cbrook@acluofnc.org

By: /s/ Allison J. Riggs

Anita S. Earls (State Bar # 15597)  
Allison J. Riggs (State Bar # 40028)  
Southern Coalition for Social Justice  
1415 Highway 54, Suite 101  
Durham, NC 27707  
Telephone: 919-323-3380 ext. 115  
Facsimile: 919-323-3942  
E-mail: allisonriggs@southerncoalition.org

/s/ Dale Ho

Dale Ho\*  
Julie A. Ebenstein\*  
ACLU Voting Rights Project  
125 Broad Street  
New York, NY 10004  
(212) 549-2693  
dale.ho@aclu.org  
\**appearing pursuant to Local Rule 83.1(d)*

*Attorneys for Plaintiffs in League of Women Voters of North Carolina, et al. v. North Carolina, et al.*

Dated: July 11, 2014

RIPLEY RAND  
United States Attorney  
Middle District of North Carolina

/s/ Gill P. Beck  
GILL P. BECK  
NCSB No. 13175  
Special Assistant United States Attorney  
100 Otis Street  
Asheville, NC 28801  
Telephone: (828) 259-0645

Respectfully submitted,

JOCELYN SAMUELS  
Acting Assistant Attorney General  
Civil Rights Division

/s/ David G. Cooper  
T. CHRISTIAN HERREN, JR.  
JOHN A. RUSS IV  
CATHERINE MEZA  
DAVID G. COOPER  
SPENCER R. FISHER  
JENIGH J. GARRETT  
ELIZABETH M. RYAN  
Attorneys, Voting Section  
Civil Rights Division  
United States Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530  
Telephone: (800) 253-3931  
Email: john.russ@usdoj.gov  
Email: catherine.meza@usdoj.gov

*Attorneys for Plaintiff in United States of America v. State of North Carolina, et al.*

/s/ John M. Devaney

John M. Devaney  
PERKINS COIE LLP  
D.C. Bar No. 375465  
JDevaney@perkinscoie.com  
Marc E. Elias  
D.C. Bar No. 442007  
MElias@perkinscoie.com  
Elisabeth C. Frost  
D.C. Bar No. 1007632  
EFrost@perkinscoie.com  
700 Thirteenth Street, N.W., Suite 600  
Washington, D.C. 20005-3960  
Telephone: (202) 654-6200  
Facsimile: (202) 654-6211

Joshua L. Kaul  
Wisconsin Bar No. 1067529  
JKaul@perkinscoie.com  
1 East Main Street, Suite 201  
Madison, WI 53705  
Telephone: (608)294-4007  
Facsimile: (608) 663-7499

*Attorneys for Duke Plaintiff-Intervenors*

/s/ Edwin M. Speas, Jr.

Edwin M. Speas, Jr.  
POYNER SPRUILL LLP  
N.C. State Bar No. 4112  
espeas@poynerspruill.com  
John W. O'Hale  
N.C. State Bar No. 35895  
johale@poynerspruill.com  
Caroline P. Mackie  
N.C. State Bar No. 41512  
cmackie@poynerspruill.com  
P.O. Box 1801 (27602-1801)  
301 Fayetteville St., Suite 1900  
Raleigh, NC 27601  
Telephone: (919) 783-6400  
Facsimile: (919) 783-1075

*Local Rule 83.1  
Attorneys for Duke Plaintiff-Intervenors*

**CERTIFICATE OF SERVICE**

I, Daniel T. Donovan, hereby certify that, on July 11, 2014, I filed a copy of the foregoing Plaintiffs' Designations of Deposition Testimony In Support of Motion for Preliminary Injunction using the CM/ECF system, which on the same date sent notification of the filing to the following:

**Counsel for Plaintiffs in North Carolina  
State Conference of the NAACP, et al. v.  
McCrorry, et al.**

Adam Stein  
TIN FULTON WALKER & OWEN, PLLC  
312 West Franklin Street  
Chapel Hill, NC 27516  
Telephone: (919) 240-7089  
Facsimile: (919) 240-7822  
E-mail: astein@tinfulton.com

Penda D. Hair  
Edward A. Hailes  
Denise Lieberman  
Donita Judge  
Caitlin Swain  
ADVANCEMENT PROJECT  
Suite 850  
1220 L Street, N.W.  
Washington, DC 20005  
Telephone: (202) 728-9557  
E-mail: phair@advancementproject.com

Irving Joyner  
PO Box 374  
Cary, NC 27512  
E-mail: ijoyner@ncu.edu

Daniel T. Donovan  
Thomas D. Yannucci  
Susan M. Davies  
Bridget K. O'Connor  
K. Winn Allen  
Uzoma N, Nkwonta  
Kimberly D. Rancour  
Jodi K. Wu  
KIRKLAND & ELLIS LLP  
655 Fifteenth St., N.W.  
Washington, DC 20005  
Telephone: (202) 879-5174  
Facsimile: (202) 879-5200  
E-mail: daniel.donovan@kirkland.com

**Counsel for Plaintiffs in League of  
Women Voters of North Carolina, et al. v.  
North Carolina, et al.**

Anita S. Earls (State Bar # 15597)  
Allison J. Riggs (State Bar # 40028)  
Clare R. Barnett (State Bar #42678)  
SOUTHERN COALITION FOR SOCIAL  
JUSTICE  
1415 Highway 54, Suite 101  
Durham, NC 27707  
Telephone: (919) 323-3380 ext. 115  
Facsimile: (919) 323-3942  
E-mail: anita@southerncoalition.org

Christopher Brook (State Bar #33838)  
ACLU of NORTH CAROLINA LEGAL  
FOUNDATION  
P.O. Box 28004  
Raleigh, NC 27611-8004  
Telephone: (919) 834-3466  
Facsimile: (866) 511-1344  
E-mail: cbrook@acluofnc.org

Dale Ho\*  
Julie A. Ebenstein\*  
ACLU VOTING RIGHTS PROJECT  
125 Broad Street  
New York, NY 10004  
Telephone: (212) 549-2693  
E-mail: dale.ho@aclu.org  
*\*appearing pursuant to Local Rule 83.1(d)*

Laughlin McDonald\*  
ACLU VOTING RIGHTS PROJECT  
2700 International Tower  
229 Peachtree Street, NE  
Atlanta, GA 30303  
Telephone: (404) 500-1235  
E-mail: lmcDonald@aclu.org  
*\*appearing pursuant to Local Rule 83.1(d)*

**Counsel for Plaintiffs in US v. North  
Carolina, et al.**

T. Christian Herren, Jr.  
John A. Russ IV  
Catherine Meza  
David G. Cooper  
Spencer R. Fisher  
Elizabeth Ryan  
Attorneys, Voting Section  
Civil Rights Division  
U.S. DEPARTMENT OF JUSTICE  
Room 7254-NWB  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530

Telephone: (800) 253-3931  
Facsimile: (202) 307-3961  
E-mail: john.russ@usdoj.gov  
E-mail: catherine.meza@usdoj.gov

Gill P. Beck (State Bar # 13175)  
Special Assistant United States Attorney  
OFFICE OF THE UNITED STATES  
ATTORNEY  
United States Courthouse  
100 Otis Street  
Asheville, NC 28801  
Telephone: (828) 259-0645  
E-mail: gill.beck@usdoj.gov

**Counsel for Plaintiff-Intervenors in  
League of Women Voters of North  
Carolina, et al. v. North Carolina, et al.**

Marc E. Elias  
John M. Devaney  
Elisabeth C. Frost  
700 Thirteenth St., N.W., Suite 600  
Washington, D.C. 20005-3960  
Telephone: (202) 654-6200  
Facsimile: (202) 654-6211  
E-mail: melias@perkinscoie.com  
E-mail: jdevaney@perkinscoie.com  
E-mail: efrost@perkinscoie.com

Edwin M. Speas, Jr. (State Bar # 4112)  
John W. O'Hale (State Bar # 35895)  
Caroline P. Mackie (State Bar # 41512)  
P.O. Box 1801 (27602-1801)  
301 Fayetteville St., Suite 1900  
Raleigh, NC 27601  
Telephone: (919) 783-6400  
Facsimile: (919) 783-1075  
E-mail: espeas@poynerspruill.com  
E-mail: johale@poynerspruill.com  
E-mail: cmackie@poynerspruill.com

**Counsel for Defendant Patrick McCrory**

Karl S. Bowers, Jr.  
BOWERS LAW OFFICE LLC  
P.O. Box 50549  
Columbia, SC 29250  
Telephone: (803) 260-4124  
Facsimile: (803) 250-3985  
E-mail: butch@butchbowers.com

Robert C. Stephens  
General Counsel  
OFFICE OF THE GOVERNOR OF  
NORTH CAROLINA  
20301 Mail Service Center  
Raleigh, North Carolina 27699  
Telephone: (919) 814-2027  
Facsimile: (919) 733-2120  
E-mail: bob.stephens@nc.gov  
*Of Counsel*

**Counsel for Defendants State of North  
Carolina and Members of the State Board  
of Elections**

Alexander Peters, Esq.  
NC DEPARTMENT OF JUSTICE  
PO Box 629  
Raleigh, NC 27602  
Telephone: (919) 716-6913  
Facsimile: (919) 716-6763  
E-mail: apeters@ncdoj.gov

Thomas A. Farr, Esq.  
Phillip J. Strach, Esq.  
OGLETREE, DEAKINS, NASH, SMOAK  
& STEWART, P.C  
4208 Six Forks Road  
Raleigh, NC 27609  
Telephone: (919) 787-9700  
Facsimile: (919)783-9412  
E-mail: thomas.farr@ogletreedeakins.com  
E-mail: phil.strach@ogletreedeakins.com



Respectfully Submitted,

*/s/ Daniel T. Donovan*

---

Daniel T. Donovan  
KIRKLAND & ELLIS LLP  
655 Fifteenth St., N.W.  
Washington, DC 20005  
Telephone: (202) 879-5174  
Facsimile: (202) 879-5200  
E-mail: daniel.donovan@kirkland.com

*/s/ Adam Stein*

---

Adam Stein (N.C. State Bar #4145)  
TIN FULTON WALKER & OWEN, PLLC  
312 West Franklin Street  
Chapel Hill, NC 27516  
Telephone: (919) 240-7089  
E-mail: astein@tinfulton.com