
**In the
Supreme Court of the United States**

◆

DAVID TANGIPA, *et al.*,

Applicants,

v.

GAVIN NEWSOM, *et al.*,

Respondents.

ON APPLICATION FOR WRIT OF INJUNCTION FROM THE U.S. DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

◆

**To the Honorable Elena Kagan
Associate Justice of the Supreme Court of the United States and Circuit Justice
for the Ninth Circuit**

◆

**APPENDIX TO EMERGENCY APPLICATION FOR WRIT OF INJUNCTION
PART 2**

◆

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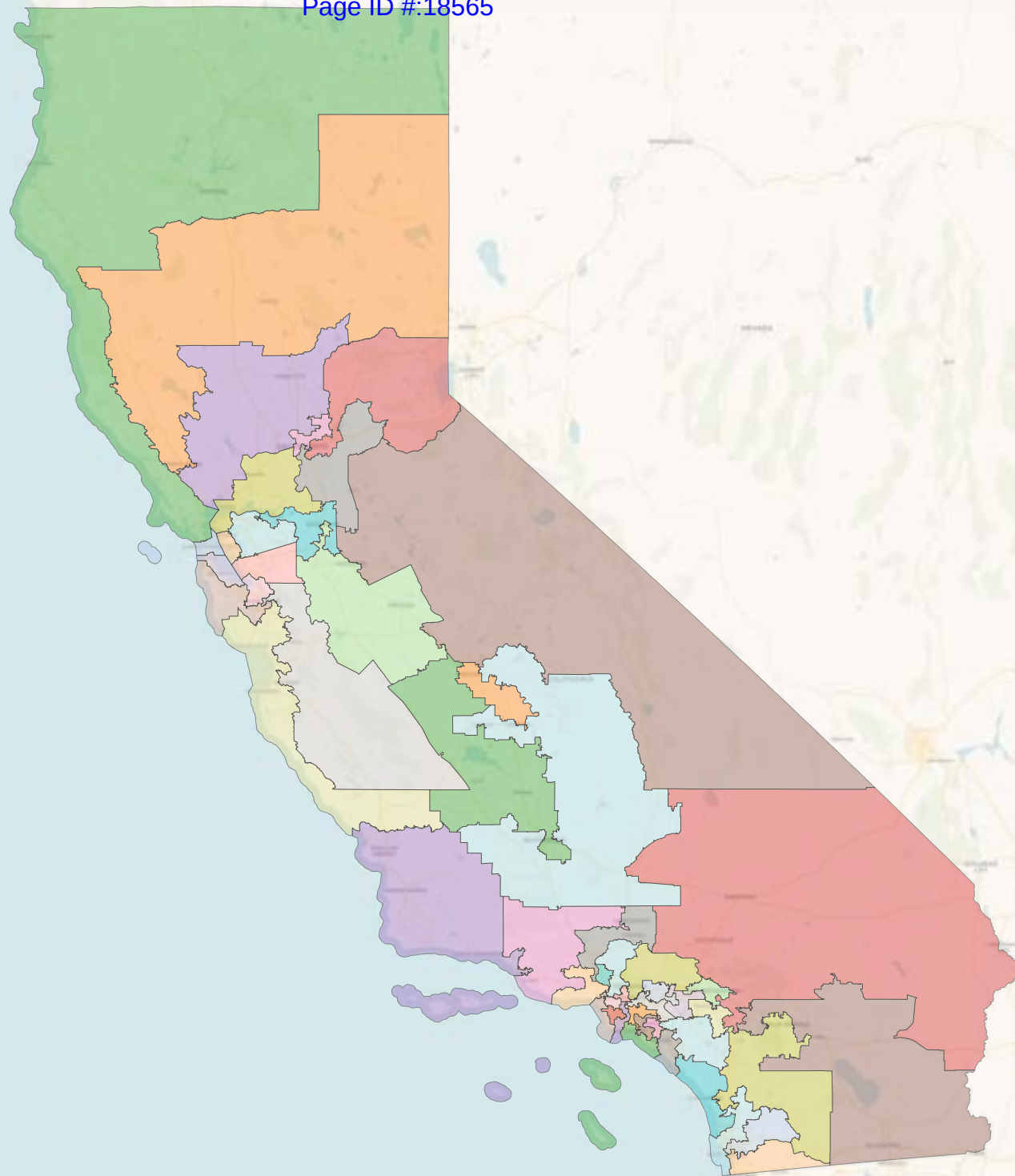
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California Congress

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Ex. 190



California Congress

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2020 Census

	01	02	03	04	05	06	07	08	09
Population	760,065	760,065	760,067	760,065	760,066	760,067	760,065	760,066	760,065
Deviation	-1	-1	1	-1	0	1	-1	0	-1
Deviation %	-0.0%	-0.0%	0.0%	-0.0%	0.0%	0.0%	-0.0%	0.0%	-0.0%
Other	523,144	606,989	496,639	435,860	478,414	450,475	369,399	292,991	245,353
Other %	68.8%	79.9%	65.3%	57.3%	62.9%	59.3%	48.6%	38.5%	32.3%
Latino	198,815	112,645	141,407	236,841	219,949	169,635	176,798	238,586	288,030
Latino %	26.2%	14.8%	18.6%	31.2%	28.9%	22.3%	23.3%	31.4%	37.9%
Asian	27,489	31,013	82,986	70,893	46,888	89,139	150,498	131,301	142,995
Asian %	3.6%	4.1%	10.9%	9.3%	6.2%	11.7%	19.8%	17.3%	18.8%
Black	10,617	9,418	39,035	16,471	14,815	50,818	63,370	97,188	83,687
Black %	1.4%	1.2%	5.1%	2.2%	1.9%	6.7%	8.3%	12.8%	11.0%

Citizen Voting Age Population (CVAP)

	01	02	03	04	05	06	07	08	09
Total CVAP	548,648	567,772	546,805	535,082	550,500	531,282	548,294	513,705	501,043
Other CVAP	414,210	474,372	378,205	339,142	372,767	324,899	283,519	217,120	186,892
Other CVAP %	75.5%	83.5%	69.2%	63.4%	67.7%	61.2%	51.7%	42.3%	37.3%
Latino CVAP	100,965	56,557	79,213	125,083	130,591	98,792	103,298	120,045	155,537
Latino CVAP %	18.4%	10.0%	14.5%	23.4%	23.7%	18.6%	18.8%	23.4%	31.0%
Asian CVAP	21,957	25,465	52,822	52,713	32,224	65,016	106,512	95,862	96,249
Asian CVAP %	4.0%	4.5%	9.7%	9.9%	5.9%	12.2%	19.4%	18.7%	19.2%
Black CVAP	11,516	11,378	36,565	18,144	14,918	42,575	54,965	80,678	62,365
Black CVAP %	2.1%	2.0%	6.7%	3.4%	2.7%	8.0%	10.0%	15.7%	12.4%



California Congress

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2020 Census

	10	11	12	13	14	15	16	17	18
Population	760,066	760,067	760,065	760,067	760,065	760,066	760,066	760,067	760,066
Deviation	0	1	-1	1	-1	0	0	1	0
Deviation %	0.0%	0.0%	-0.0%	0.0%	-0.0%	0.0%	0.0%	0.0%	0.0%
Other	428,804	380,316	307,417	188,414	234,353	267,088	369,295	197,375	170,354
Other %	56.4%	50.0%	40.4%	24.8%	30.8%	35.1%	48.6%	26.0%	22.4%
Latino	151,209	107,106	179,534	492,863	177,264	201,867	151,126	130,456	500,484
Latino %	19.9%	14.1%	23.6%	64.8%	23.3%	26.6%	19.9%	17.2%	65.8%
Asian	150,844	232,590	156,144	52,698	313,556	271,935	225,345	416,497	77,477
Asian %	19.8%	30.6%	20.5%	6.9%	41.3%	35.8%	29.6%	54.8%	10.2%
Black	29,209	40,055	116,970	26,092	34,892	19,176	14,300	15,739	11,751
Black %	3.8%	5.3%	15.4%	3.4%	4.6%	2.5%	1.9%	2.1%	1.5%

Citizen Voting Age Population (CVAP)

	10	11	12	13	14	15	16	17	18
Total CVAP	524,308	544,105	522,733	415,543	464,109	490,568	483,495	424,767	412,566
Other CVAP	312,031	265,528	222,959	135,349	164,956	183,124	252,784	137,624	126,693
Other CVAP %	59.5%	48.8%	42.7%	32.6%	35.5%	37.3%	52.3%	32.4%	30.7%
Latino CVAP	80,445	62,690	85,819	223,570	93,757	101,204	76,093	69,266	218,496
Latino CVAP %	15.3%	11.5%	16.4%	53.8%	20.2%	20.6%	15.7%	16.3%	53.0%
Asian CVAP	103,114	180,975	116,513	36,147	174,608	188,931	140,622	204,198	55,939
Asian CVAP %	19.7%	33.3%	22.3%	8.7%	37.6%	38.5%	29.1%	48.1%	13.6%
Black CVAP	28,718	34,912	97,442	20,477	30,788	17,309	13,996	13,679	11,438
Black CVAP %	5.5%	6.4%	18.6%	4.9%	6.6%	3.5%	2.9%	3.2%	2.8%



California Congress

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2020 Census

	19	20	21	22	23	24	25	26	27
Population	760,067	760,065	760,067	760,066	760,066	760,065	760,066	760,067	760,067
Deviation	1	-1	1	0	0	-1	0	1	1
Deviation %	0.0%	-0.0%	0.0%	0.0%	0.0%	-0.0%	0.0%	0.0%	0.0%
Other	414,266	402,996	171,122	129,317	343,181	417,826	245,987	362,114	272,963
Other %	54.5%	53.0%	22.5%	17.0%	45.2%	55.0%	32.4%	47.6%	35.9%
Latino	187,658	288,988	482,325	563,305	324,842	294,734	464,876	317,496	346,015
Latino %	24.7%	38.0%	63.5%	74.1%	42.7%	38.8%	61.2%	41.8%	45.5%
Asian	141,729	45,270	71,545	35,132	29,686	37,890	23,690	63,926	67,289
Asian %	18.6%	6.0%	9.4%	4.6%	3.9%	5.0%	3.1%	8.4%	8.9%
Black	16,414	22,811	35,075	32,312	62,357	9,615	25,513	16,531	73,800
Black %	2.2%	3.0%	4.6%	4.3%	8.2%	1.3%	3.4%	2.2%	9.7%

Citizen Voting Age Population (CVAP)

	19	20	21	22	23	24	25	26	27
Total CVAP	540,894	512,729	458,902	398,979	514,103	532,407	494,546	503,784	491,708
Other CVAP	322,791	295,310	137,159	95,023	254,813	339,167	197,163	272,151	191,818
Other CVAP %	59.7%	57.6%	29.9%	23.8%	49.6%	63.7%	39.9%	54.0%	39.0%
Latino CVAP	102,722	163,165	249,611	260,843	190,014	150,929	257,693	170,702	194,051
Latino CVAP %	19.0%	31.8%	54.4%	65.4%	37.0%	28.3%	52.1%	33.9%	39.5%
Asian CVAP	99,372	33,814	44,824	19,905	22,557	30,697	17,043	44,656	48,679
Asian CVAP %	18.4%	6.6%	9.8%	5.0%	4.4%	5.8%	3.4%	8.9%	9.9%
Black CVAP	16,009	20,440	27,308	23,208	46,719	11,614	22,647	16,275	57,160
Black CVAP %	3.0%	4.0%	6.0%	5.8%	9.1%	2.2%	4.6%	3.2%	11.6%



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2020 Census

	28	29	30	31	32	33	34	35	36
Population	760,065	760,066	760,066	760,066	760,065	760,067	760,067	760,066	760,066
Deviation	-1	0	0	0	-1	1	1	0	0
Deviation %	-0.0%	0.0%	0.0%	0.0%	-0.0%	0.0%	0.0%	0.0%	0.0%
Other	231,227	195,337	460,657	165,868	447,933	167,505	103,292	167,836	474,998
Other %	30.4%	25.7%	60.6%	21.8%	58.9%	22.0%	13.6%	22.1%	62.5%
Latino	210,705	477,560	178,511	429,185	189,453	459,436	497,280	446,255	126,932
Latino %	27.7%	62.8%	23.5%	56.5%	24.9%	60.4%	65.4%	58.7%	16.7%
Asian	288,737	58,158	95,096	140,443	94,693	56,399	128,548	101,513	131,473
Asian %	38.0%	7.7%	12.5%	18.5%	12.5%	7.4%	16.9%	13.4%	17.3%
Black	29,396	29,011	25,802	24,570	27,986	76,727	30,947	44,462	26,663
Black %	3.9%	3.8%	3.4%	3.2%	3.7%	10.1%	4.1%	5.8%	3.5%

Citizen Voting Age Population (CVAP)

	28	29	30	31	32	33	34	35	36
Total CVAP	519,416	452,149	547,252	502,061	548,661	475,755	430,418	481,931	545,928
Other CVAP	175,492	139,842	333,360	121,938	335,861	118,596	77,745	124,220	337,185
Other CVAP %	33.8%	30.9%	60.9%	24.3%	61.2%	24.9%	18.1%	25.8%	61.8%
Latino CVAP	133,810	242,495	110,511	262,046	110,131	259,509	236,352	255,710	80,469
Latino CVAP %	25.8%	53.6%	20.2%	52.2%	20.1%	54.5%	54.9%	53.1%	14.7%
Asian CVAP	181,708	42,451	72,569	93,452	73,284	36,866	85,671	64,071	100,377
Asian CVAP %	35.0%	9.4%	13.3%	18.6%	13.4%	7.7%	19.9%	13.3%	18.4%
Black CVAP	28,406	27,361	30,812	24,625	29,385	60,784	30,650	37,930	27,897
Black CVAP %	5.5%	6.1%	5.6%	4.9%	5.4%	12.8%	7.1%	7.9%	5.1%



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2020 Census

	37	38	39	40	41	42	43	44	45
Population	760,066	760,067	760,067	760,066	760,065	760,067	760,067	760,067	760,066
Deviation	0	1	1	0	-1	1	1	1	0
Deviation %	0.0%	0.0%	0.0%	0.0%	-0.0%	0.0%	0.0%	0.0%	0.0%
Other	131,743	118,512	178,497	405,171	190,955	389,327	81,626	84,841	180,920
Other %	17.3%	15.6%	23.5%	53.3%	25.1%	51.2%	10.7%	11.2%	23.8%
Latino	409,691	450,094	473,263	243,980	461,976	240,878	433,512	535,795	263,412
Latino %	53.9%	59.2%	62.3%	32.1%	60.8%	31.7%	57.0%	70.5%	34.7%
Asian	47,245	182,917	43,859	79,899	78,136	88,034	62,451	67,863	297,463
Asian %	6.2%	24.1%	5.8%	10.5%	10.3%	11.6%	8.2%	8.9%	39.1%
Black	171,387	8,544	64,448	31,016	28,998	41,828	182,478	71,568	18,271
Black %	22.5%	1.1%	8.5%	4.1%	3.8%	5.5%	24.0%	9.4%	2.4%

Citizen Voting Age Population (CVAP)

	37	38	39	40	41	42	43	44	45
Total CVAP	438,620	465,896	486,150	543,973	509,320	547,320	434,357	437,942	492,914
Other CVAP	86,261	89,906	133,237	300,038	148,870	306,806	50,844	59,698	137,833
Other CVAP %	19.7%	19.3%	27.4%	55.2%	29.2%	56.1%	11.7%	13.6%	28.0%
Latino CVAP	174,716	245,091	263,801	152,392	280,278	134,603	201,766	272,815	139,346
Latino CVAP %	39.8%	52.6%	54.3%	28.0%	55.0%	24.6%	46.5%	62.3%	28.3%
Asian CVAP	33,768	122,795	33,846	63,206	56,755	69,836	43,559	49,777	201,275
Asian CVAP %	7.7%	26.4%	7.0%	11.6%	11.1%	12.8%	10.0%	11.4%	40.8%
Black CVAP	143,875	8,104	55,266	28,337	23,417	36,075	138,188	55,652	14,460
Black CVAP %	32.8%	1.7%	11.4%	5.2%	4.6%	6.6%	31.8%	12.7%	2.9%



California Congress

AB 604

2020 Census

	46	47	48	49	50	51	52
Population	760,066	760,065	760,066	760,067	760,066	760,067	760,066
Deviation	0	-1	0	1	0	1	0
Deviation %	0.0%	-0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Other	155,233	399,795	372,920	485,717	472,232	441,328	151,060
Other %	20.4%	52.6%	49.1%	63.9%	62.1%	58.1%	19.9%
Latino	486,278	137,878	304,909	164,145	140,896	205,434	459,616
Latino %	64.0%	18.1%	40.1%	21.6%	18.5%	27.0%	60.5%
Asian	104,743	209,399	52,867	94,807	125,897	62,598	98,430
Asian %	13.8%	27.6%	7.0%	12.5%	16.6%	8.2%	13.0%
Black	13,812	12,993	29,370	15,398	21,041	50,707	50,960
Black %	1.8%	1.7%	3.9%	2.0%	2.8%	6.7%	6.7%

Citizen Voting Age Population (CVAP)

	46	47	48	49	50	51	52
Total CVAP	446,787	514,402	518,620	525,988	560,570	573,012	490,770
Other CVAP	120,859	292,459	281,580	345,015	360,404	342,684	119,463
Other CVAP %	27.1%	56.9%	54.3%	65.6%	64.3%	59.8%	24.3%
Latino CVAP	235,309	78,502	166,118	96,790	90,355	132,681	254,254
Latino CVAP %	52.7%	15.3%	32.0%	18.4%	16.1%	23.2%	51.8%
Asian CVAP	79,274	130,254	43,349	67,875	88,402	53,569	73,711
Asian CVAP %	17.7%	25.3%	8.4%	12.9%	15.8%	9.3%	15.0%
Black CVAP	11,345	13,187	27,573	16,308	21,409	44,078	43,342
Black CVAP %	2.5%	2.6%	5.3%	3.1%	3.8%	7.7%	8.8%

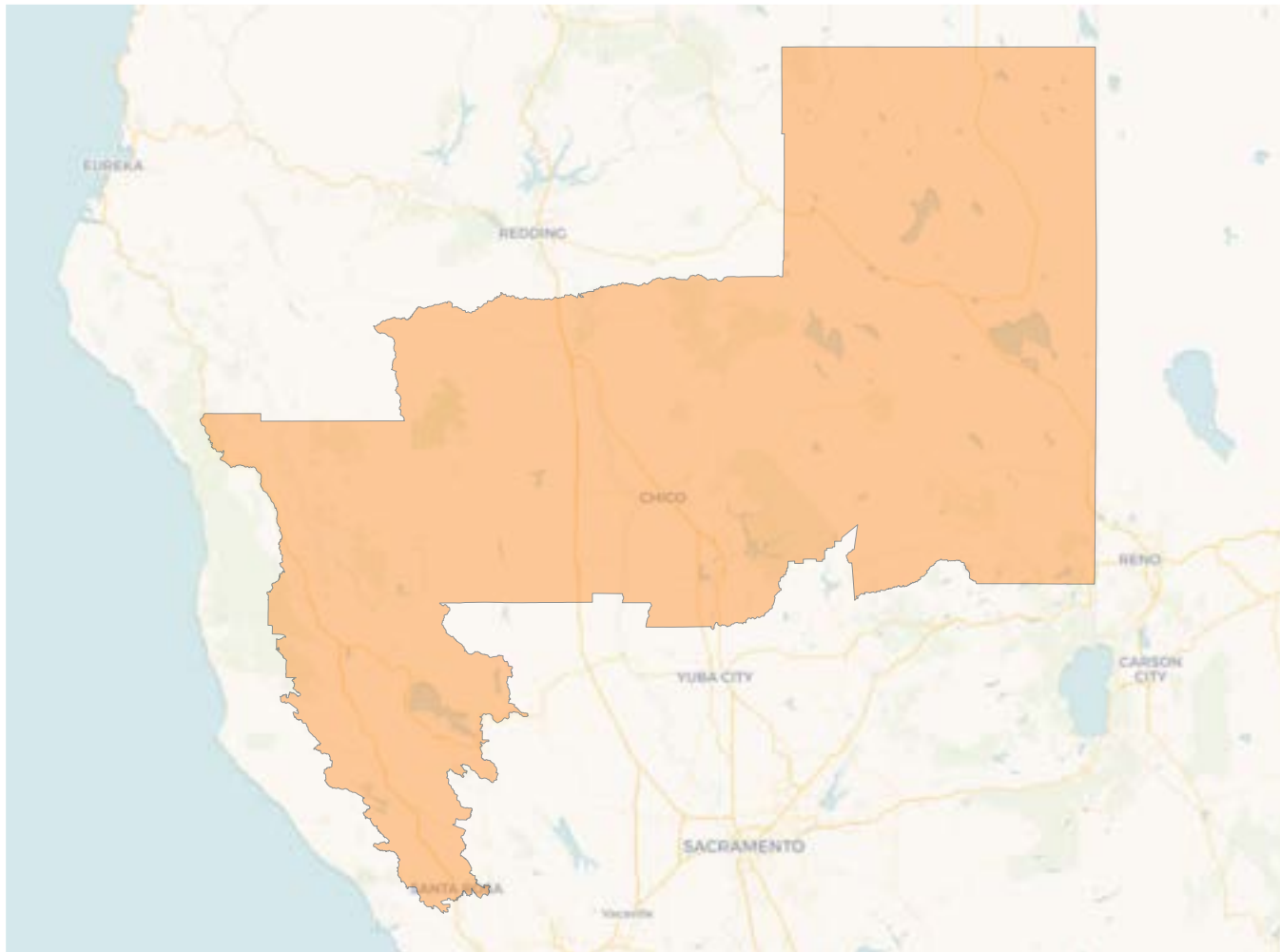
Ex. 190



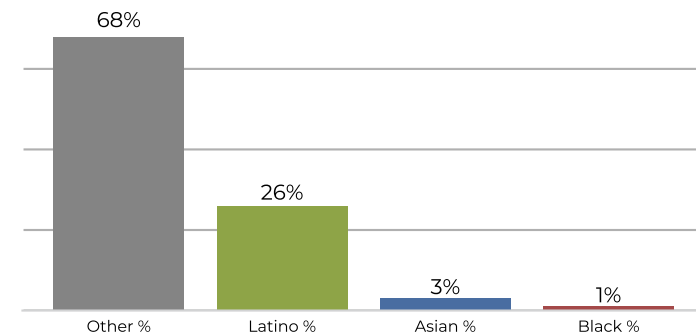
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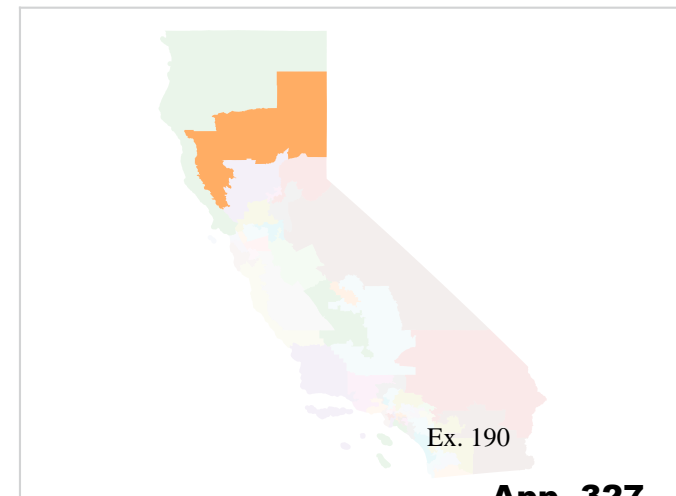
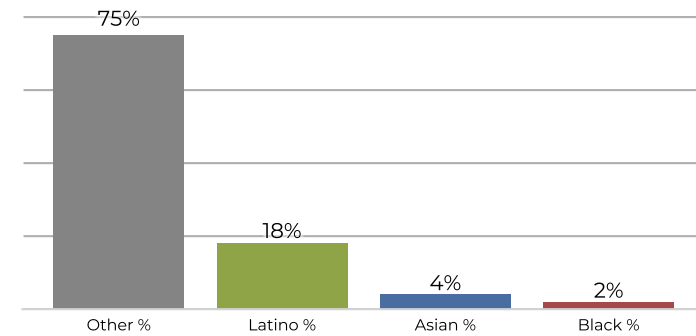
District 01



2020 Census



Citizen Voting Age Population



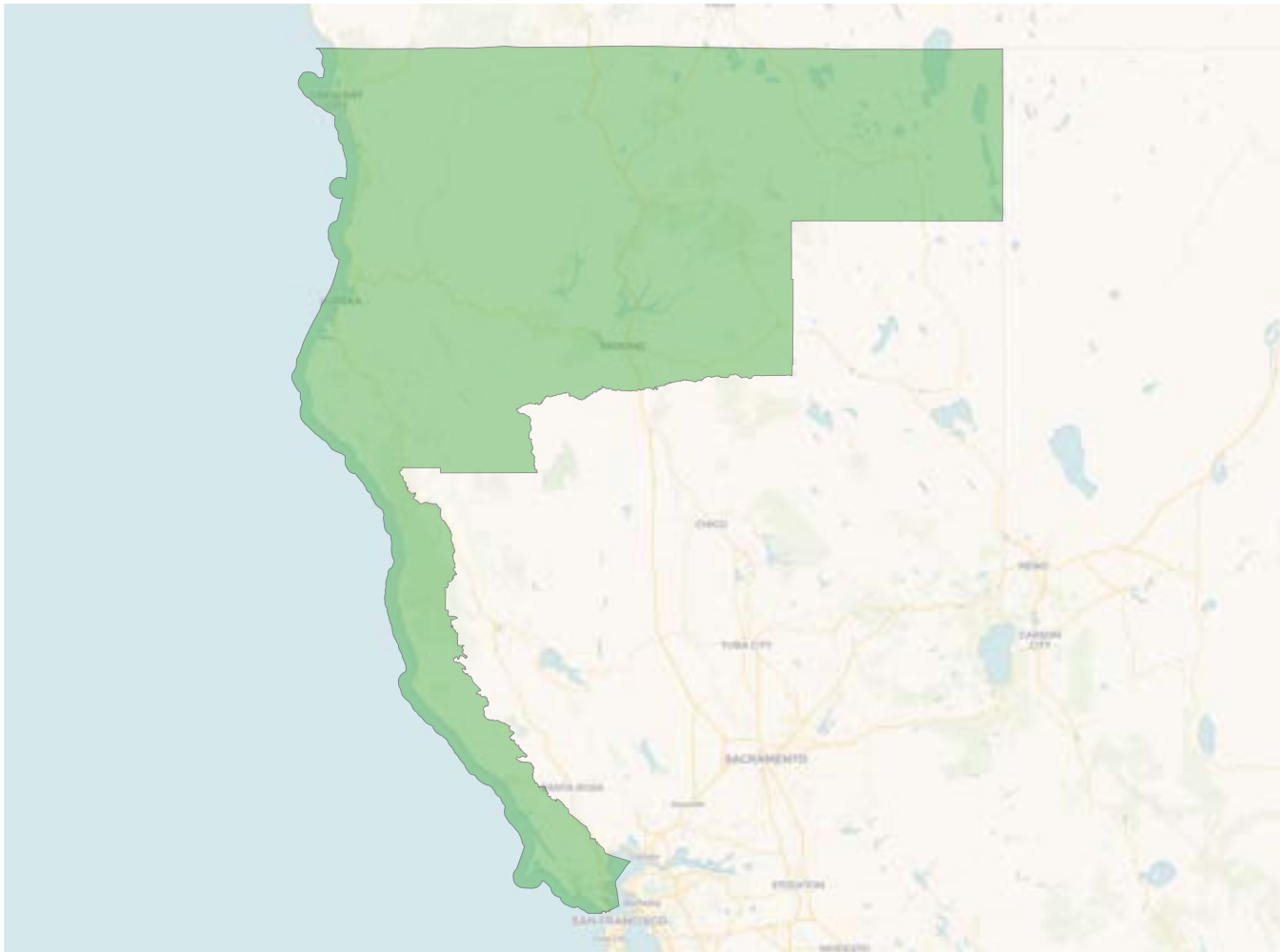
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,065	-1	-0.0%	523,144	68.8%	198,815	26.2%	27,489	3.6%	10,617	1.4%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
548,648	414,210	75.5%	100,965	18.4%	21,957	4.0%	11,516	2.1%		



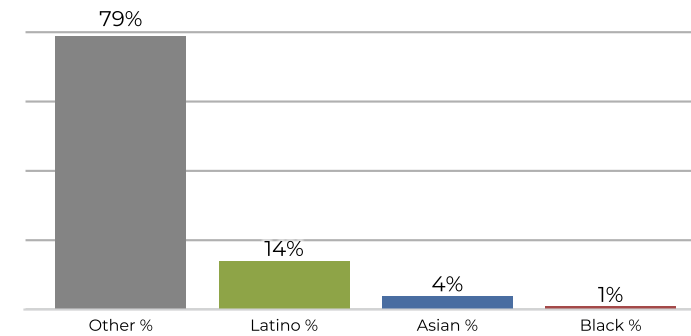
California Congress

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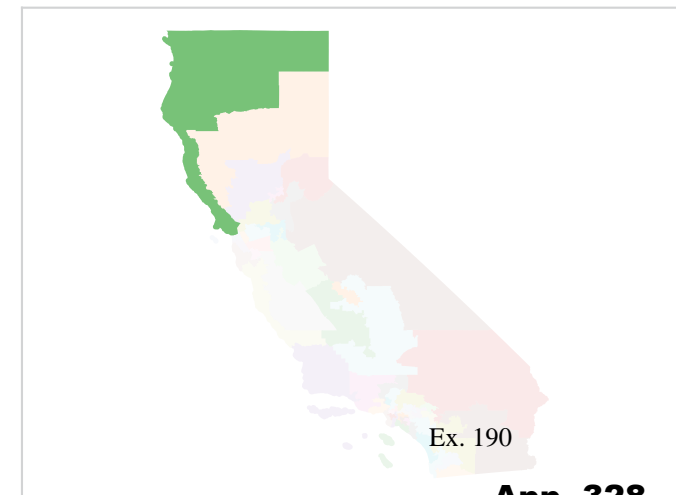
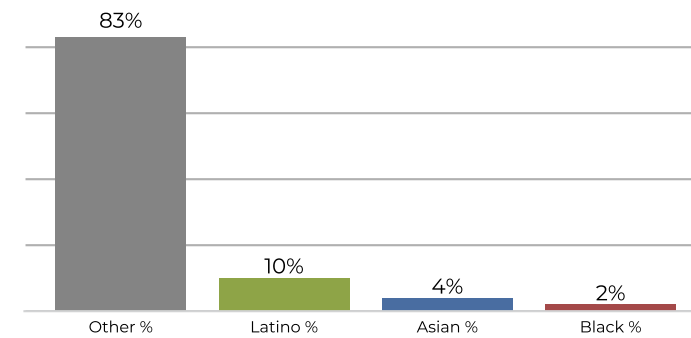
District 02



2020 Census



Citizen Voting Age Population



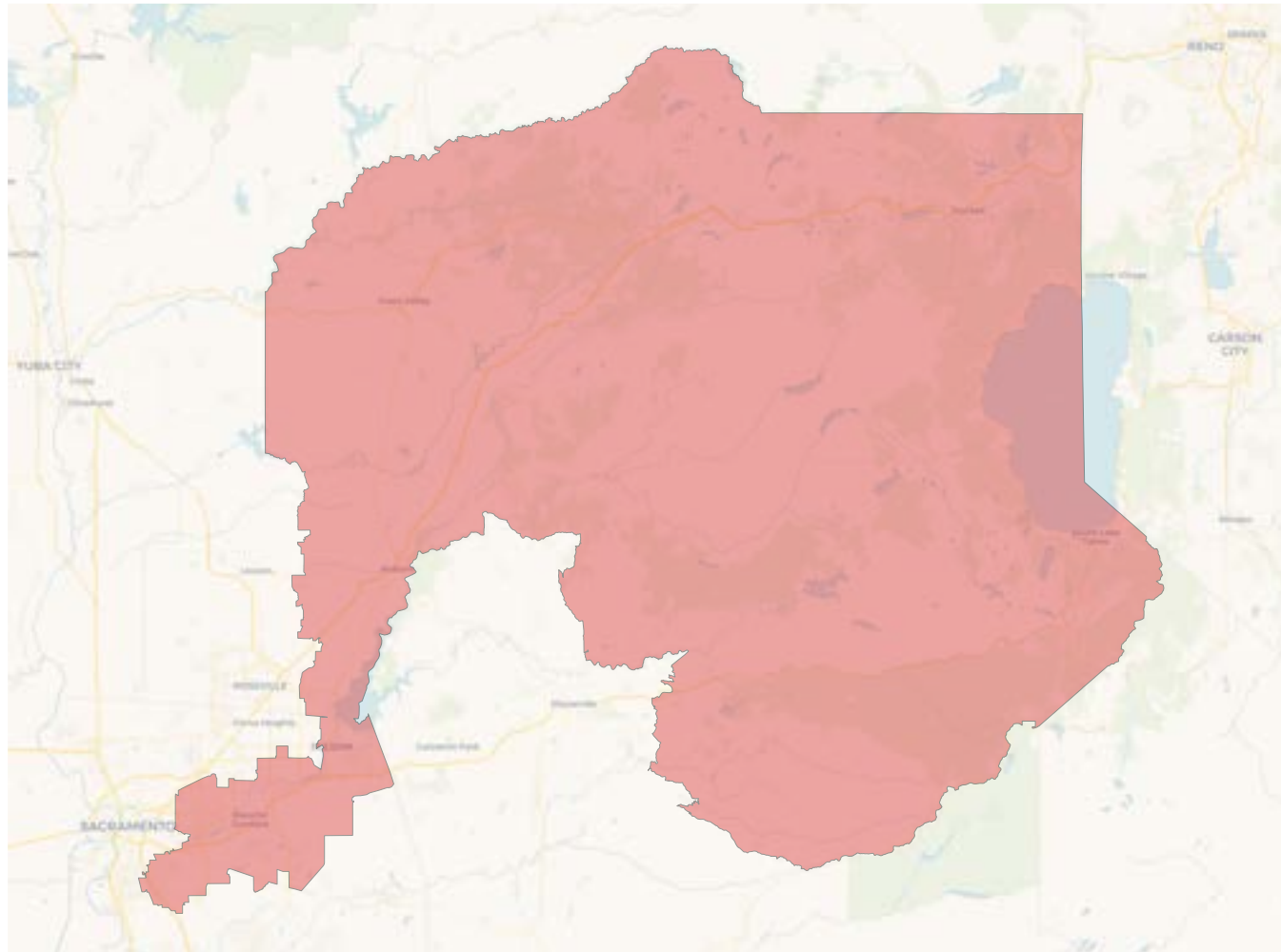
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,065	-1	-0.0%	606,989	79.9%	112,645	14.8%	31,013	4.1%	9,418	1.2%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
567,772	474,372	83.5%	56,557	10.0%	25,465	4.5%	11,378	2.0%		



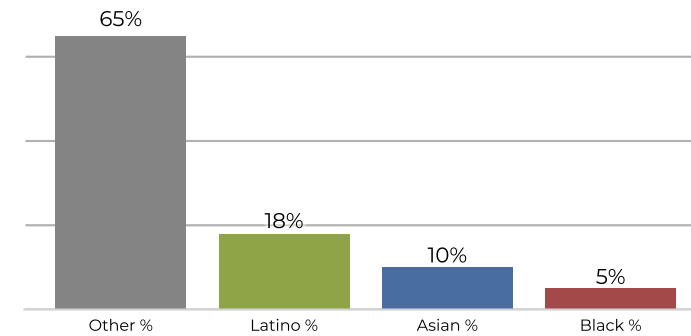
California Congress

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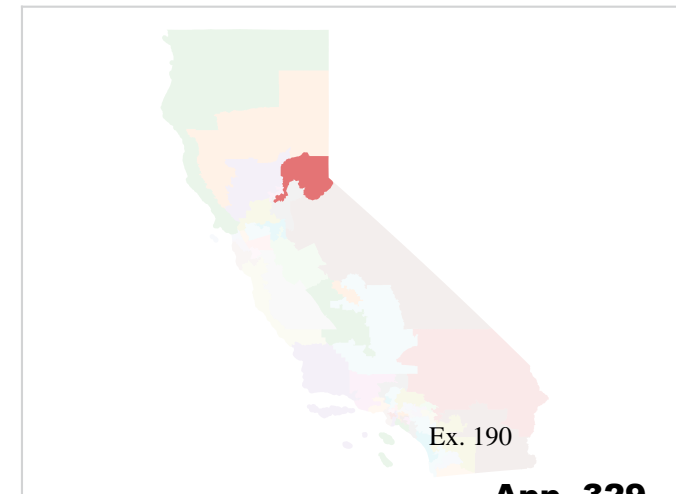
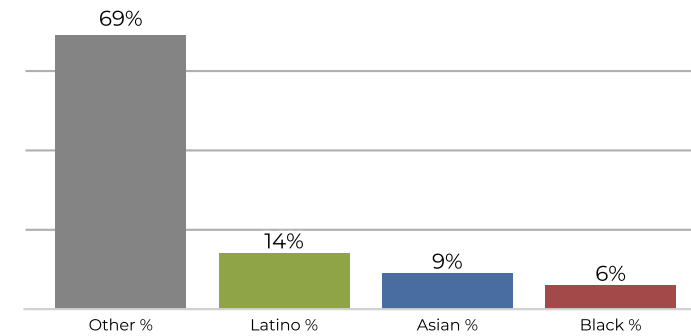
District 03



2020 Census



Citizen Voting Age Population



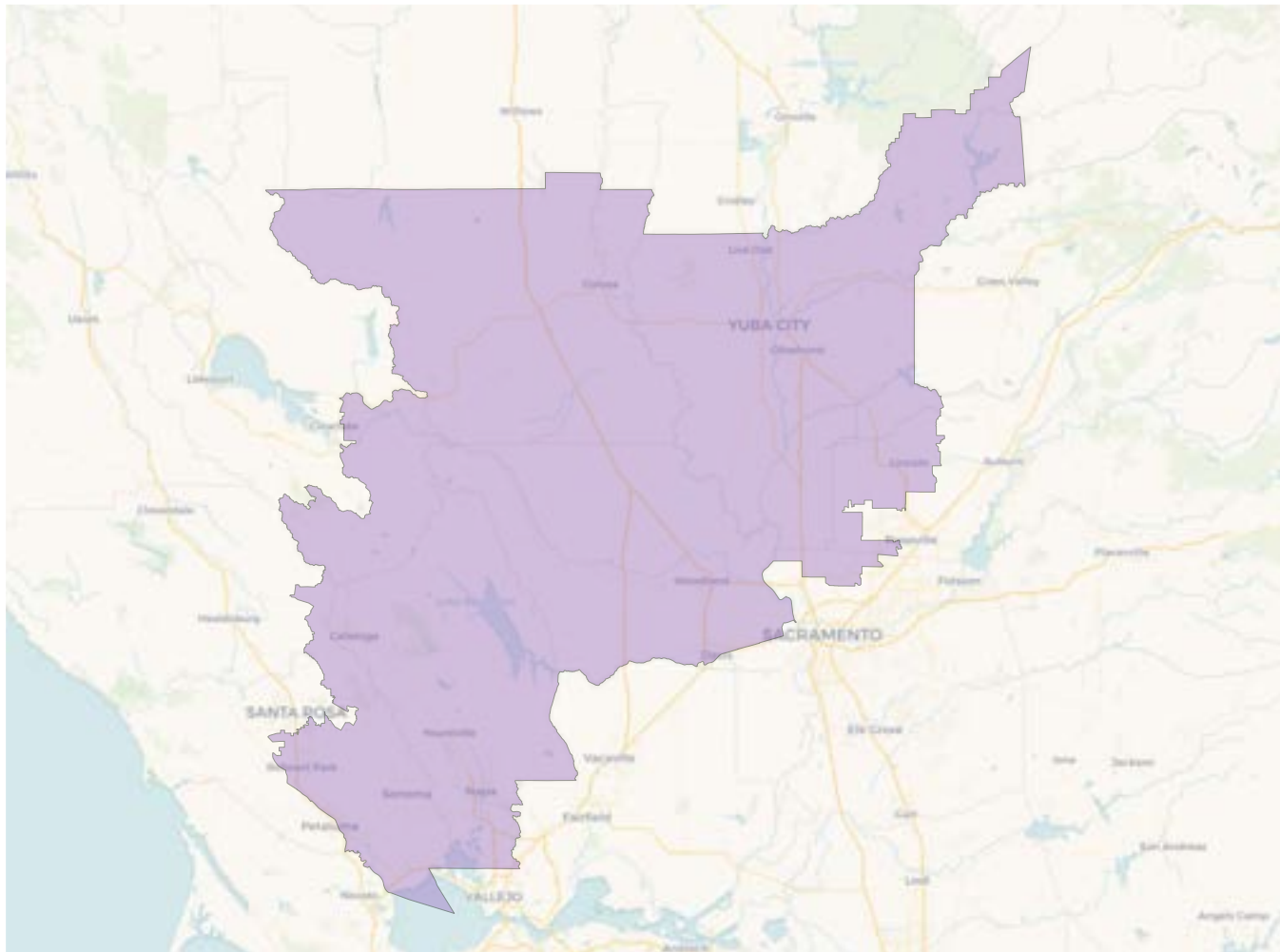
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	496,639	65.3%	141,407	18.6%	82,986	10.9%	39,035	5.1%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
546,805	378,205	69.2%	79,213	14.5%	52,822	9.7%	36,565	6.7%		



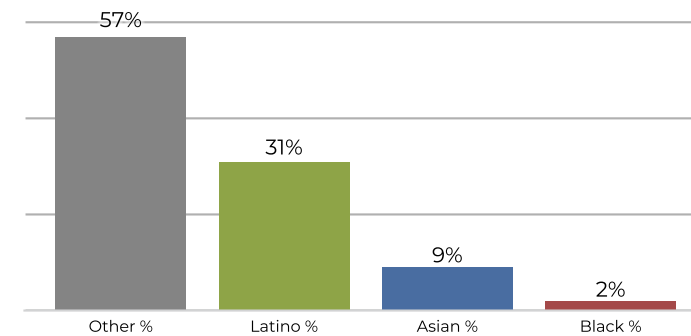
California Congress

AB 604

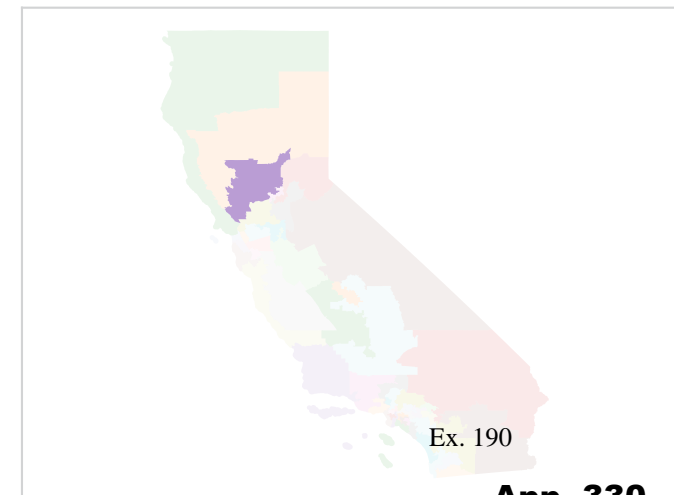
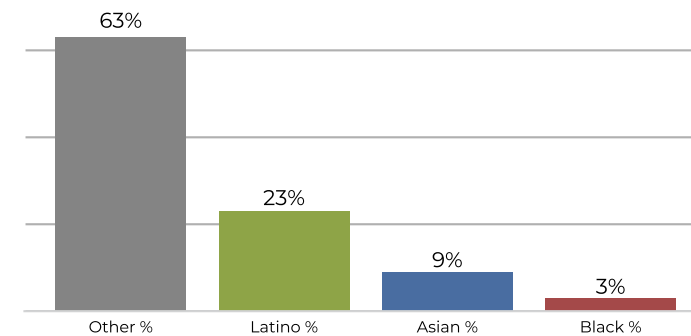
District 04



2020 Census



Citizen Voting Age Population



App. 330

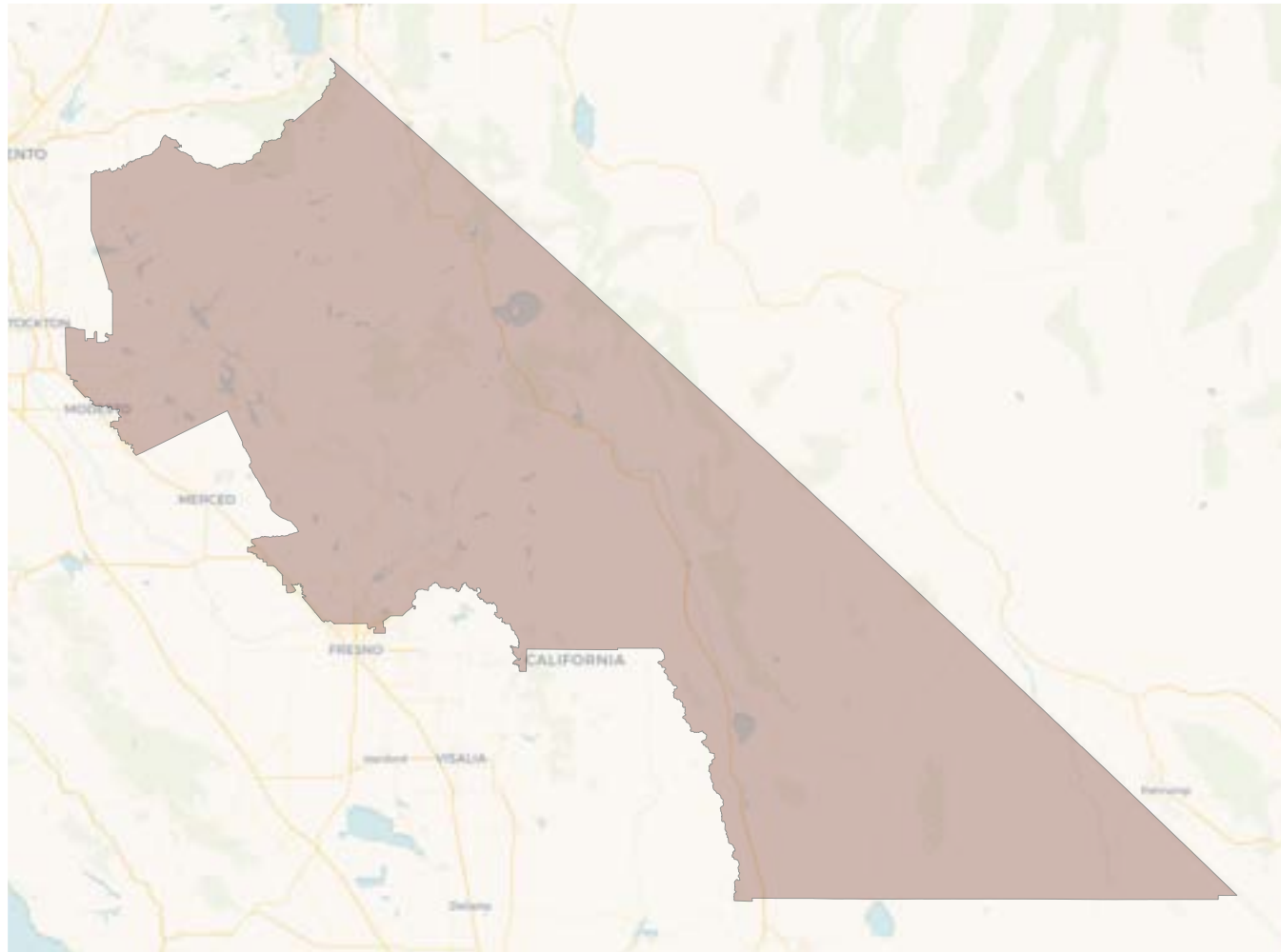
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,065	-1	-0.0%	435,860	57.3%	236,841	31.2%	70,893	9.3%	16,471	2.2%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
535,082	339,142	63.4%	125,083	23.4%	52,713	9.9%	18,144	3.4%		



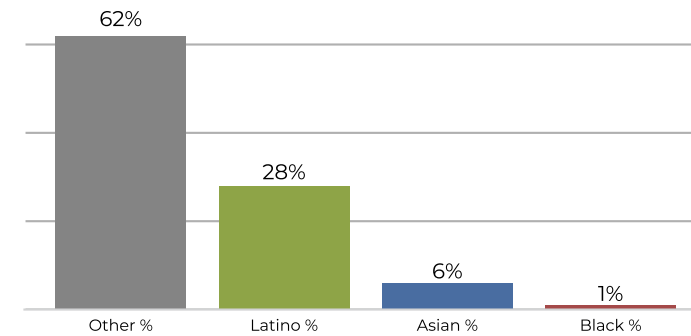
California Congress

AB 604

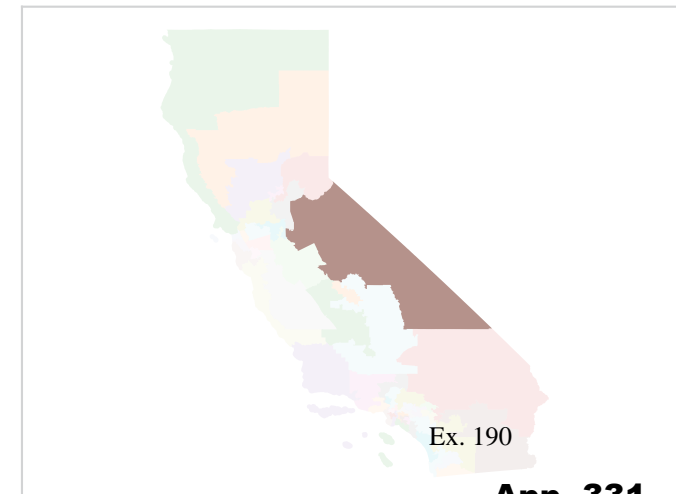
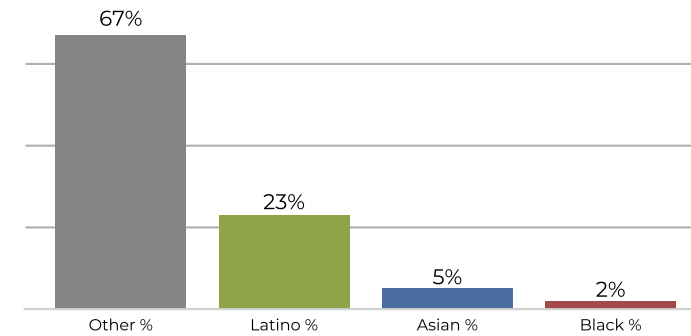
District 05



2020 Census



Citizen Voting Age Population



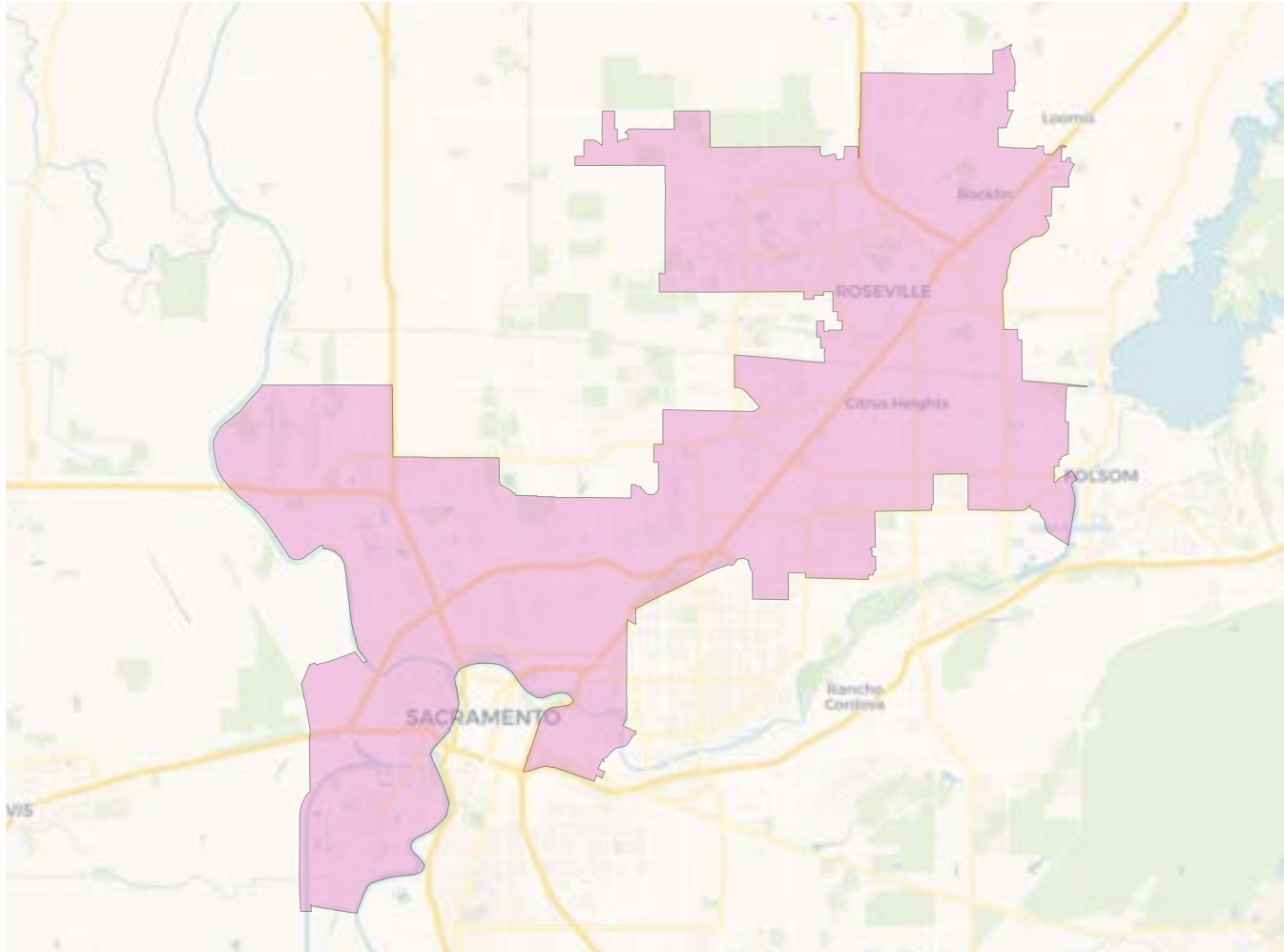
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	478,414	62.9%	219,949	28.9%	46,888	6.2%	14,815	1.9%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
550,500	372,767	67.7%	130,591	23.7%	32,224	5.9%	14,918	2.7%		



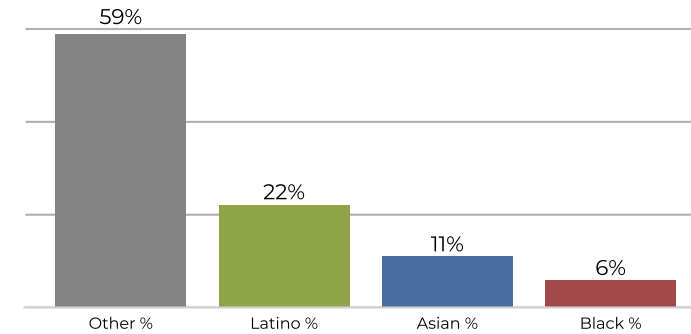
California Congress

AB 604

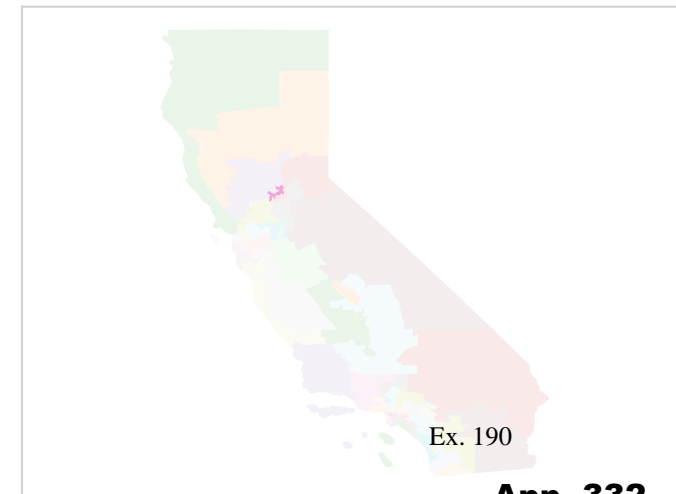
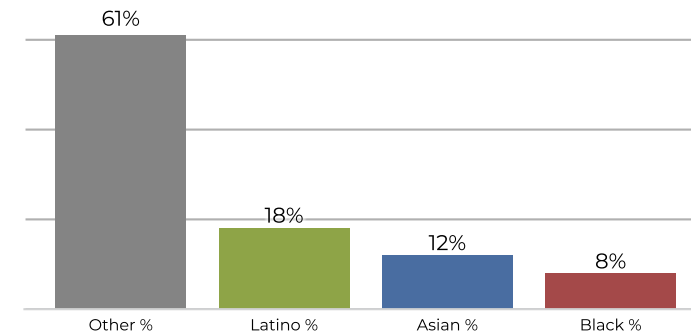
District 06



2020 Census



Citizen Voting Age Population



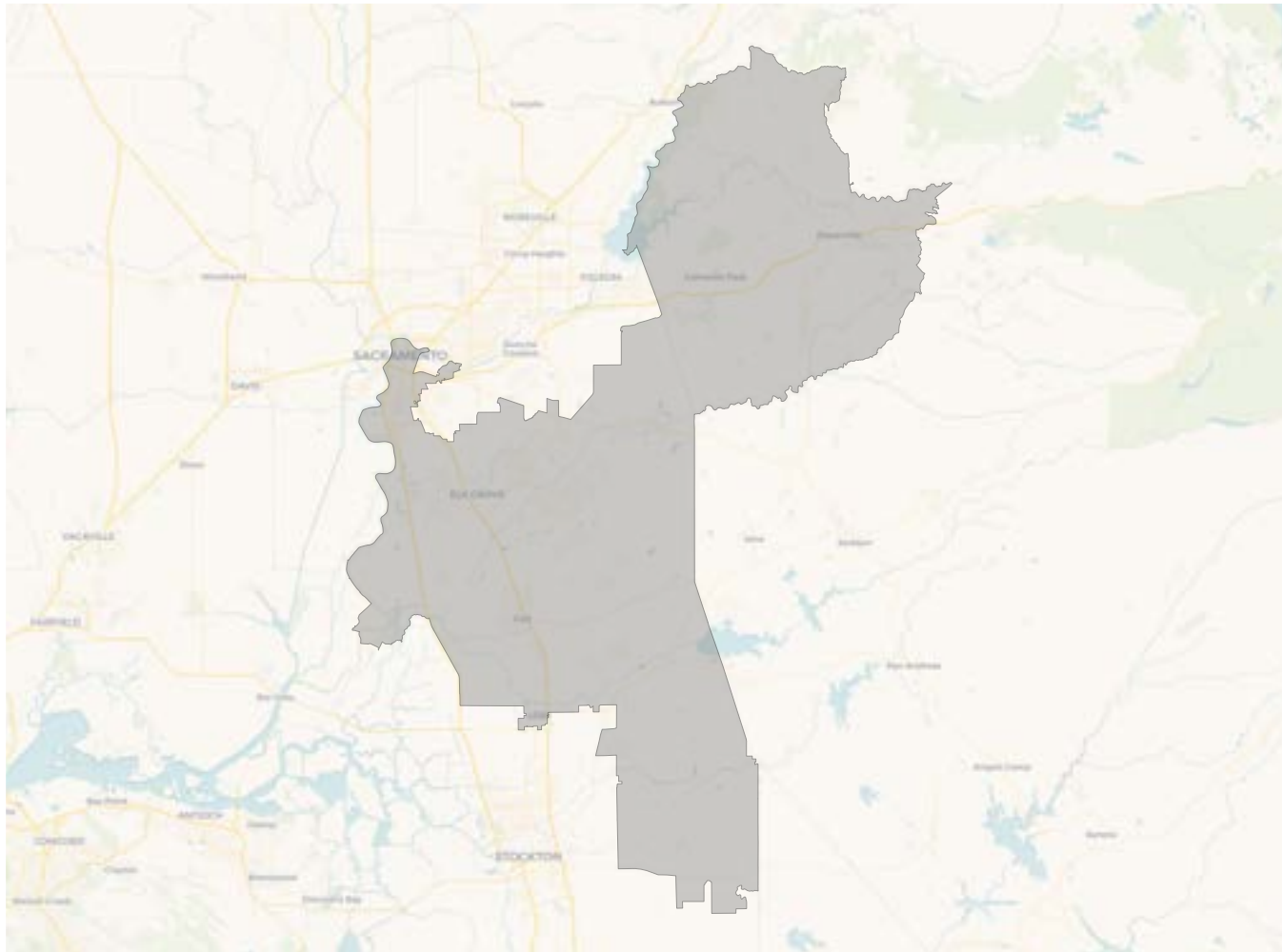
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	450,475	59.3%	169,635	22.3%	89,139	11.7%	50,818	6.7%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
531,282	324,899	61.2%	98,792	18.6%	65,016	12.2%	42,575	8.0%		



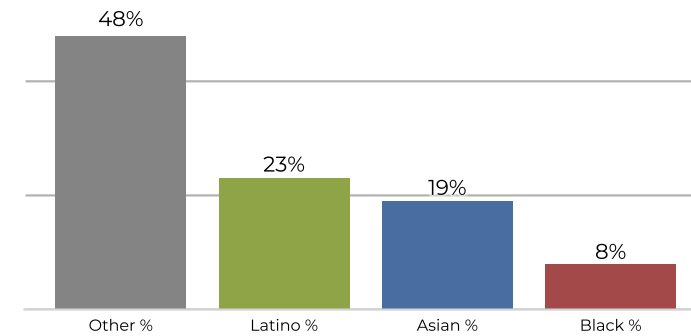
California Congress

AB 604

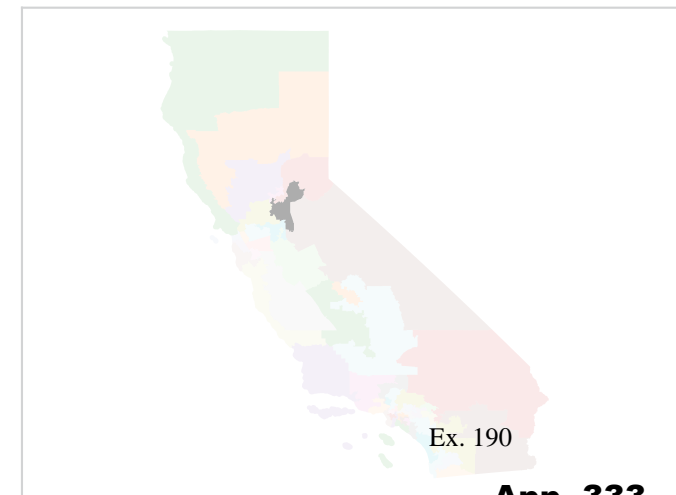
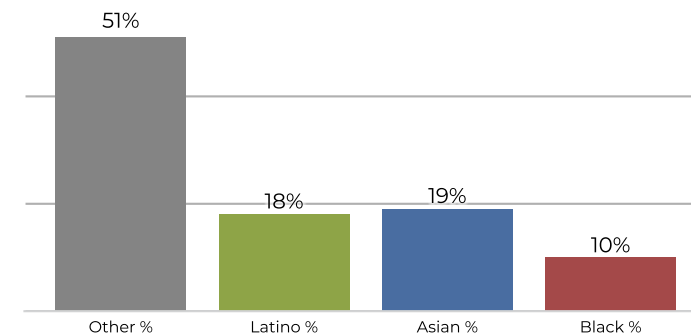
District 07



2020 Census



Citizen Voting Age Population



Ex. 190

App. 333

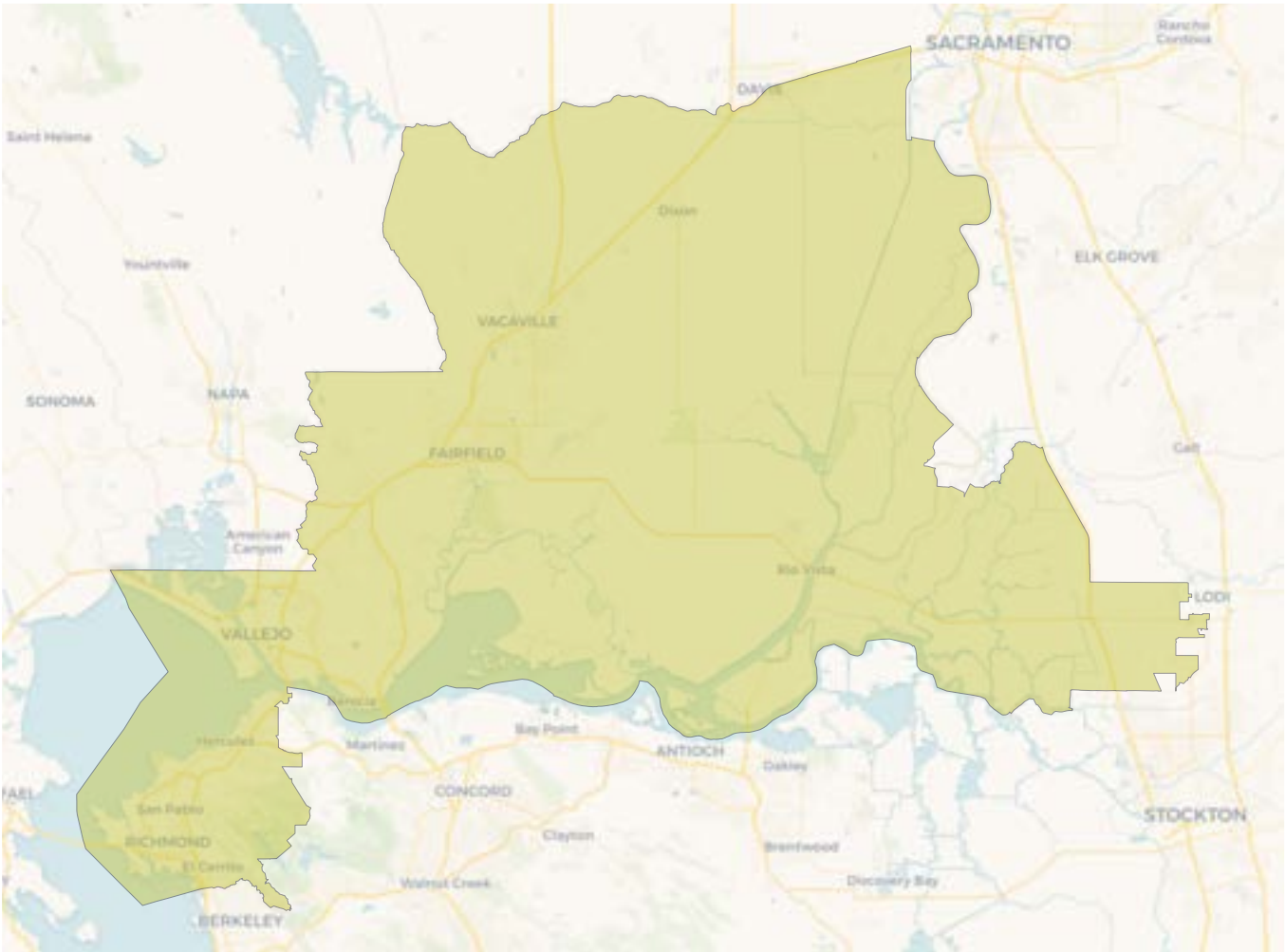
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,065	-1	-0.0%	369,399	48.6%	176,798	23.3%	150,498	19.8%	63,370	8.3%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
548,294	283,519	51.7%	103,298	18.8%	106,512	19.4%	54,965	10.0%		



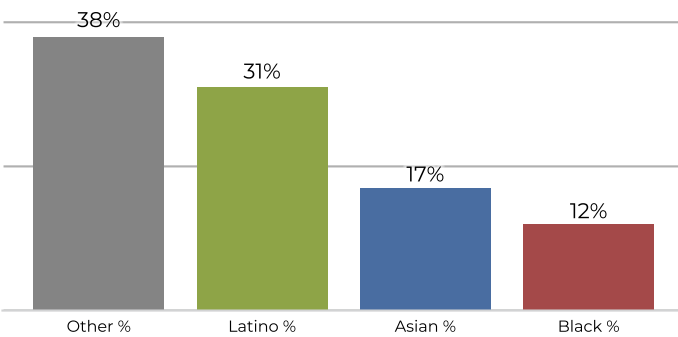
California Congress

AB 604

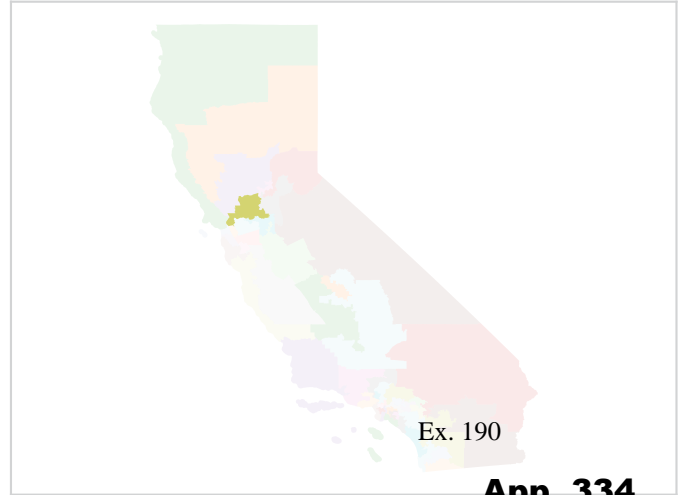
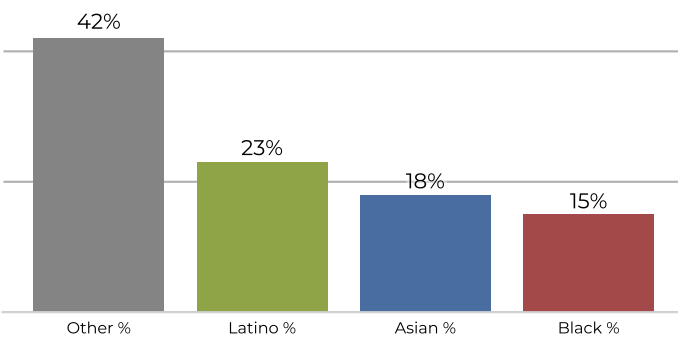
District 08



2020 Census



Citizen Voting Age Population



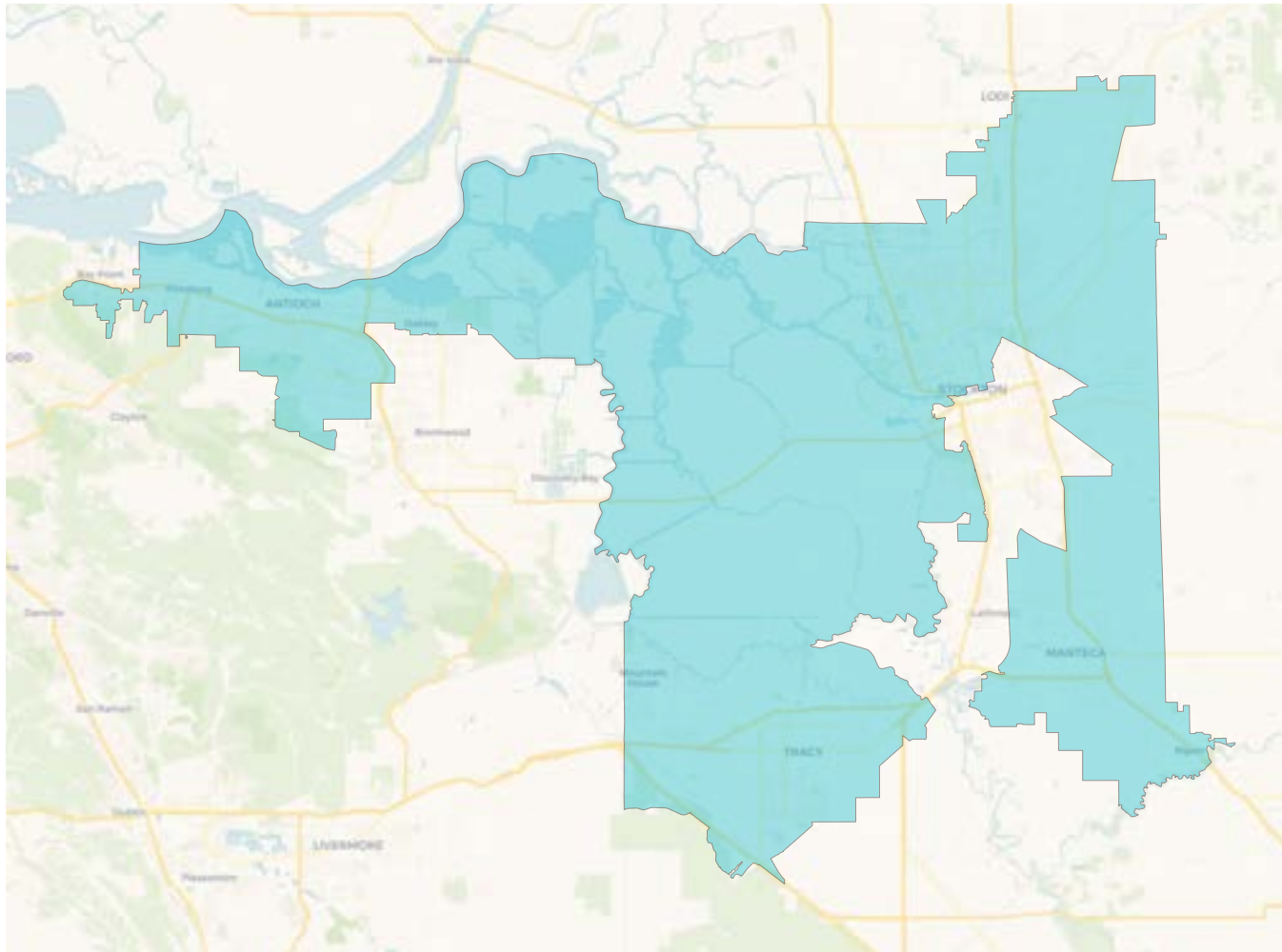
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	292,991	38.5%	238,586	31.4%	131,301	17.3%	97,188	12.8%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
513,705	217,120	42.3%	120,045	23.4%	95,862	18.7%	80,678	15.7%		



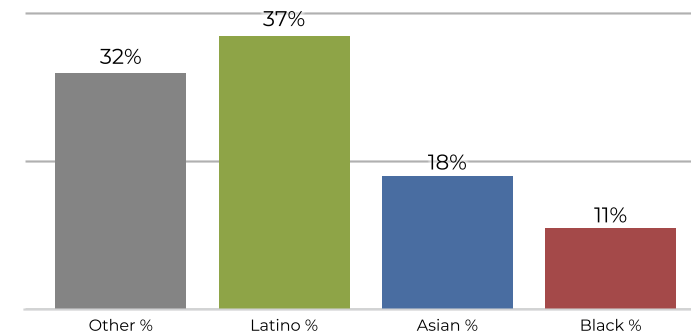
California Congress

AB 604

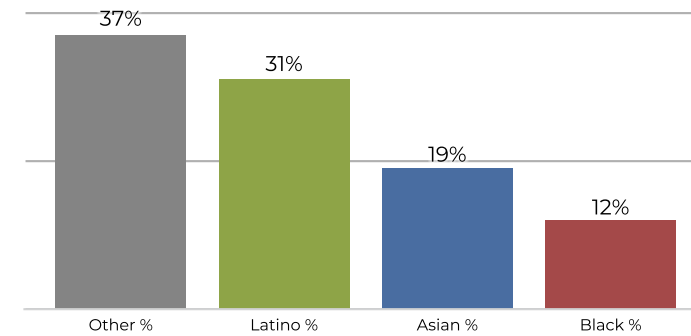
District 09



2020 Census

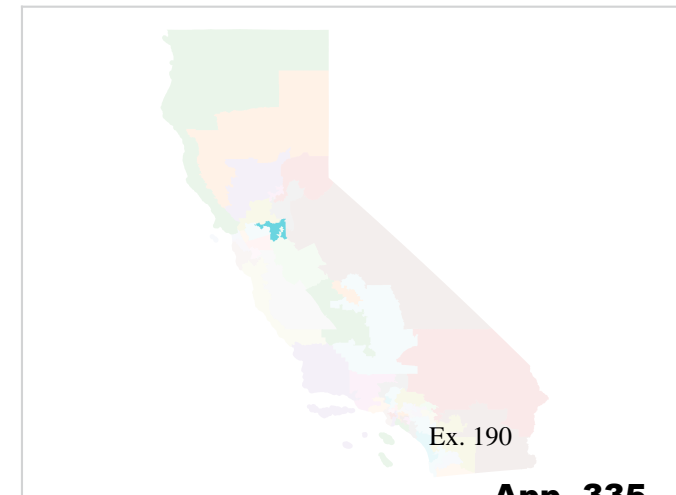


Citizen Voting Age Population



Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,065	-1	-0.0%	245,353	32.3%	288,030	37.9%	142,995	18.8%	83,687	11.0%

Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %
501,043	186,892	37.3%	155,537	31.0%	96,249	19.2%	62,365	12.4%





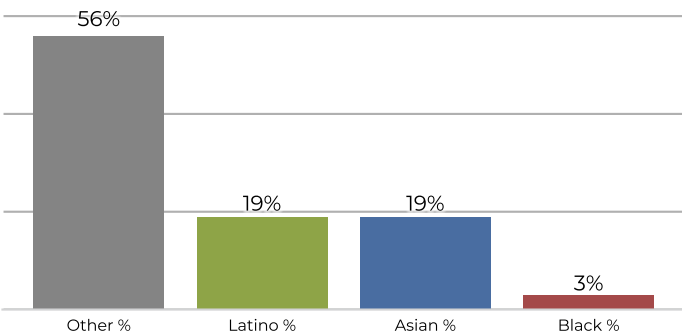
California Congress

AB 604

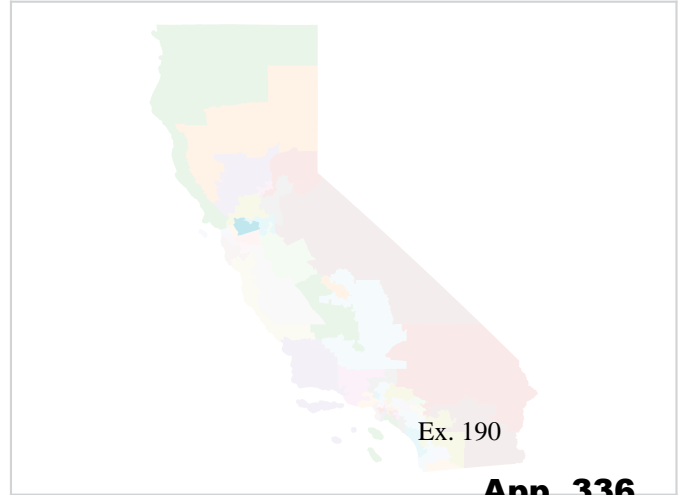
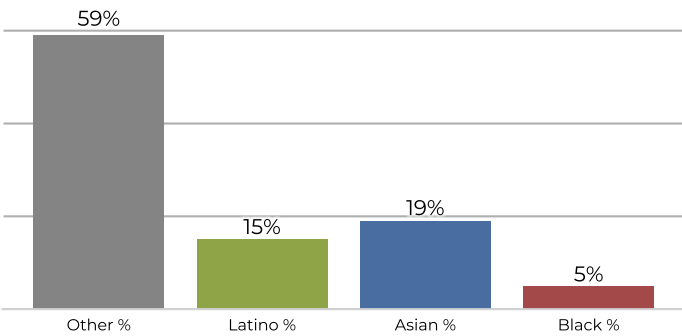
District 10



2020 Census



Citizen Voting Age Population



Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	428,804	56.4%	151,209	19.9%	150,844	19.8%	29,209	3.8%

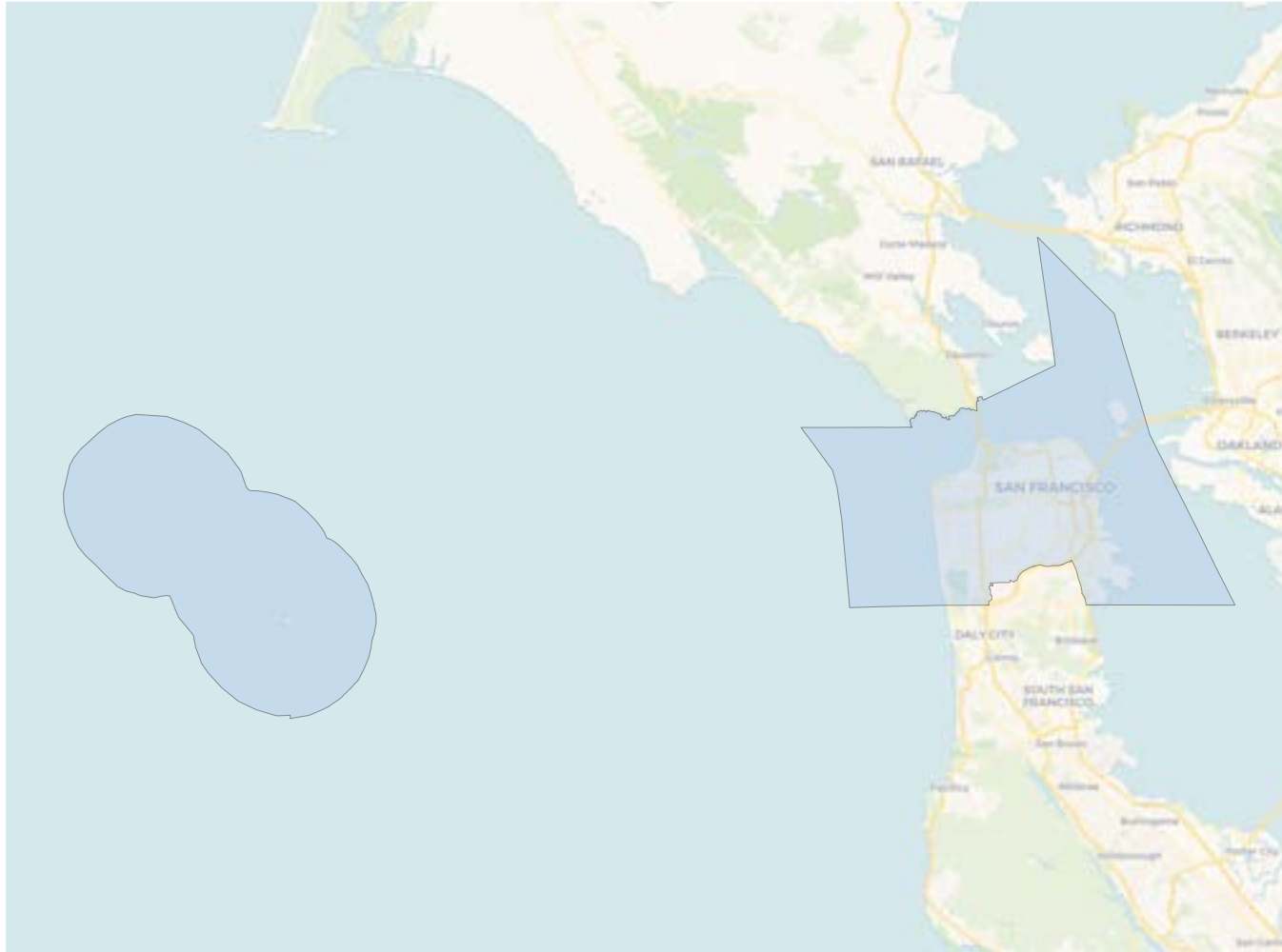
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %
524,308	312,031	59.5%	80,445	15.3%	103,114	19.7%	28,718	5.5%



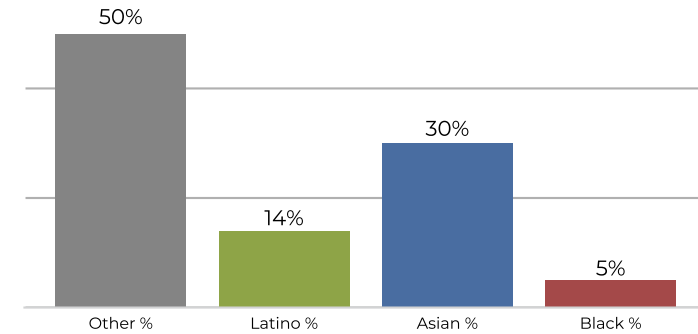
California Congress

AB 604

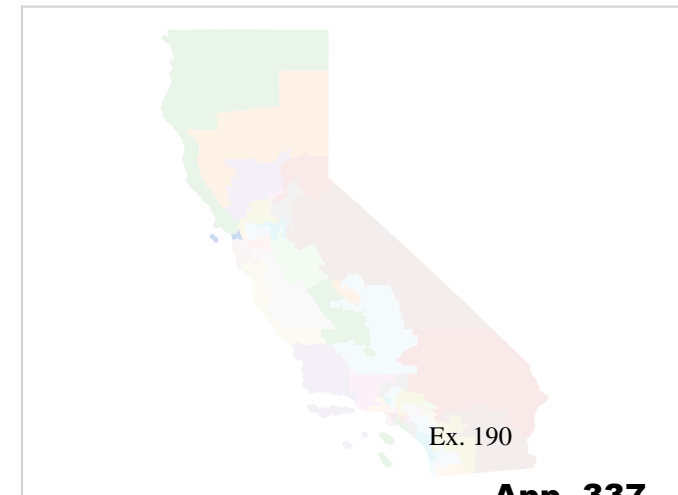
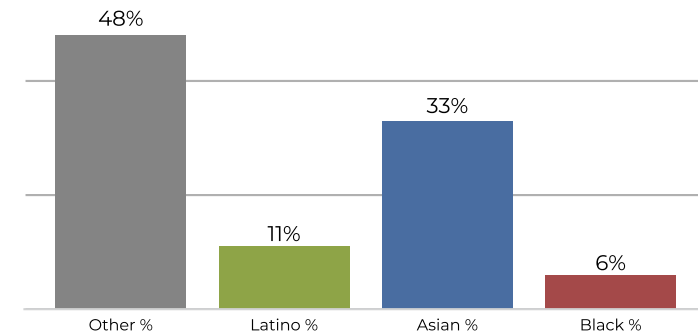
District 11



2020 Census



Citizen Voting Age Population



App. 337

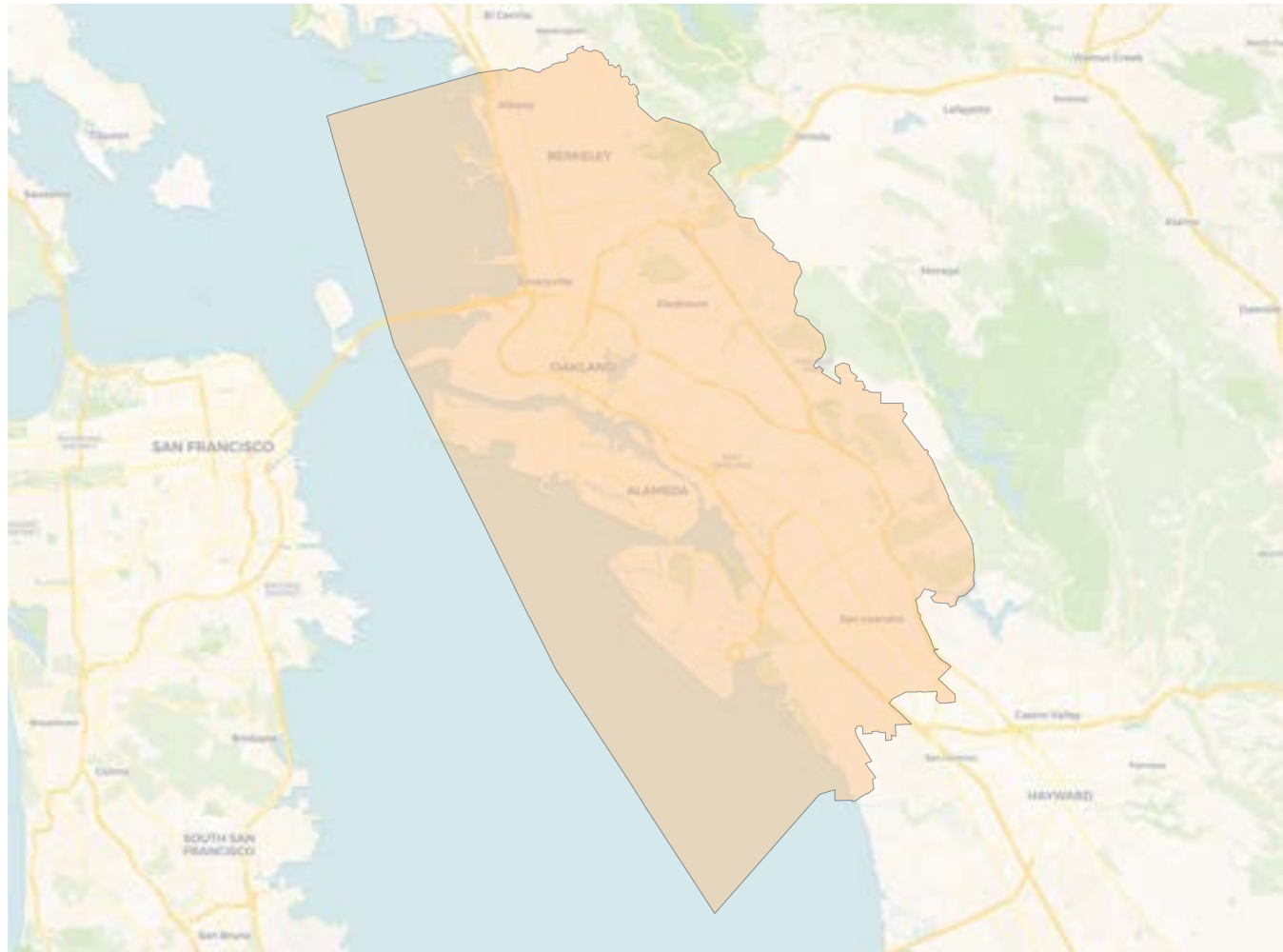
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	380,316	50.0%	107,106	14.1%	232,590	30.6%	40,055	5.3%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
544,105	265,528	48.8%	62,690	11.5%	180,975	33.3%	34,912	6.4%		



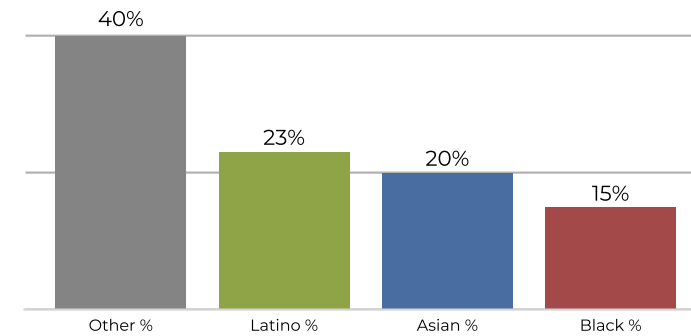
California Congress

AB 604

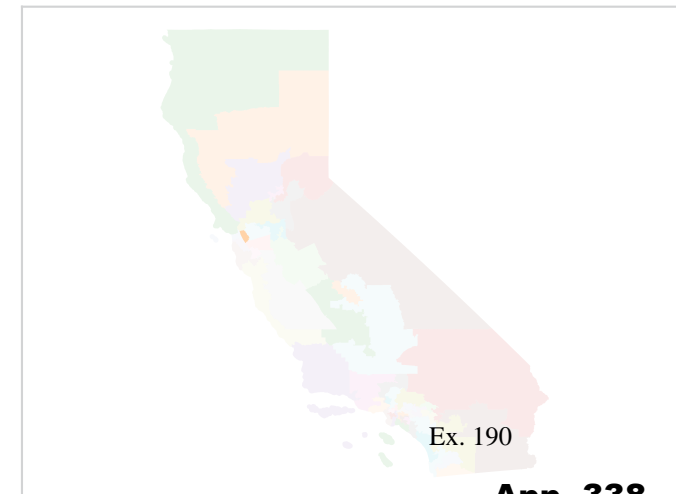
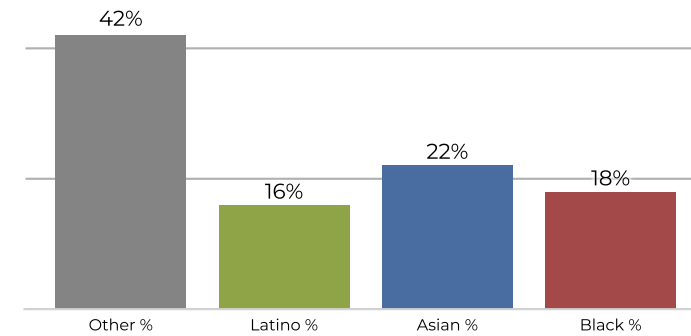
District 12



2020 Census



Citizen Voting Age Population



App. 338

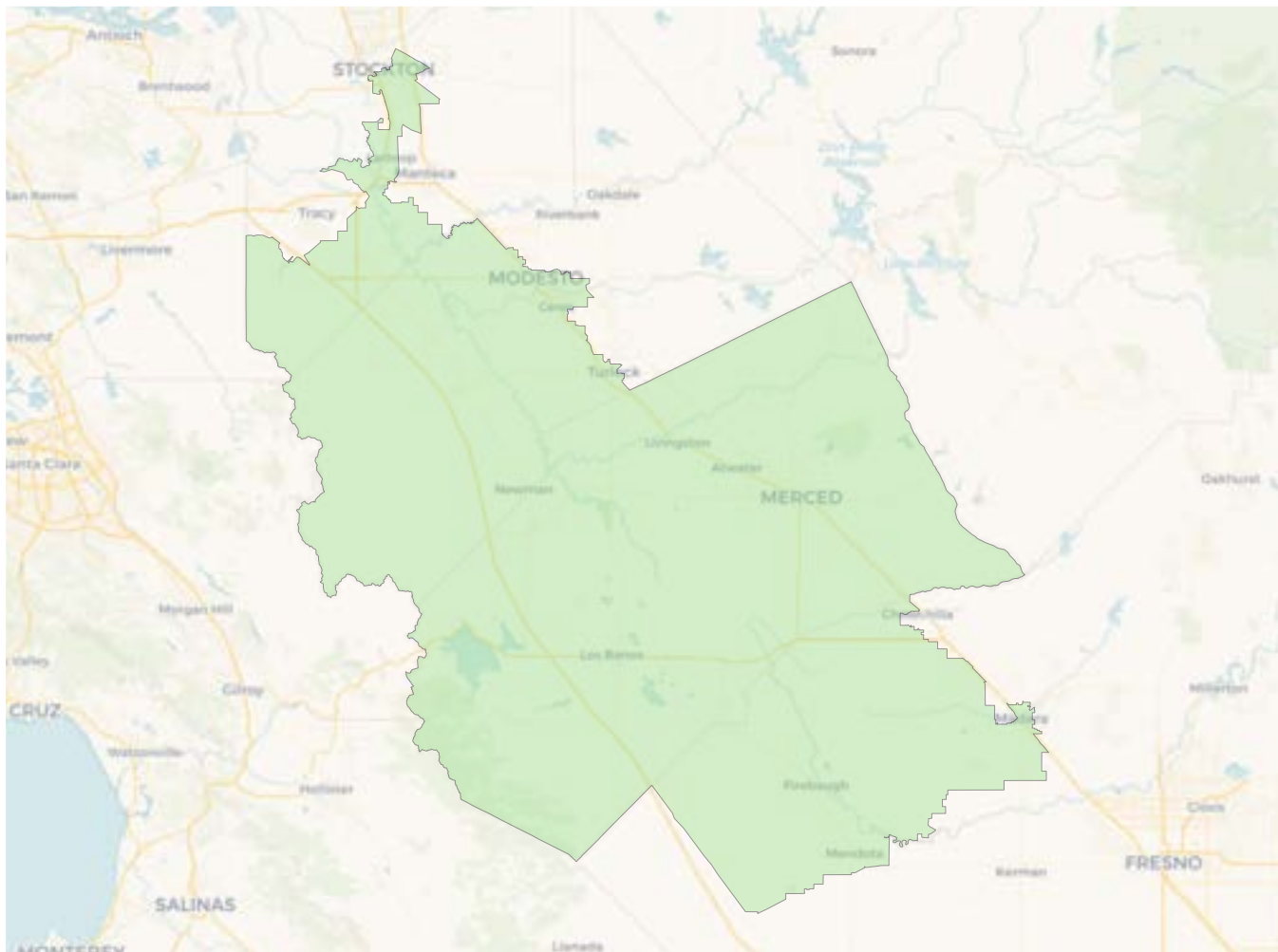
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,065	-1	-0.0%	307,417	40.4%	179,534	23.6%	156,144	20.5%	116,970	15.4%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
522,733	222,959	42.7%	85,819	16.4%	116,513	22.3%	97,442	18.6%		



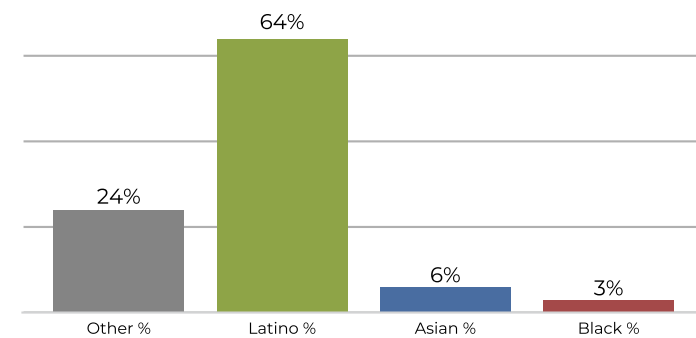
California Congress

AB 604

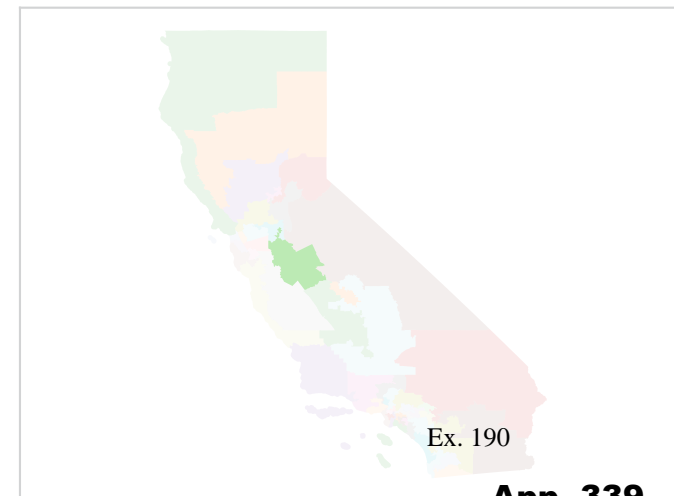
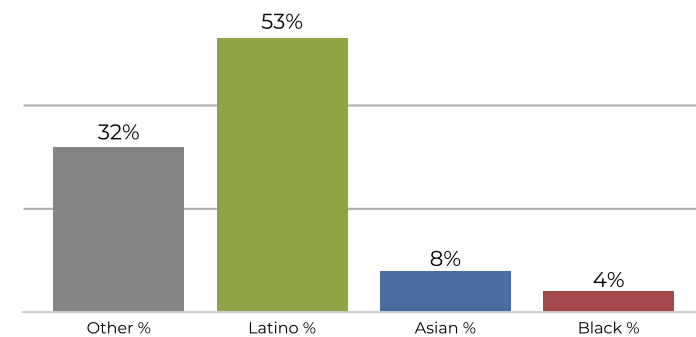
District 13



2020 Census



Citizen Voting Age Population



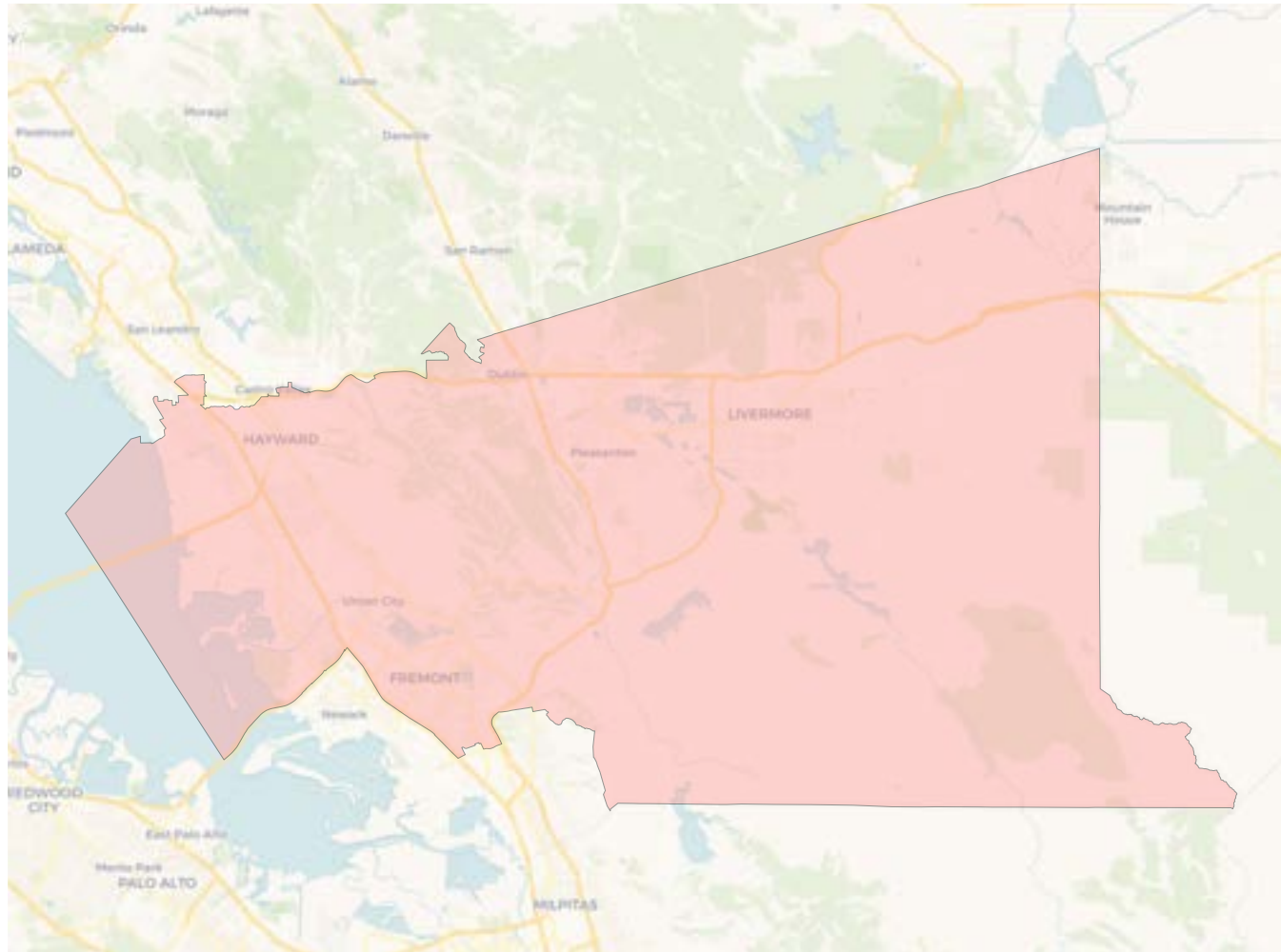
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	188,414	24.8%	492,863	64.8%	52,698	6.9%	26,092	3.4%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
415,543	135,349	32.6%	223,570	53.8%	36,147	8.7%	20,477	4.9%		



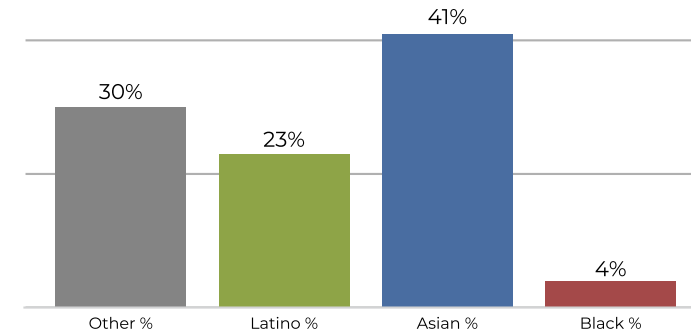
California Congress

AB 604

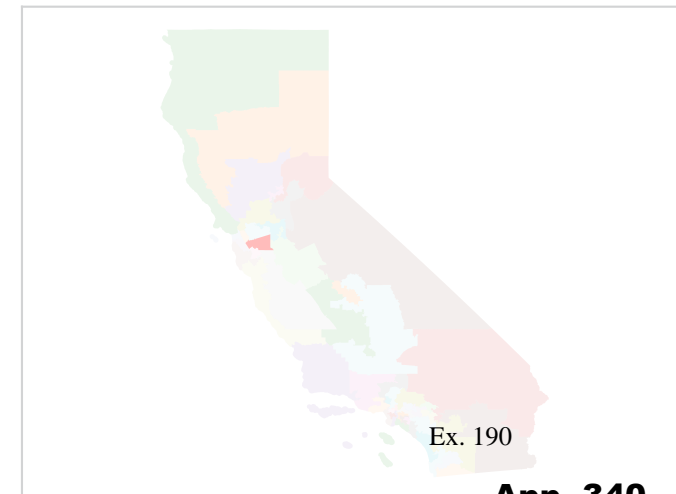
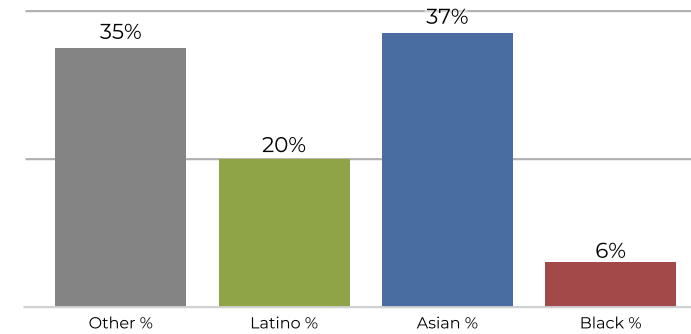
District 14



2020 Census



Citizen Voting Age Population



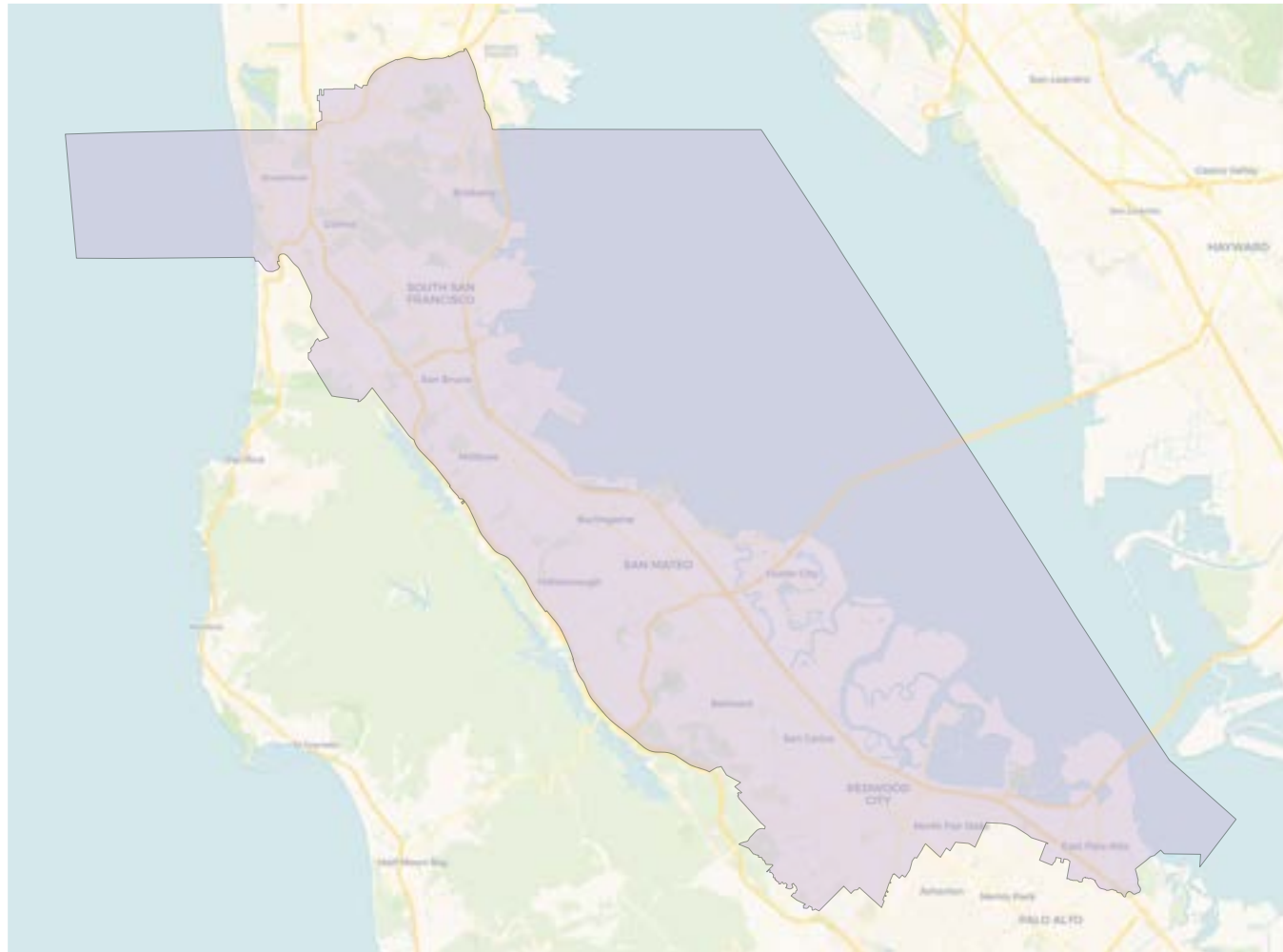
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,065	-1	-0.0%	234,353	30.8%	177,264	23.3%	313,556	41.3%	34,892	4.6%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
464,109	164,956	35.5%	93,757	20.2%	174,608	37.6%	30,788	6.6%		



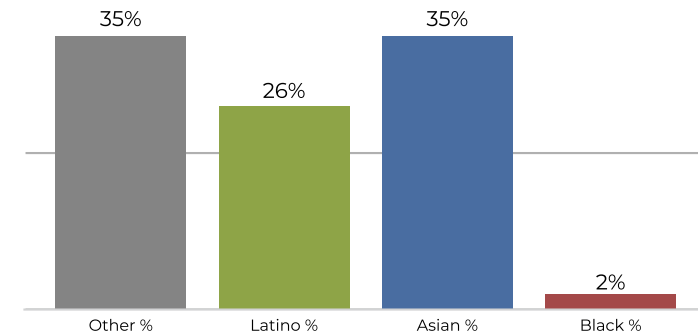
California Congress

AB 604

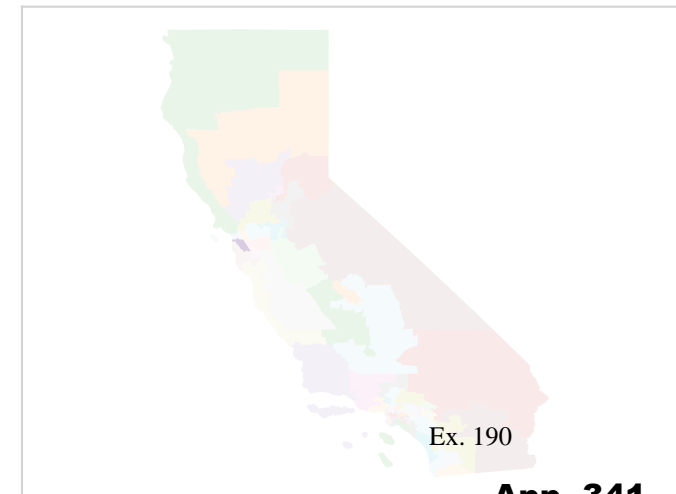
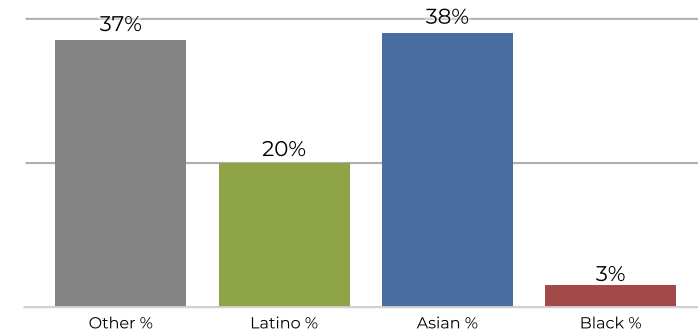
District 15



2020 Census



Citizen Voting Age Population



App. 341

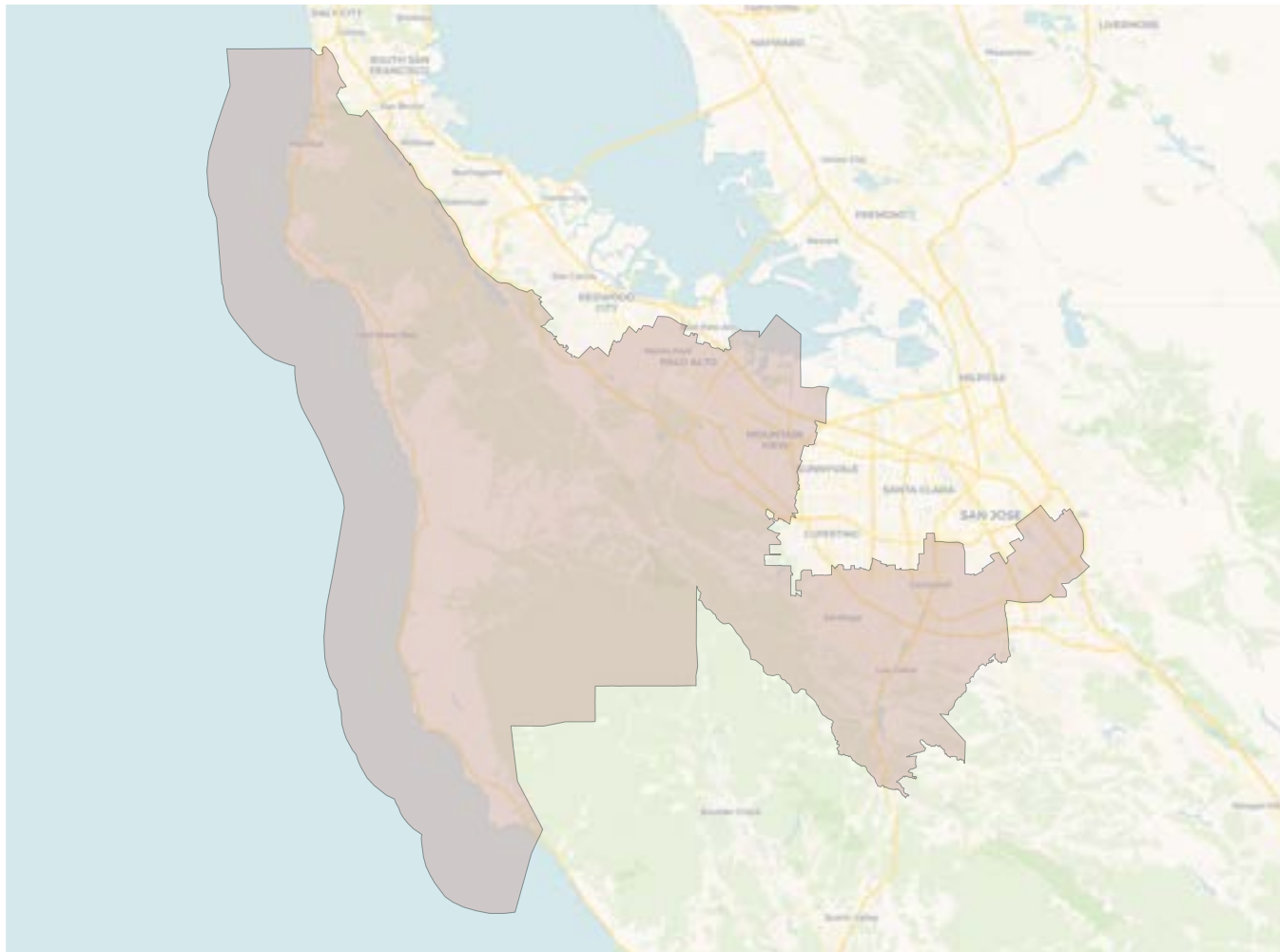
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	267,088	35.1%	201,867	26.6%	271,935	35.8%	19,176	2.5%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
490,568	183,124	37.3%	101,204	20.6%	188,931	38.5%	17,309	3.5%		



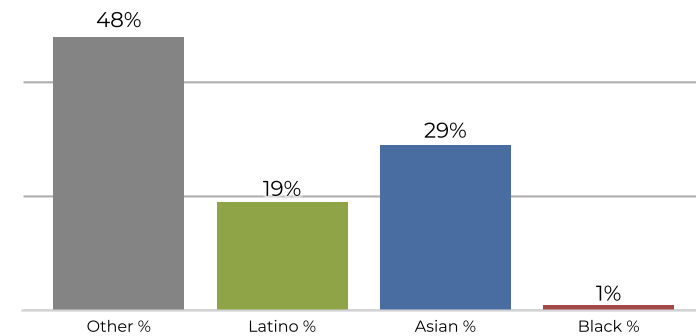
California Congress

AB 604

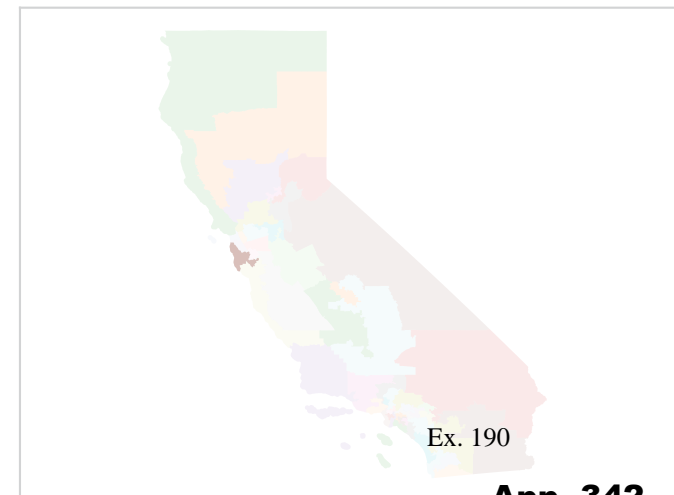
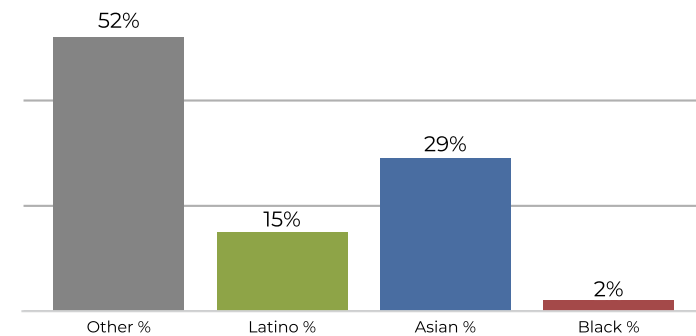
District 16



2020 Census



Citizen Voting Age Population



Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	369,295	48.6%	151,126	19.9%	225,345	29.6%	14,300	1.9%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
483,495	252,784	52.3%	76,093	15.7%	140,622	29.1%	13,996	2.9%		



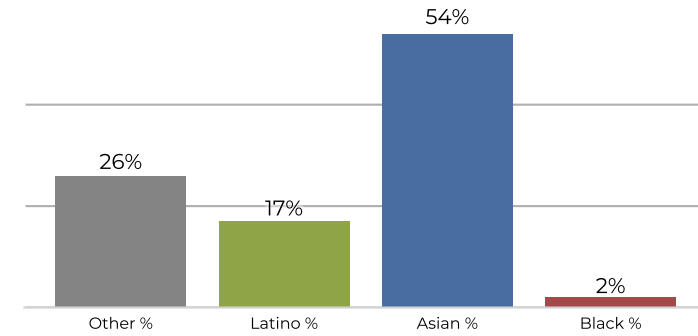
California Congress

AB 604

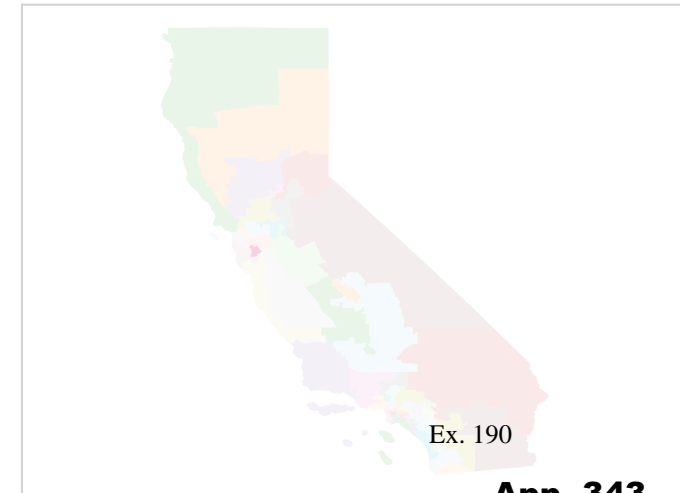
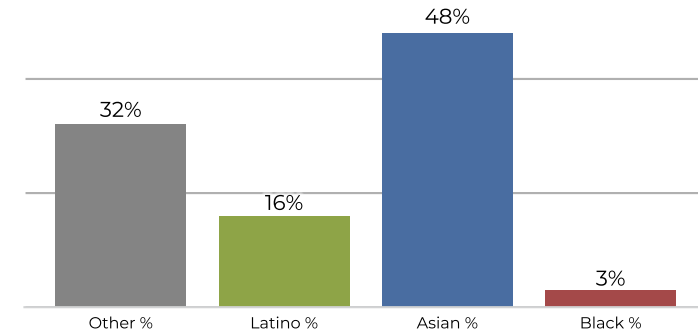
District 17



2020 Census



Citizen Voting Age Population



App. 343

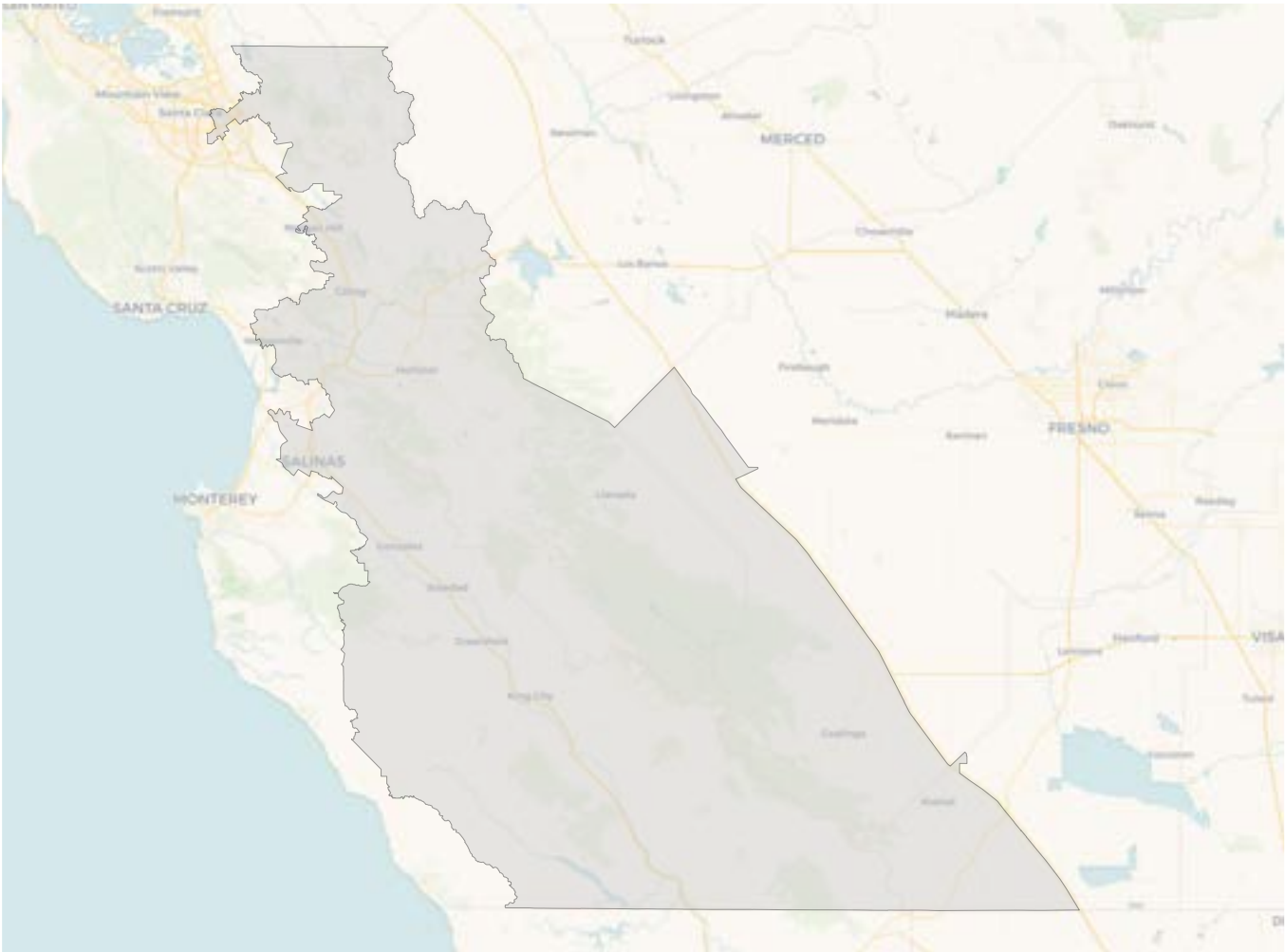
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	197,375	26.0%	130,456	17.2%	416,497	54.8%	15,739	2.1%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
424,767	137,624	32.4%	69,266	16.3%	204,198	48.1%	13,679	3.2%		



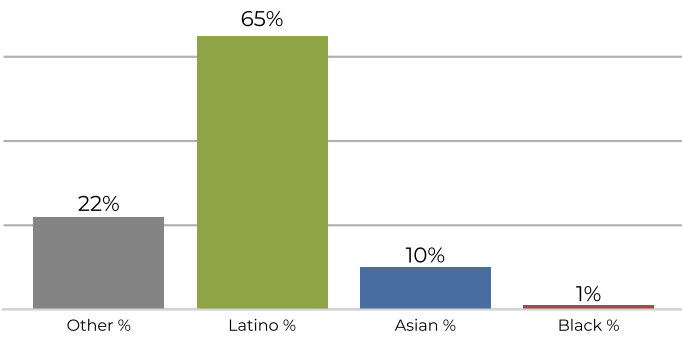
California Congress

AB 604

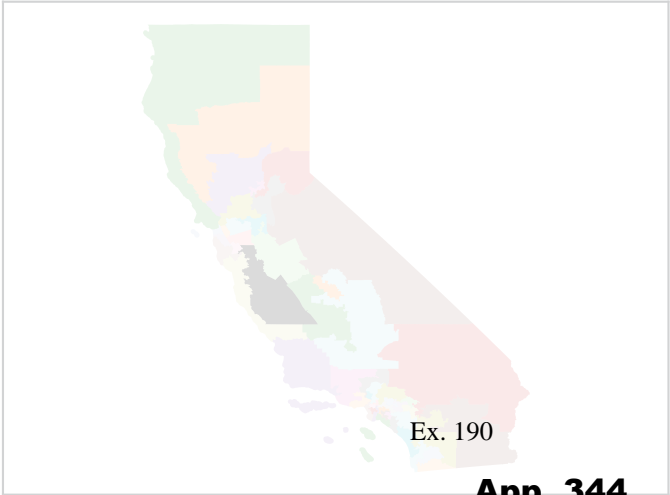
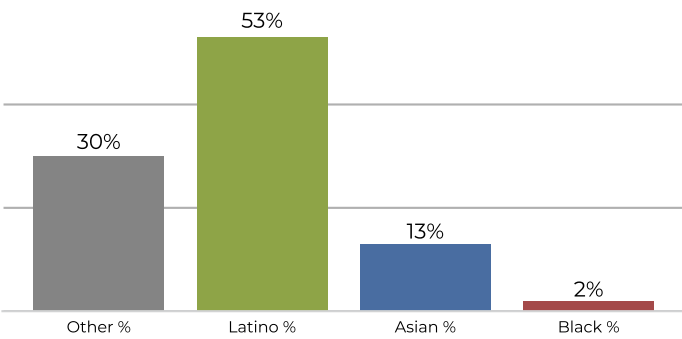
District 18



2020 Census



Citizen Voting Age Population



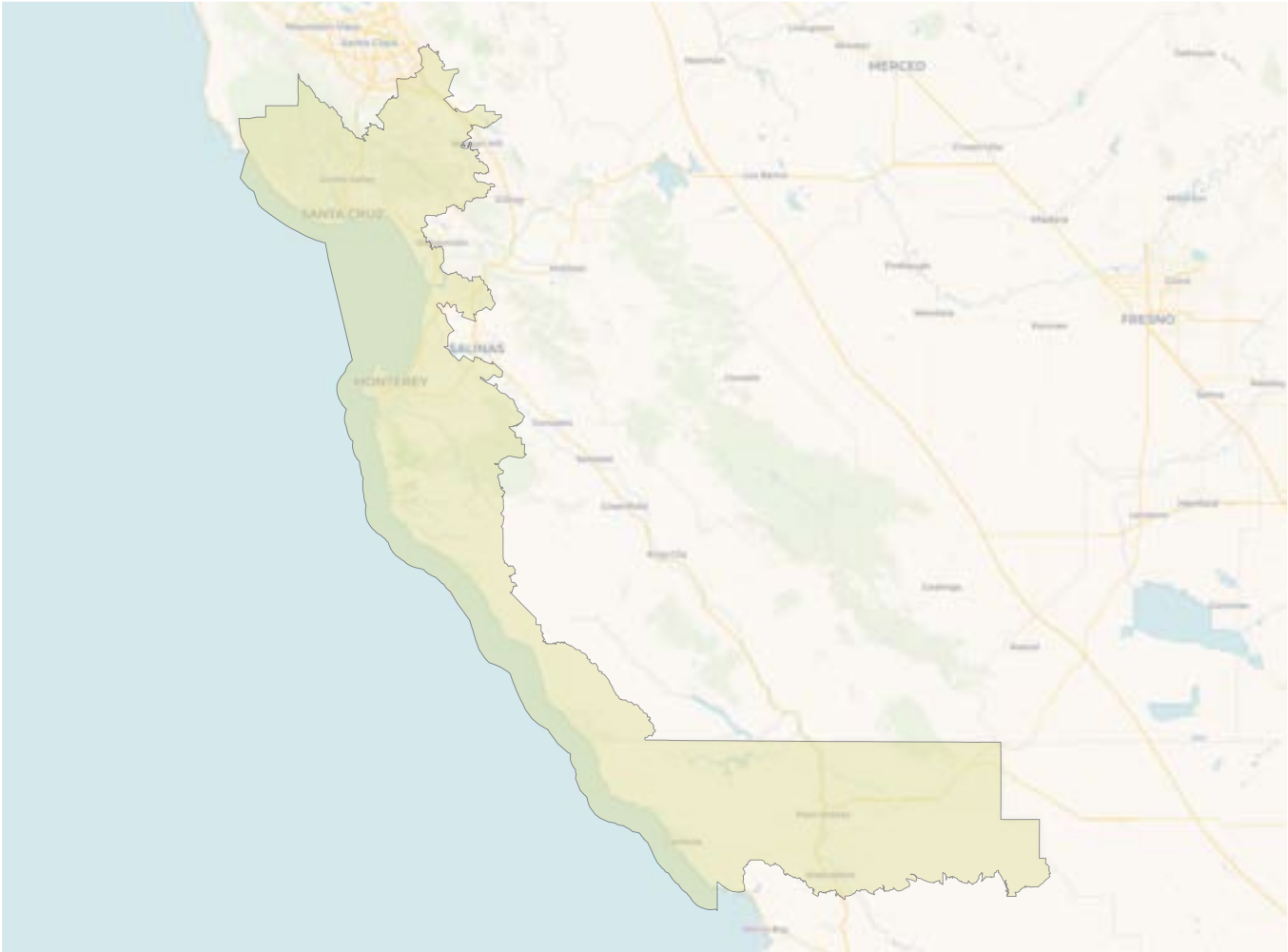
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	170,354	22.4%	500,484	65.8%	77,477	10.2%	11,751	1.5%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
412,566	126,693	30.7%	218,496	53.0%	55,939	13.6%	11,438	2.8%		



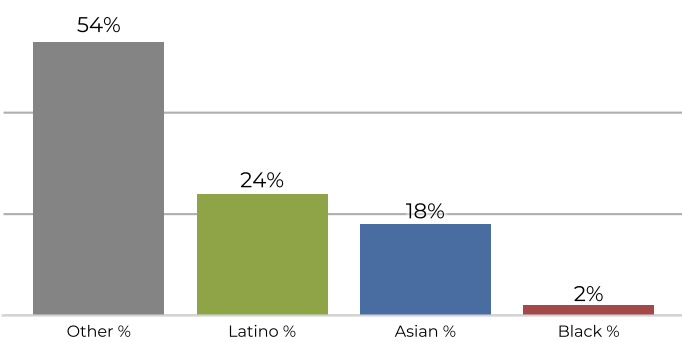
California Congress

AB 604

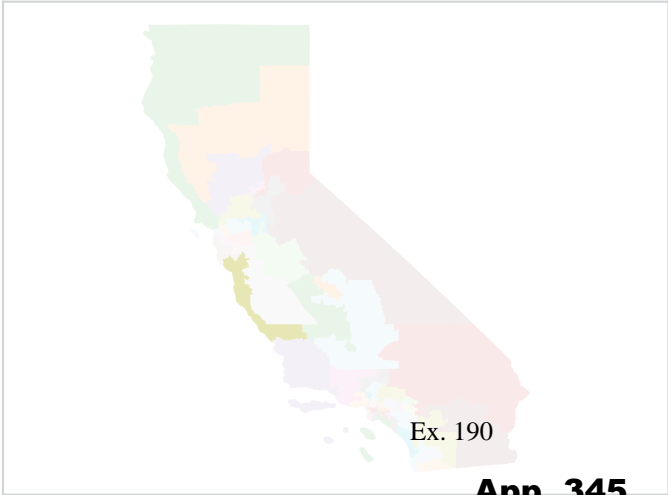
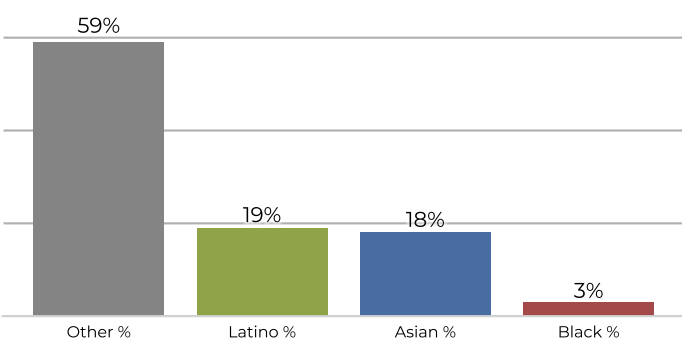
District 19



2020 Census



Citizen Voting Age Population



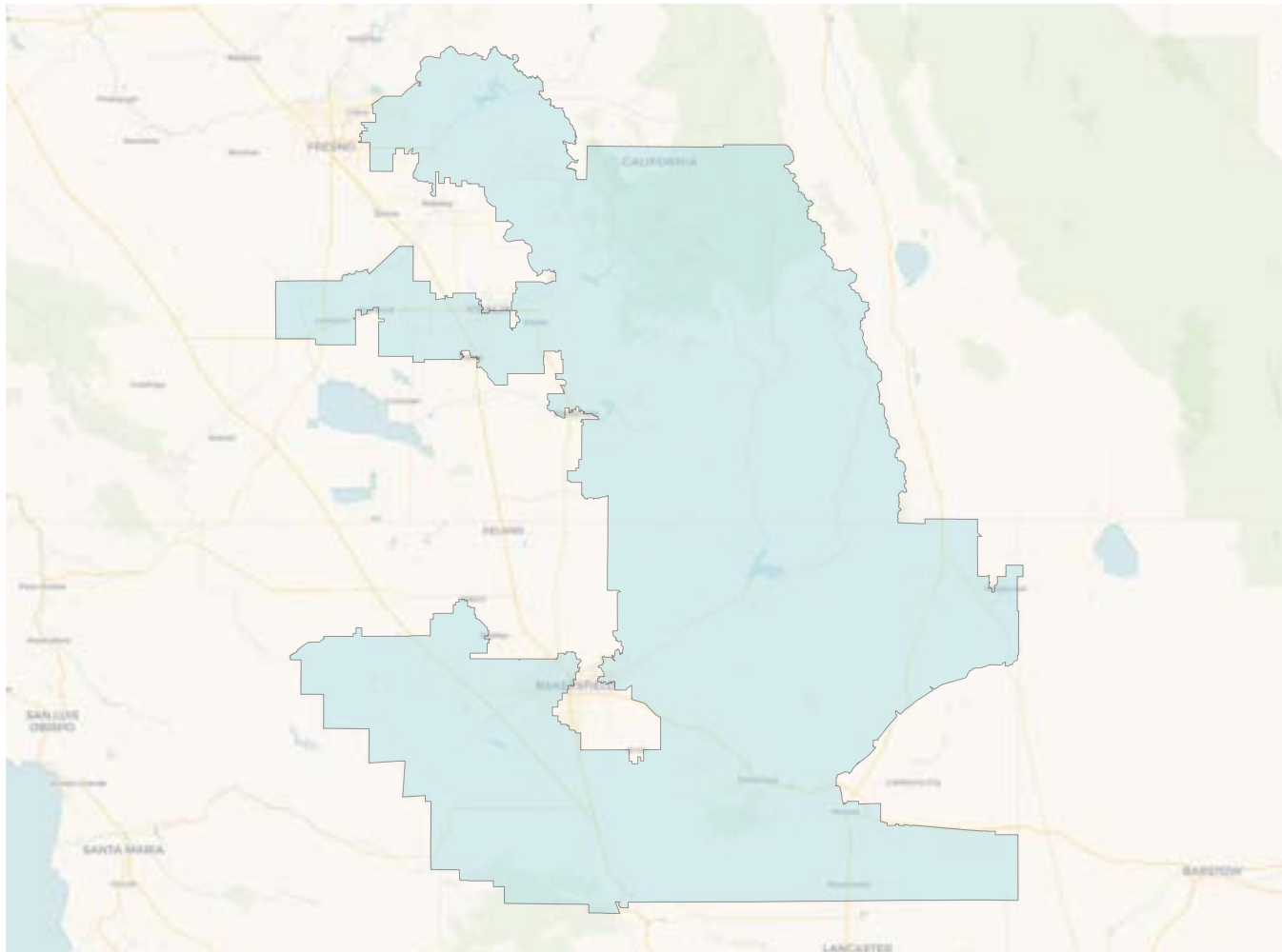
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	414,266	54.5%	187,658	24.7%	141,729	18.6%	16,414	2.2%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
540,894	322,791	59.7%	102,722	19.0%	99,372	18.4%	16,009	3.0%		



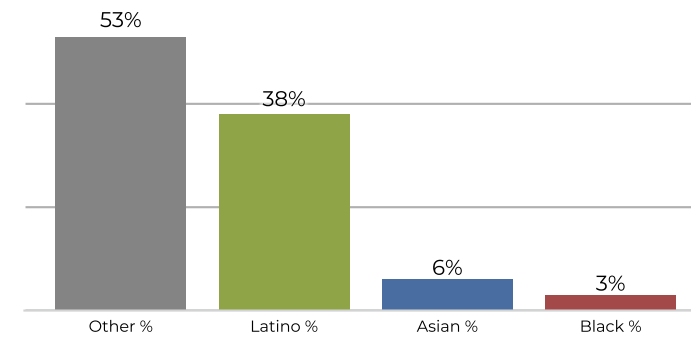
California Congress

AB 604

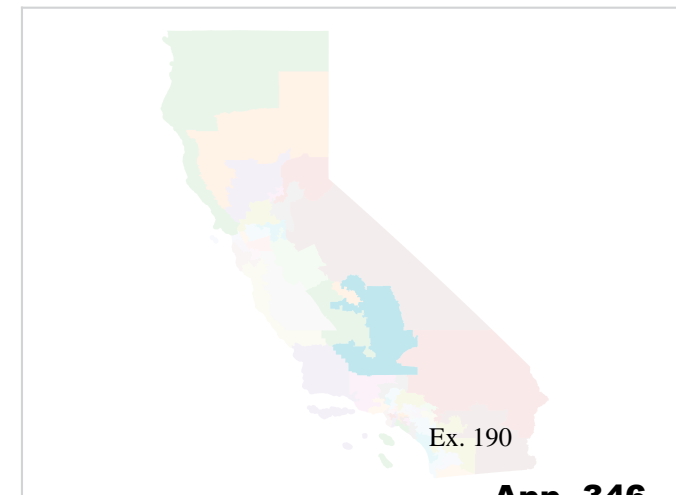
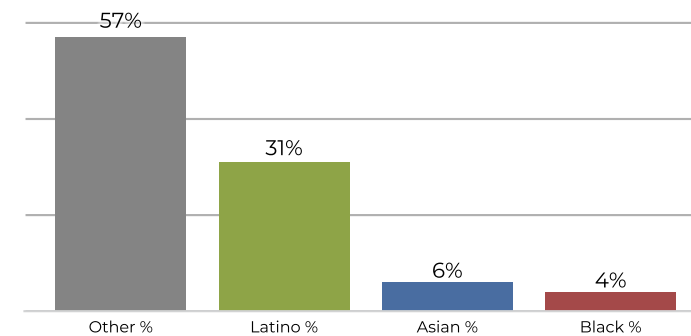
District 20



2020 Census



Citizen Voting Age Population



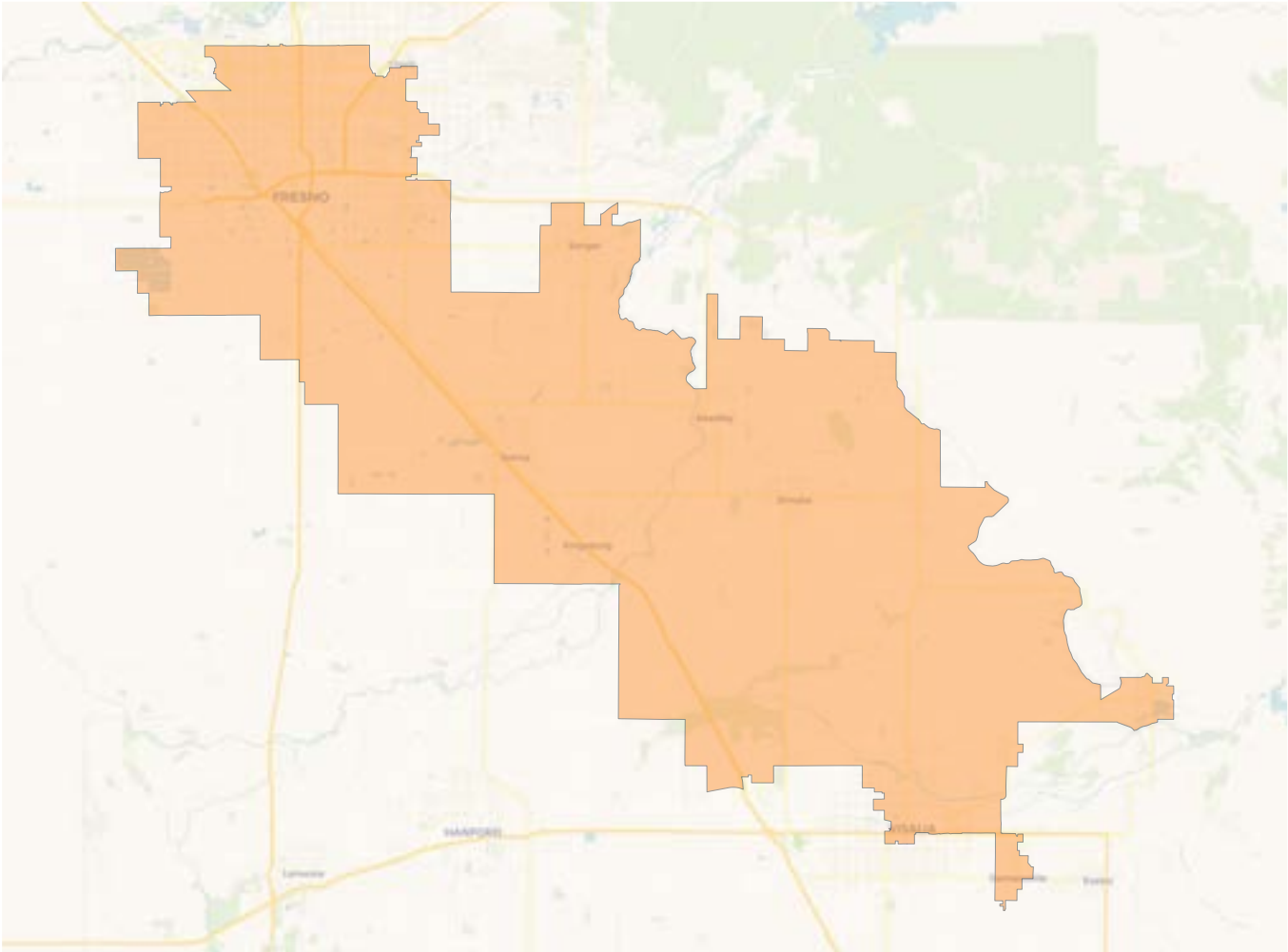
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,065	-1	-0.0%	402,996	53.0%	288,988	38.0%	45,270	6.0%	22,811	3.0%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
512,729	295,310	57.6%	163,165	31.8%	33,814	6.6%	20,440	4.0%		



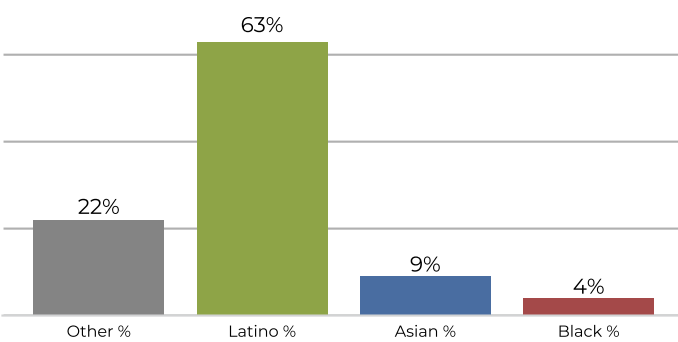
California Congress

AB 604

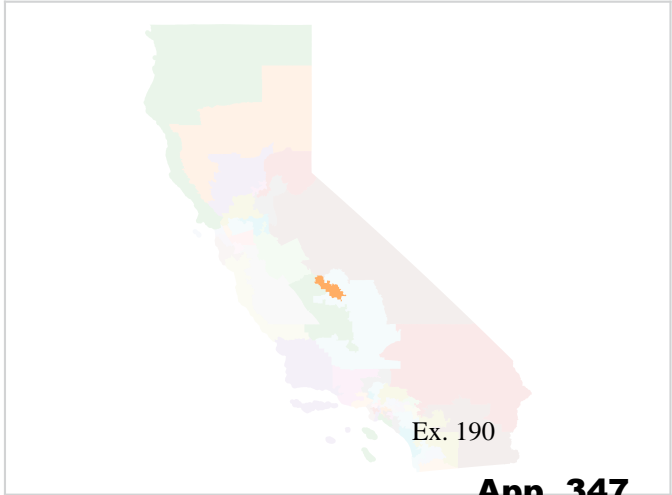
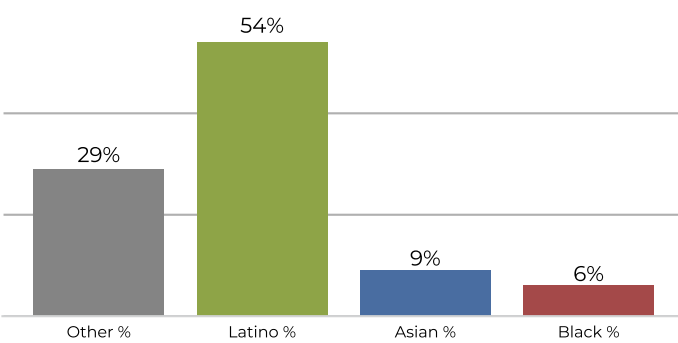
District 21



2020 Census



Citizen Voting Age Population



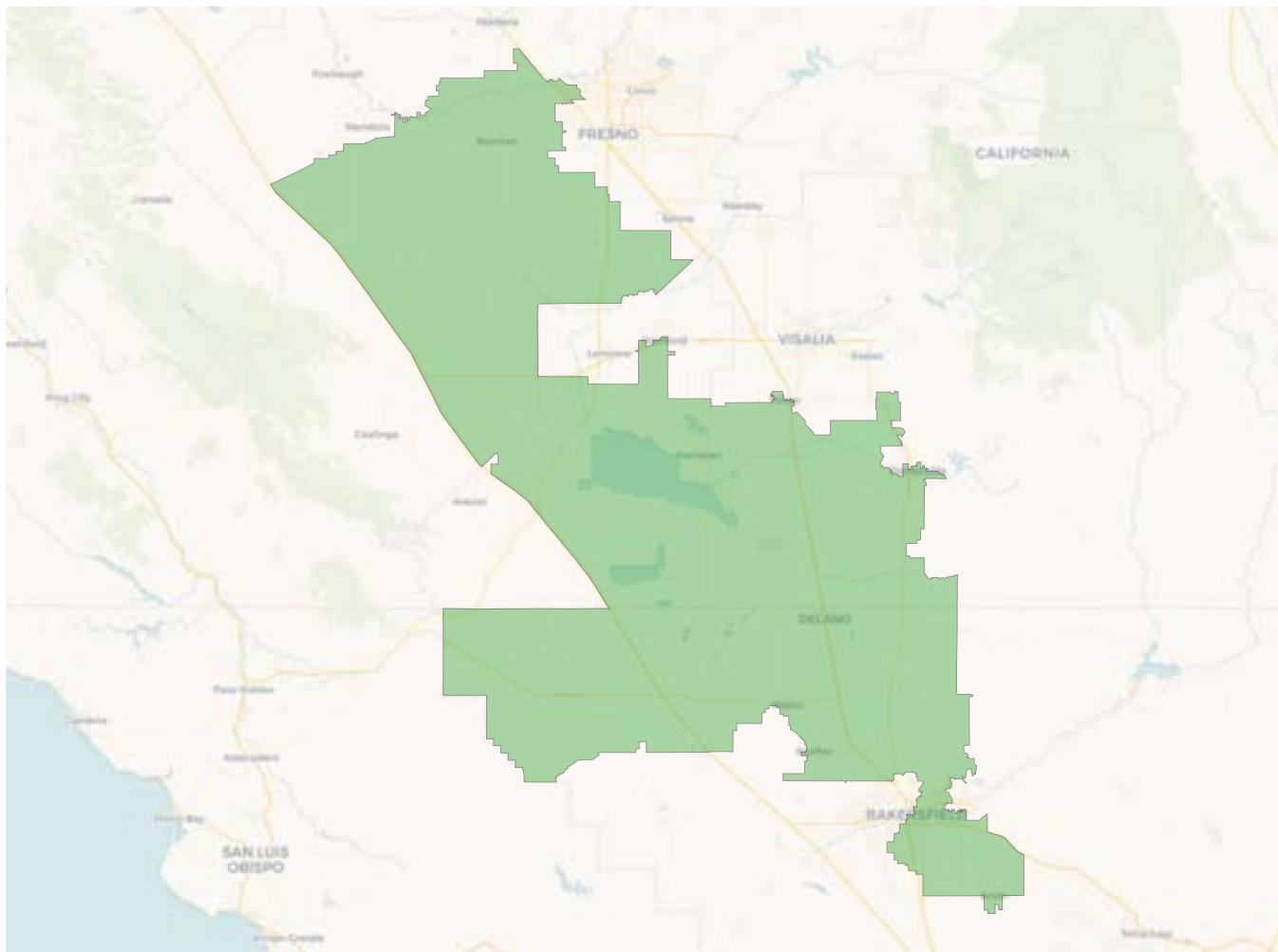
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	171,122	22.5%	482,325	63.5%	71,545	9.4%	35,075	4.6%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
458,902	137,159	29.9%	249,611	54.4%	44,824	9.8%	27,308	6.0%		



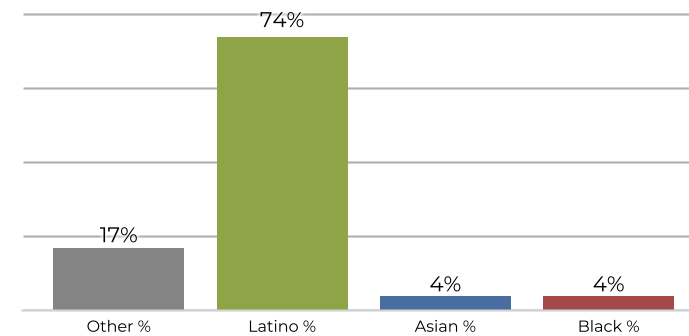
California Congress

AB 604

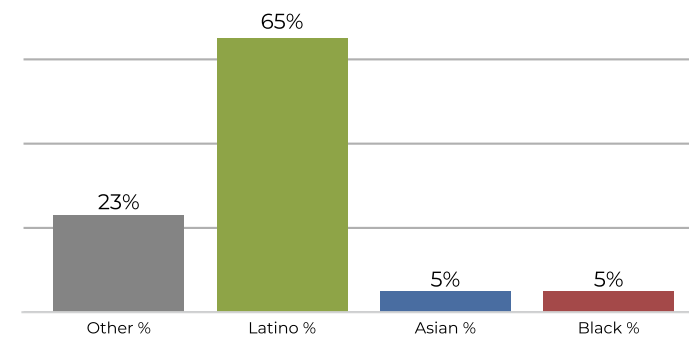
District 22



2020 Census

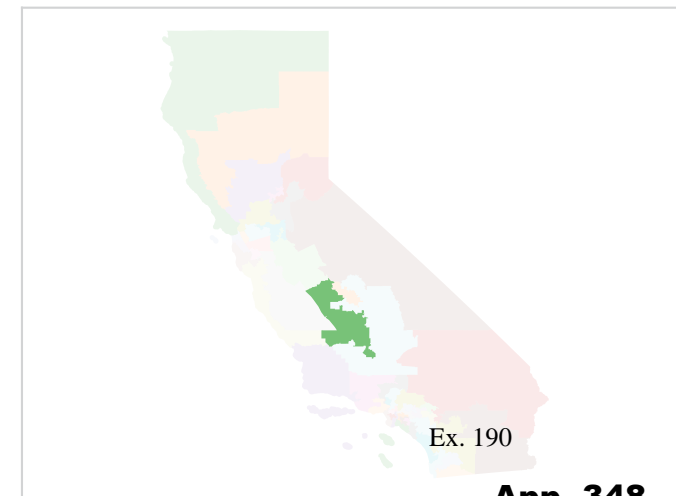


Citizen Voting Age Population



Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	129,317	17.0%	563,305	74.1%	35,132	4.6%	32,312	4.3%

Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %
398,979	95,023	23.8%	260,843	65.4%	19,905	5.0%	23,208	5.8%

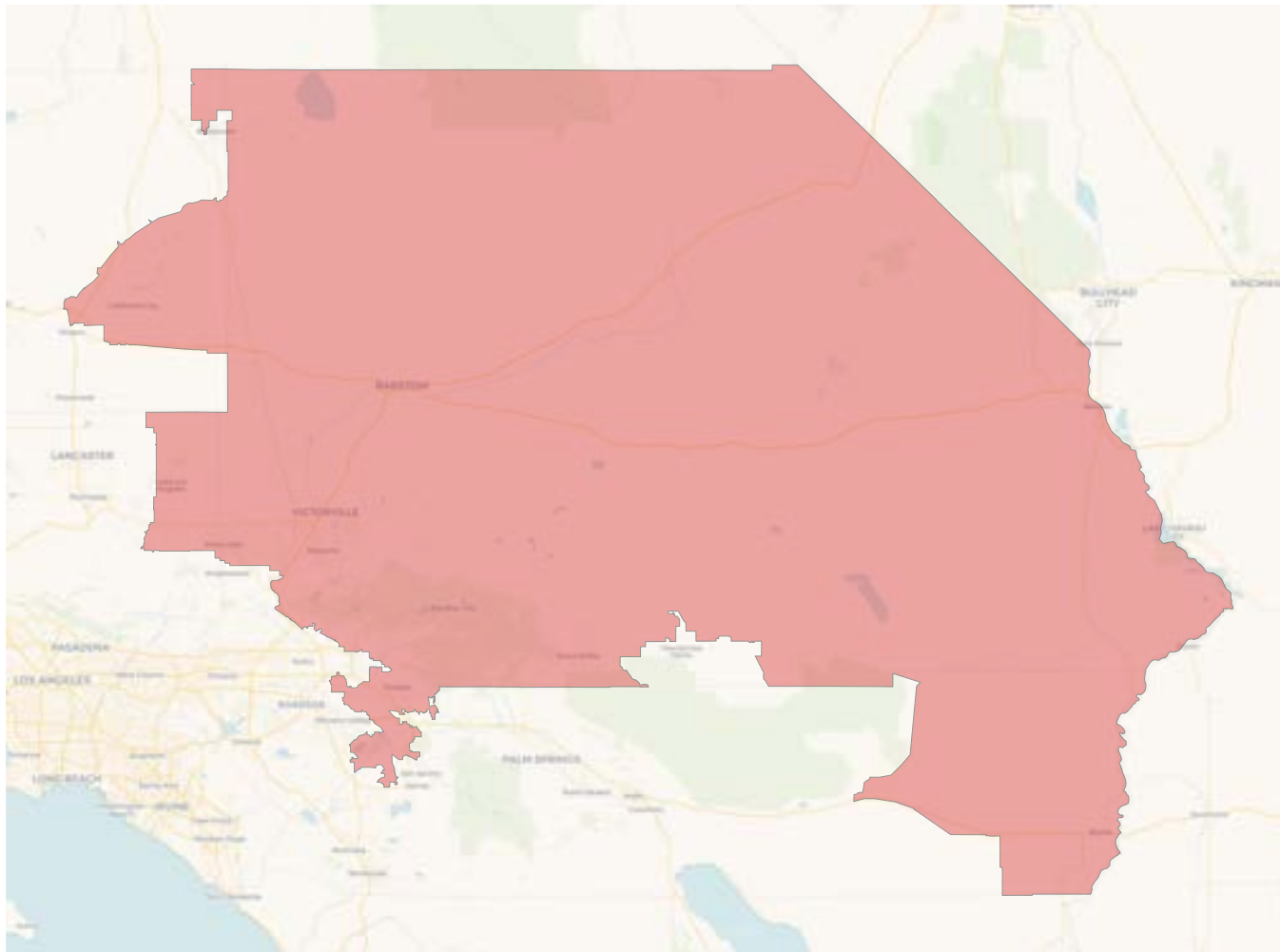




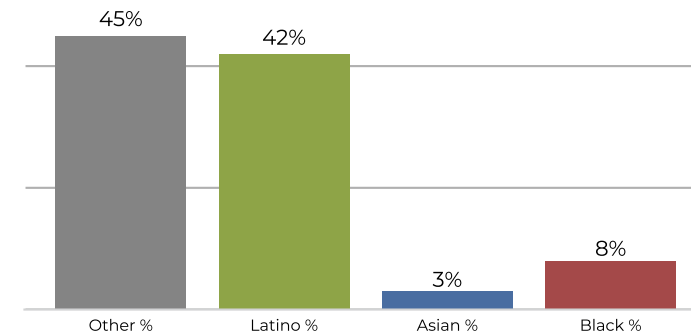
California Congress

AB 604

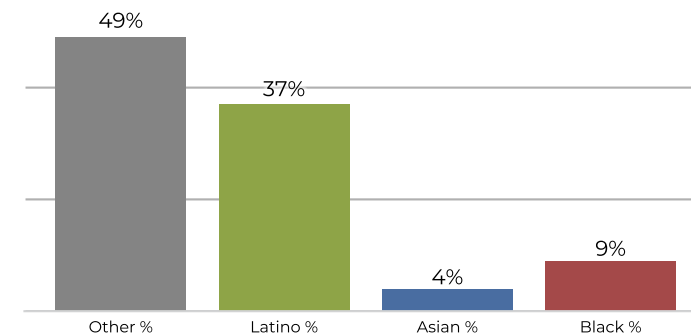
District 23



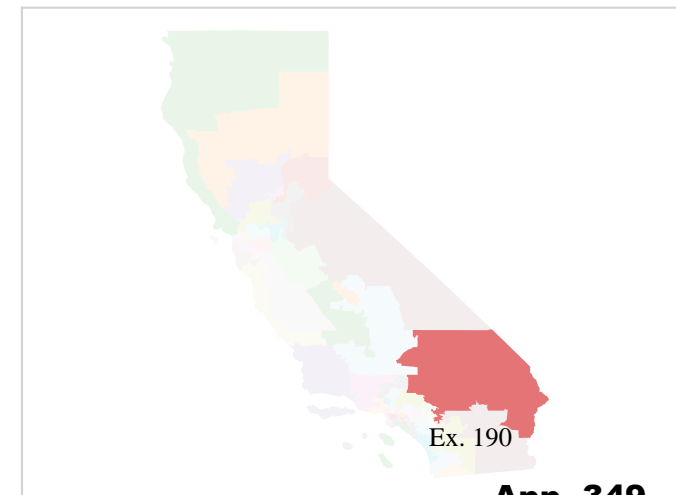
2020 Census



Citizen Voting Age Population



Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	343,181	45.2%	324,842	42.7%	29,686	3.9%	62,357	8.2%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
514,103	254,813	49.6%	190,014	37.0%	22,557	4.4%	46,719	9.1%		

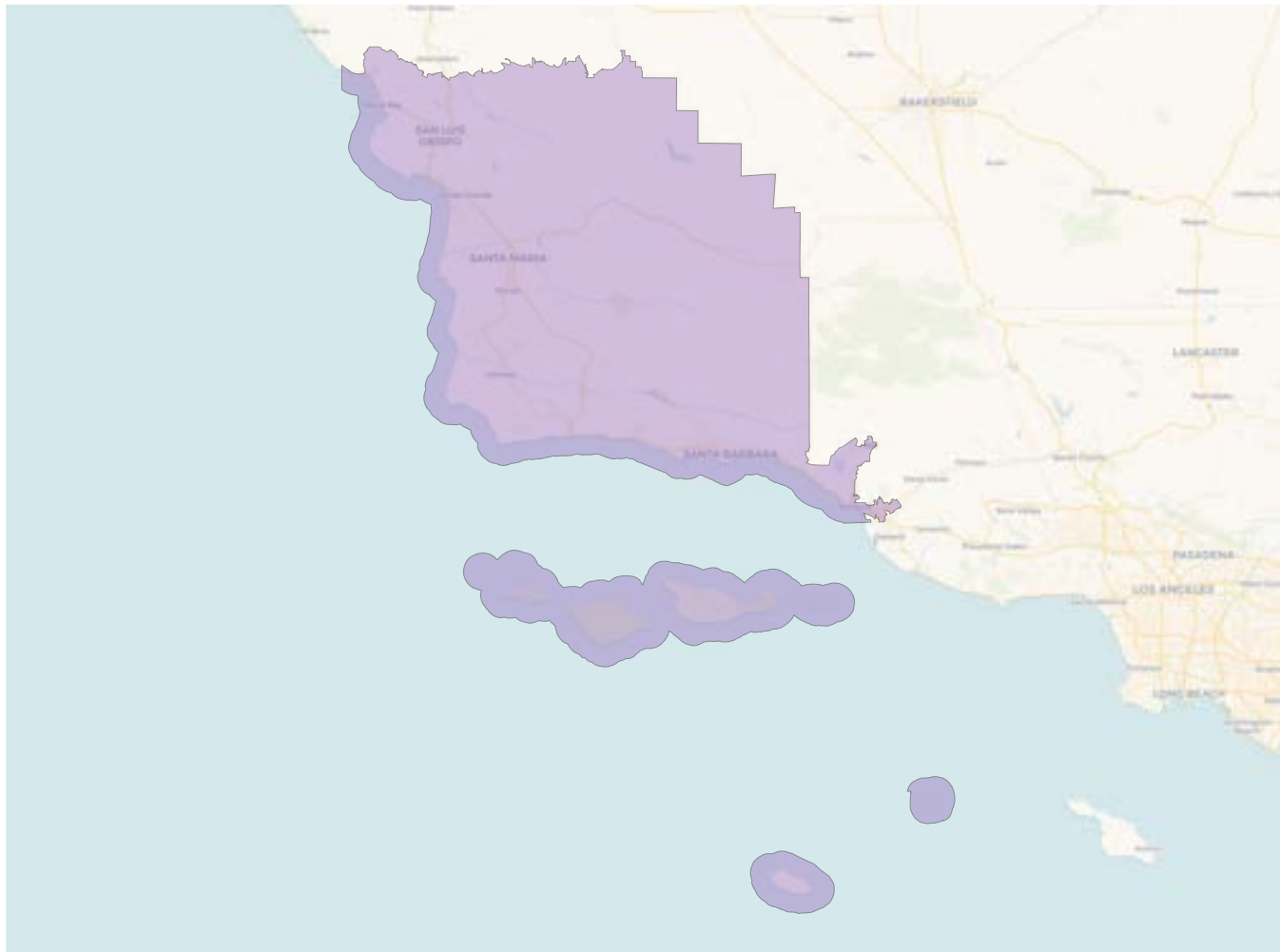




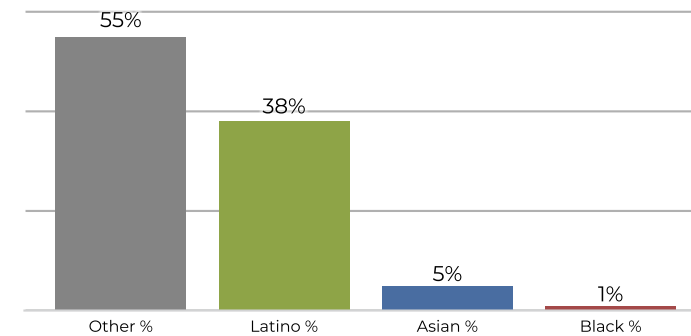
California Congress

AB 604

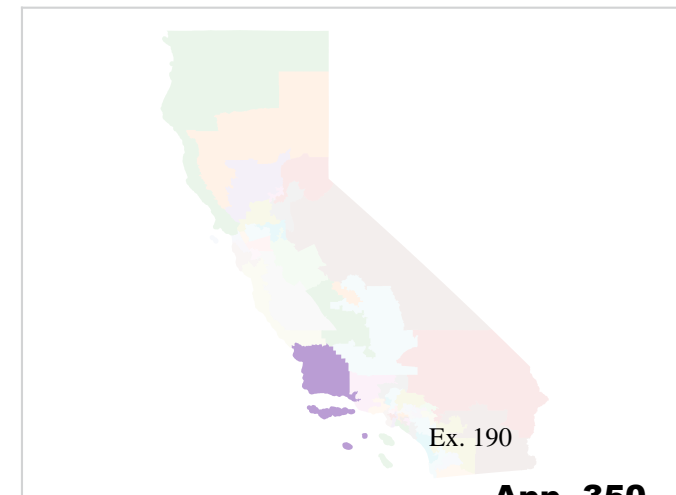
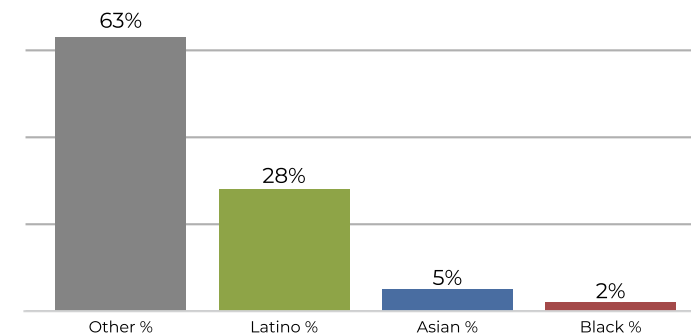
District 24



2020 Census



Citizen Voting Age Population



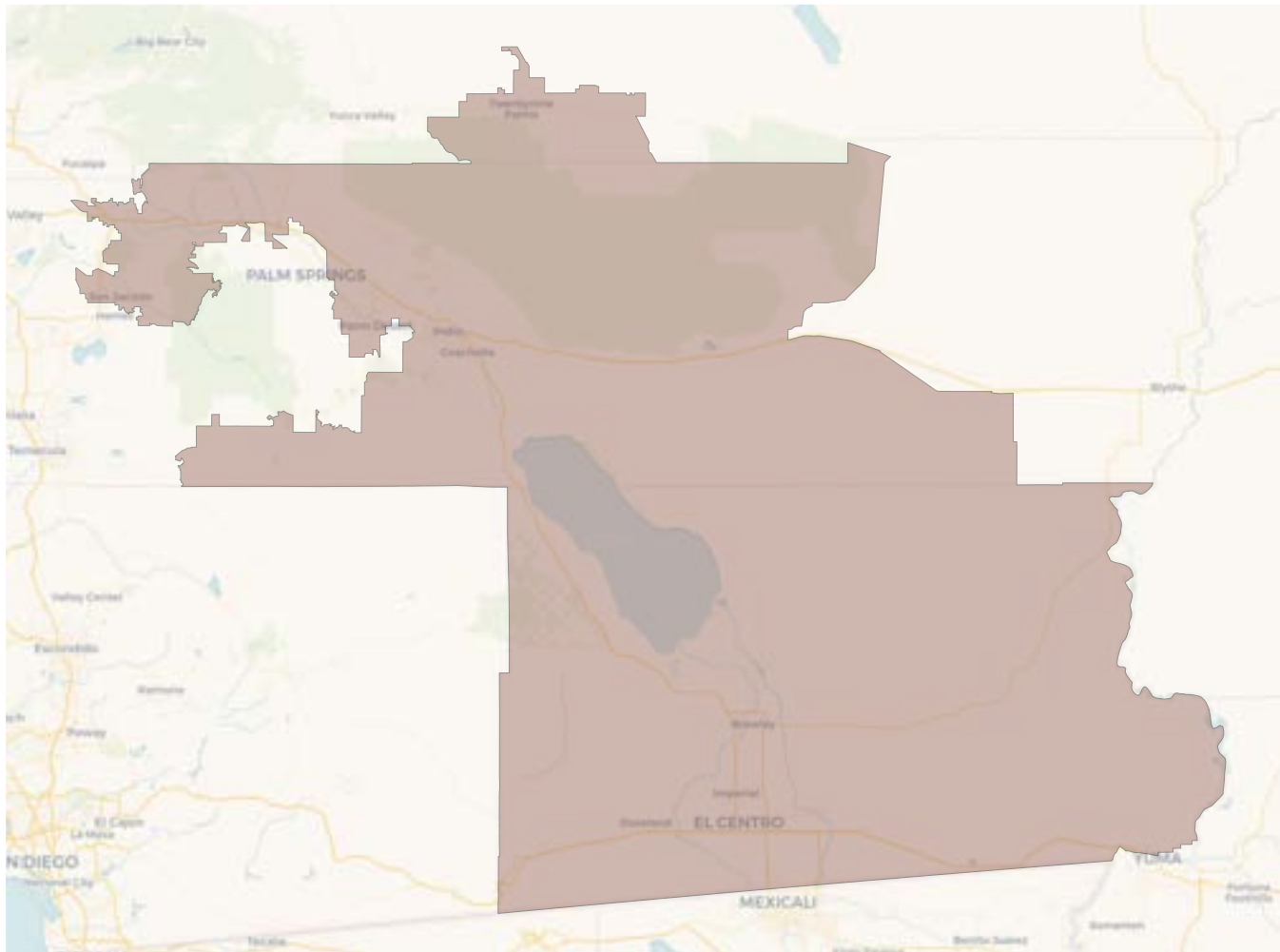
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,065	-1	-0.0%	417,826	55.0%	294,734	38.8%	37,890	5.0%	9,615	1.3%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
532,407	339,167	63.7%	150,929	28.3%	30,697	5.8%	11,614	2.2%		



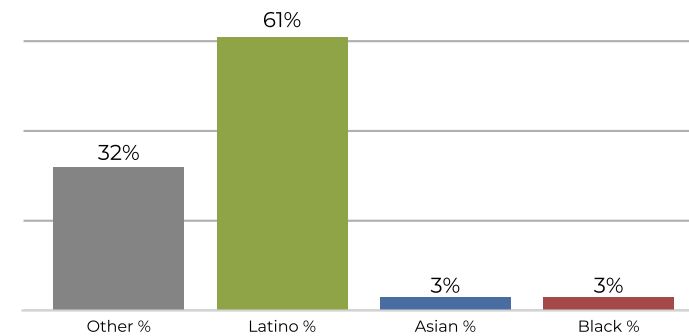
California Congress

AB 604

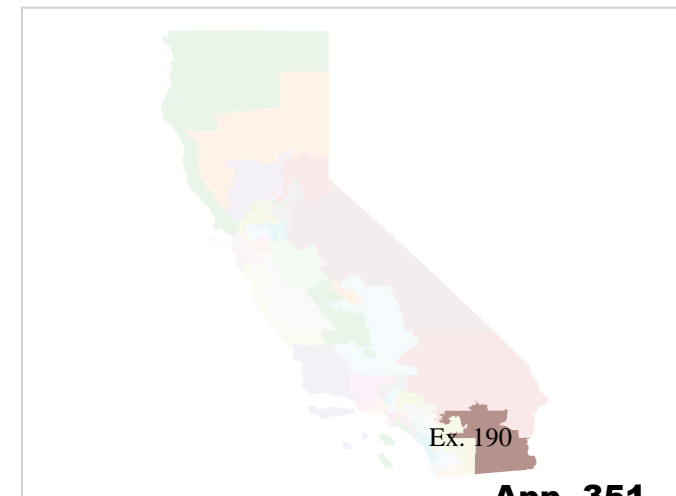
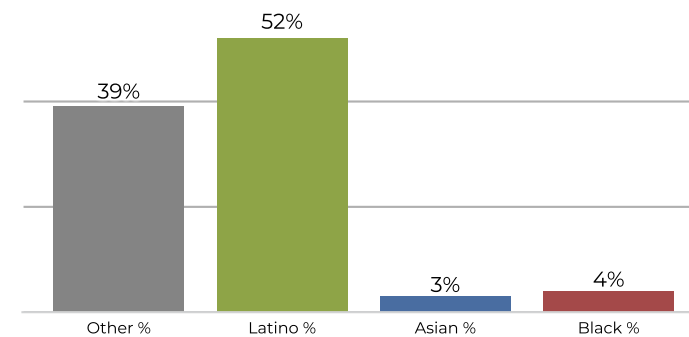
District 25



2020 Census



Citizen Voting Age Population



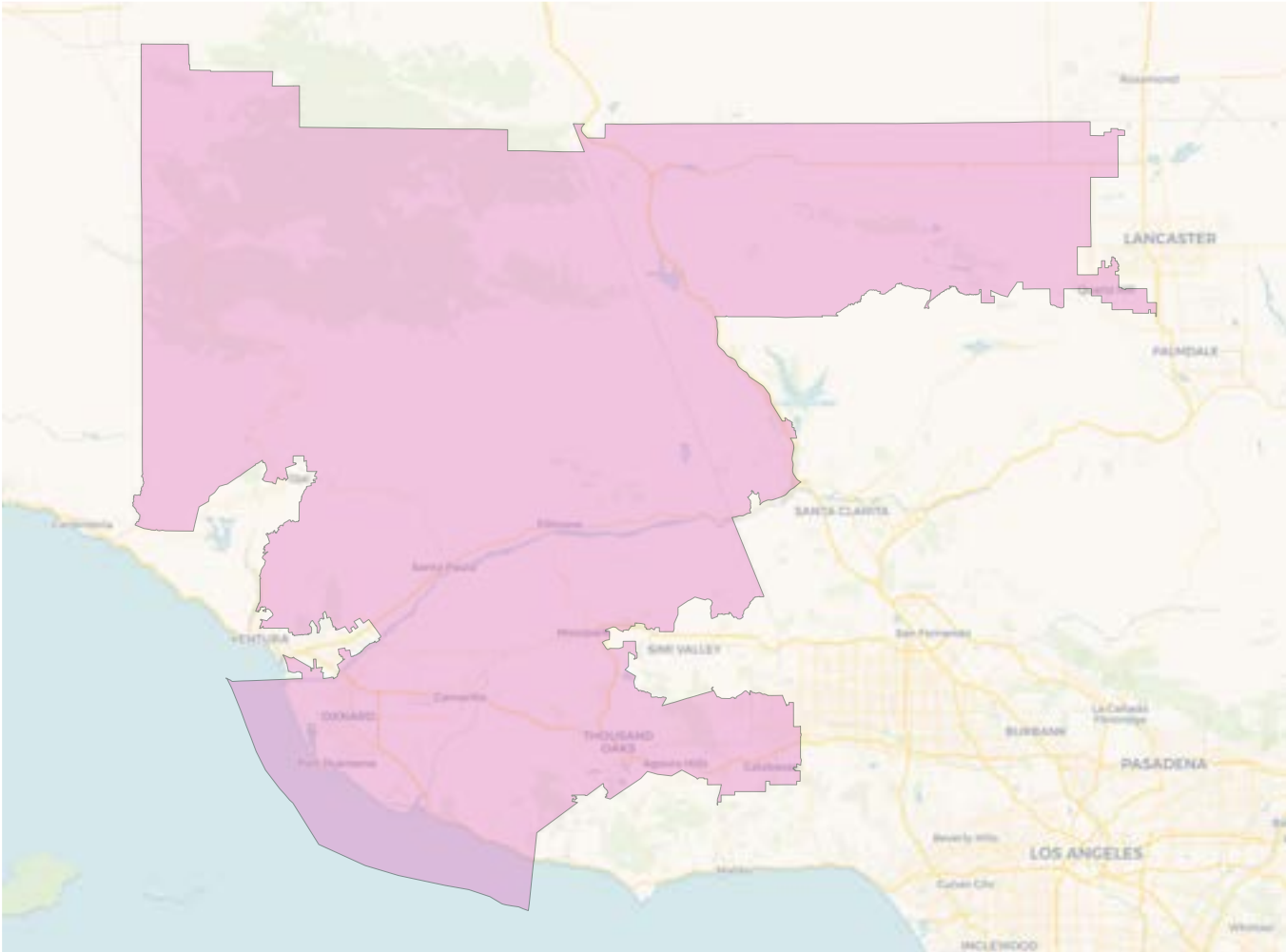
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	245,987	32.4%	464,876	61.2%	23,690	3.1%	25,513	3.4%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
494,546	197,163	39.9%	257,693	52.1%	17,043	3.4%	22,647	4.6%		



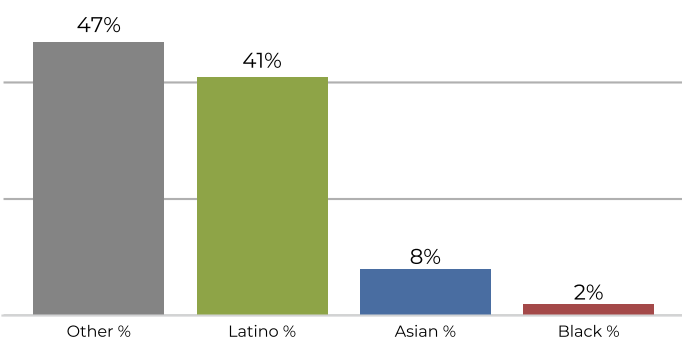
California Congress

AB 604

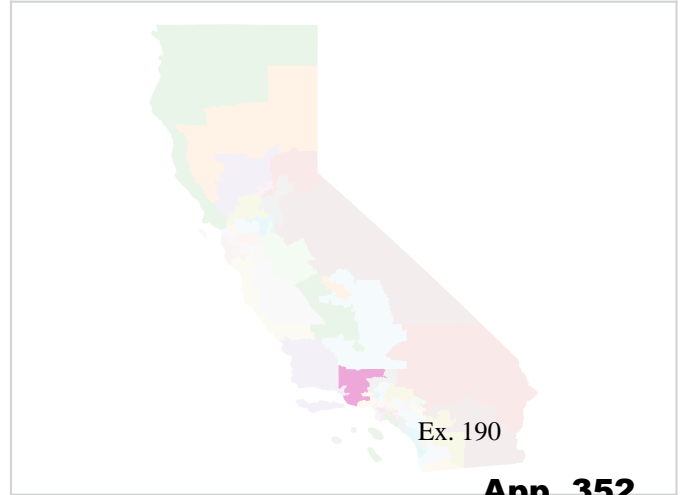
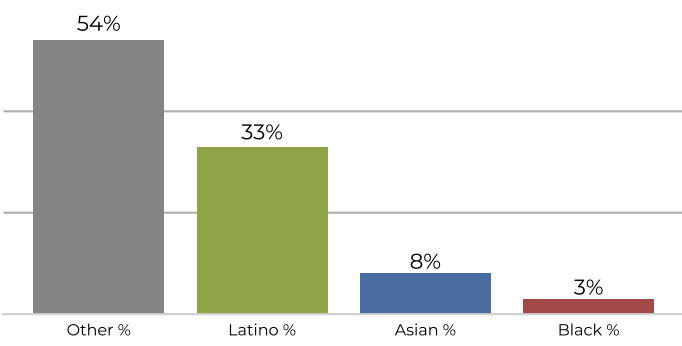
District 26



2020 Census



Citizen Voting Age Population



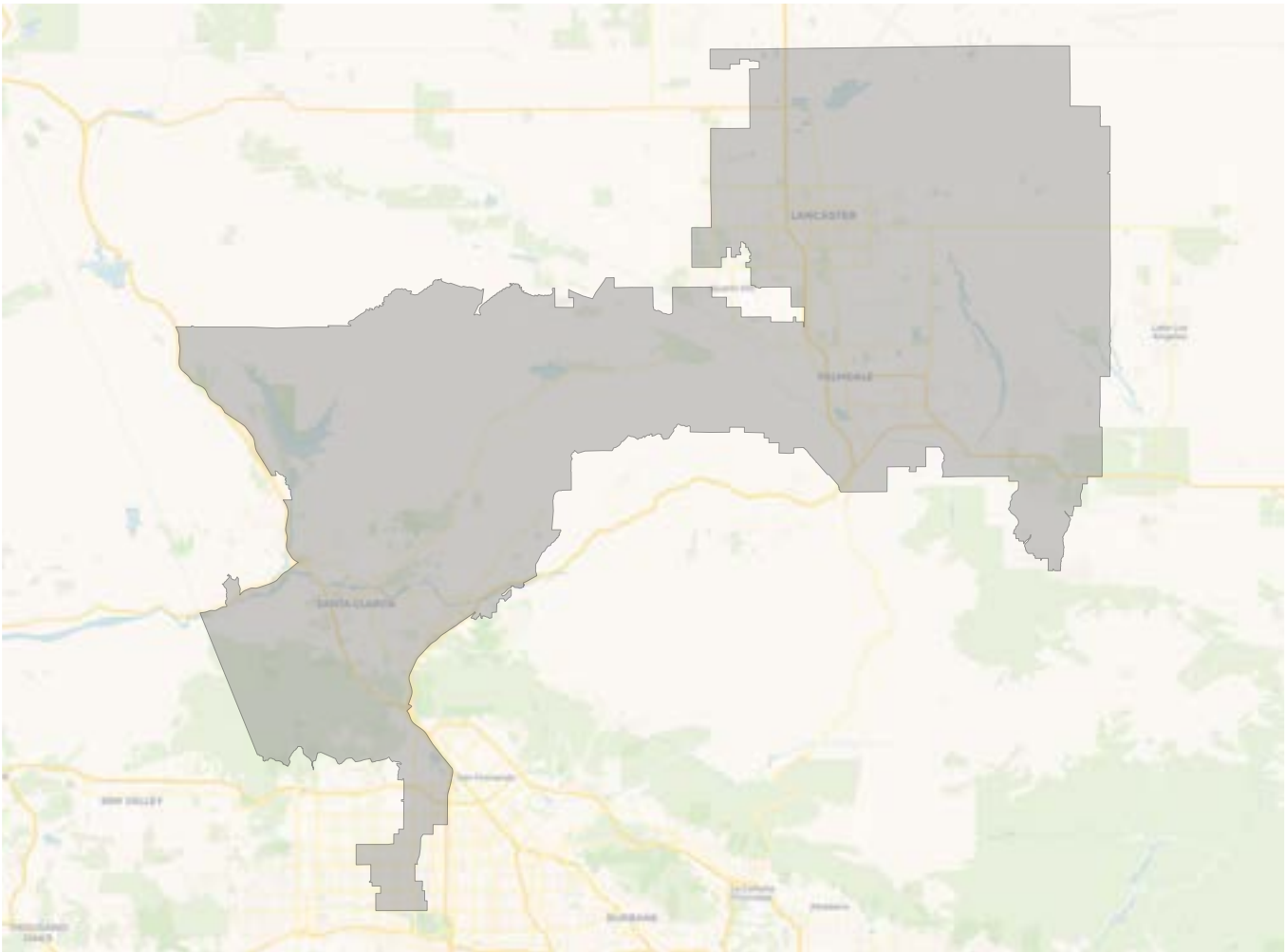
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	362,114	47.6%	317,496	41.8%	63,926	8.4%	16,531	2.2%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
503,784	272,151	54.0%	170,702	33.9%	44,656	8.9%	16,275	3.2%		



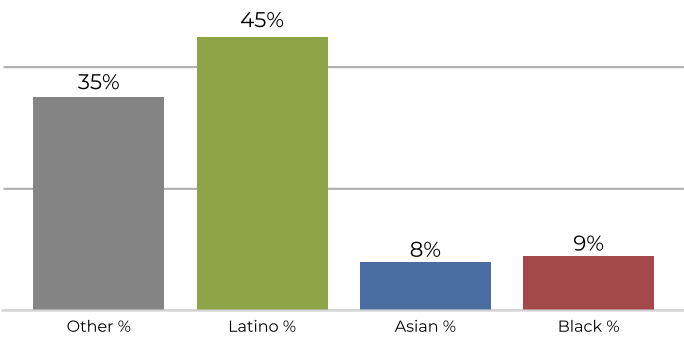
California Congress

AB 604

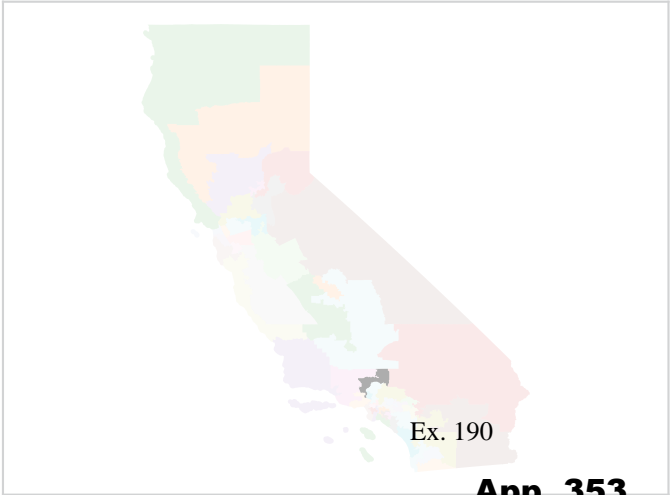
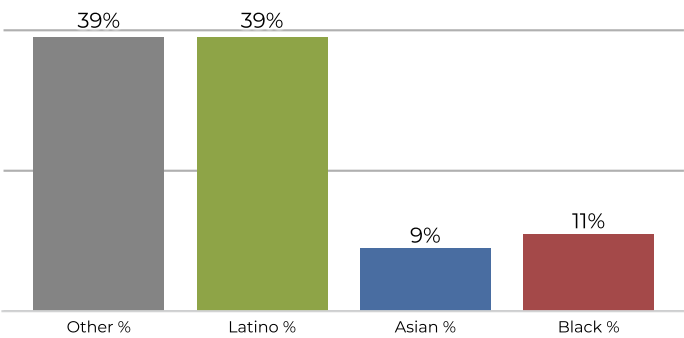
District 27



2020 Census



Citizen Voting Age Population



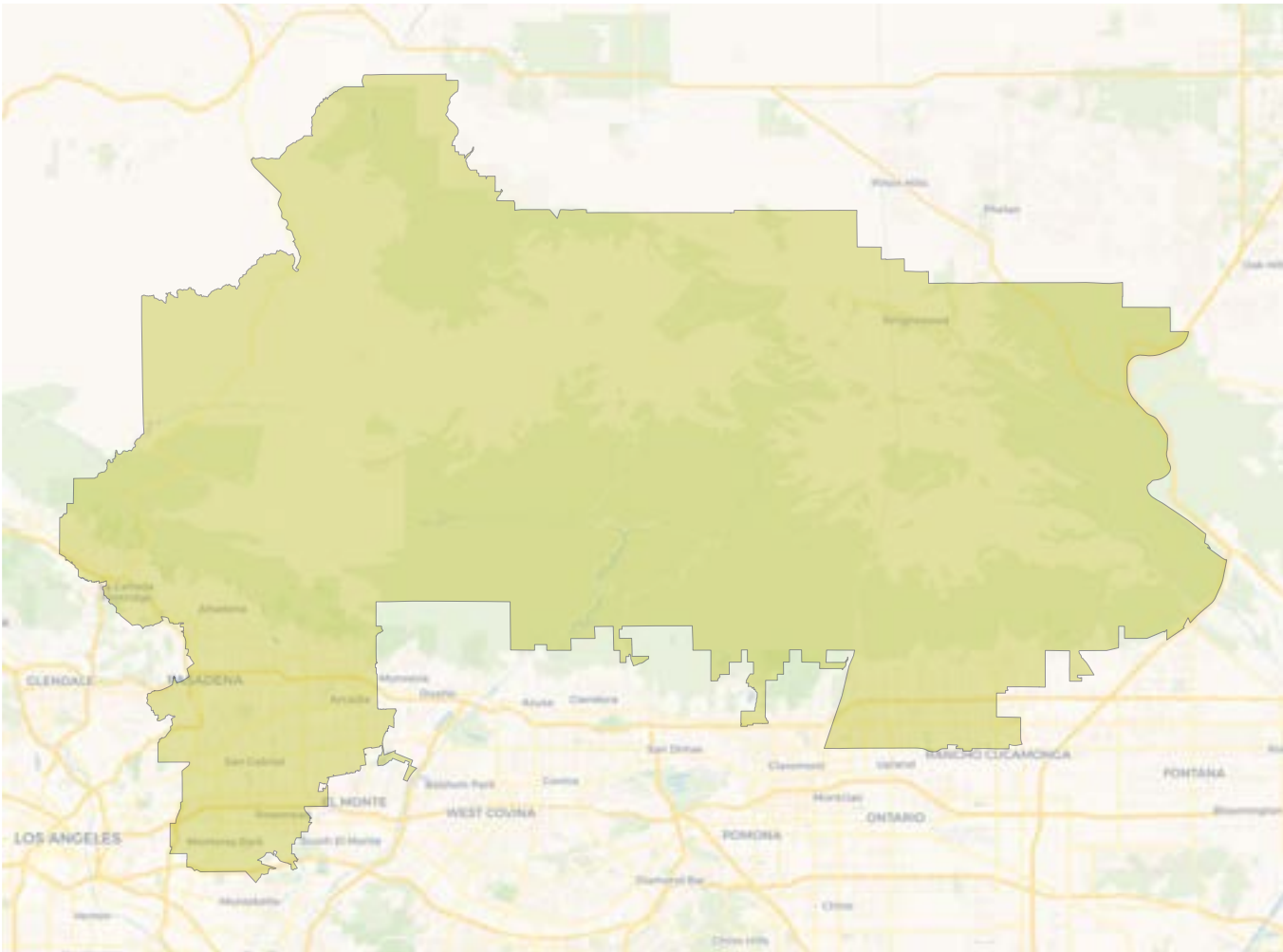
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	272,963	35.9%	346,015	45.5%	67,289	8.9%	73,800	9.7%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
491,708	191,818	39.0%	194,051	39.5%	48,679	9.9%	57,160	11.6%		



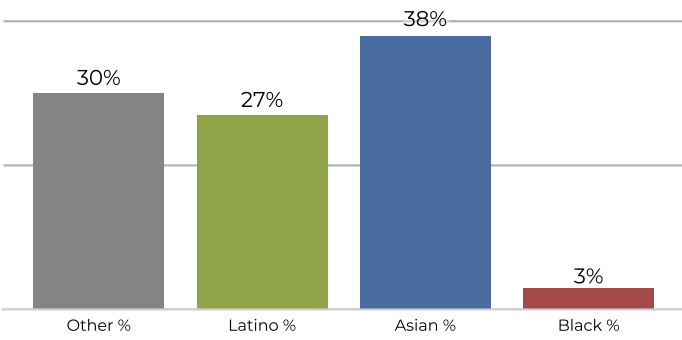
California Congress

AB 604

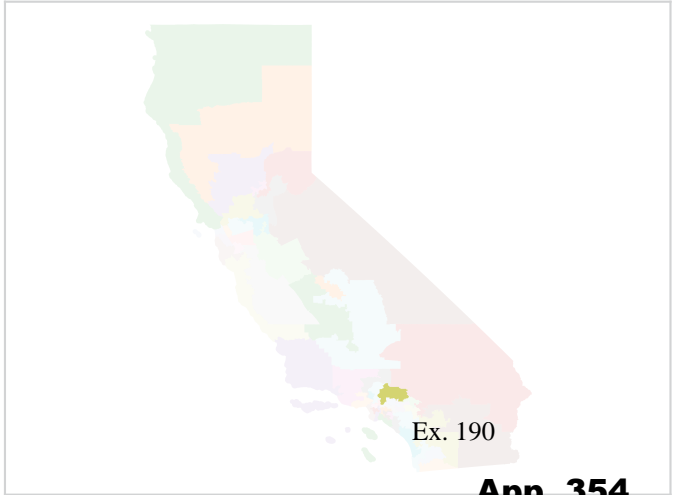
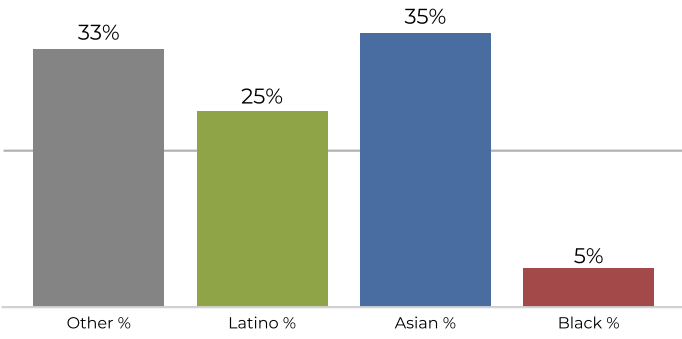
District 28



2020 Census



Citizen Voting Age Population



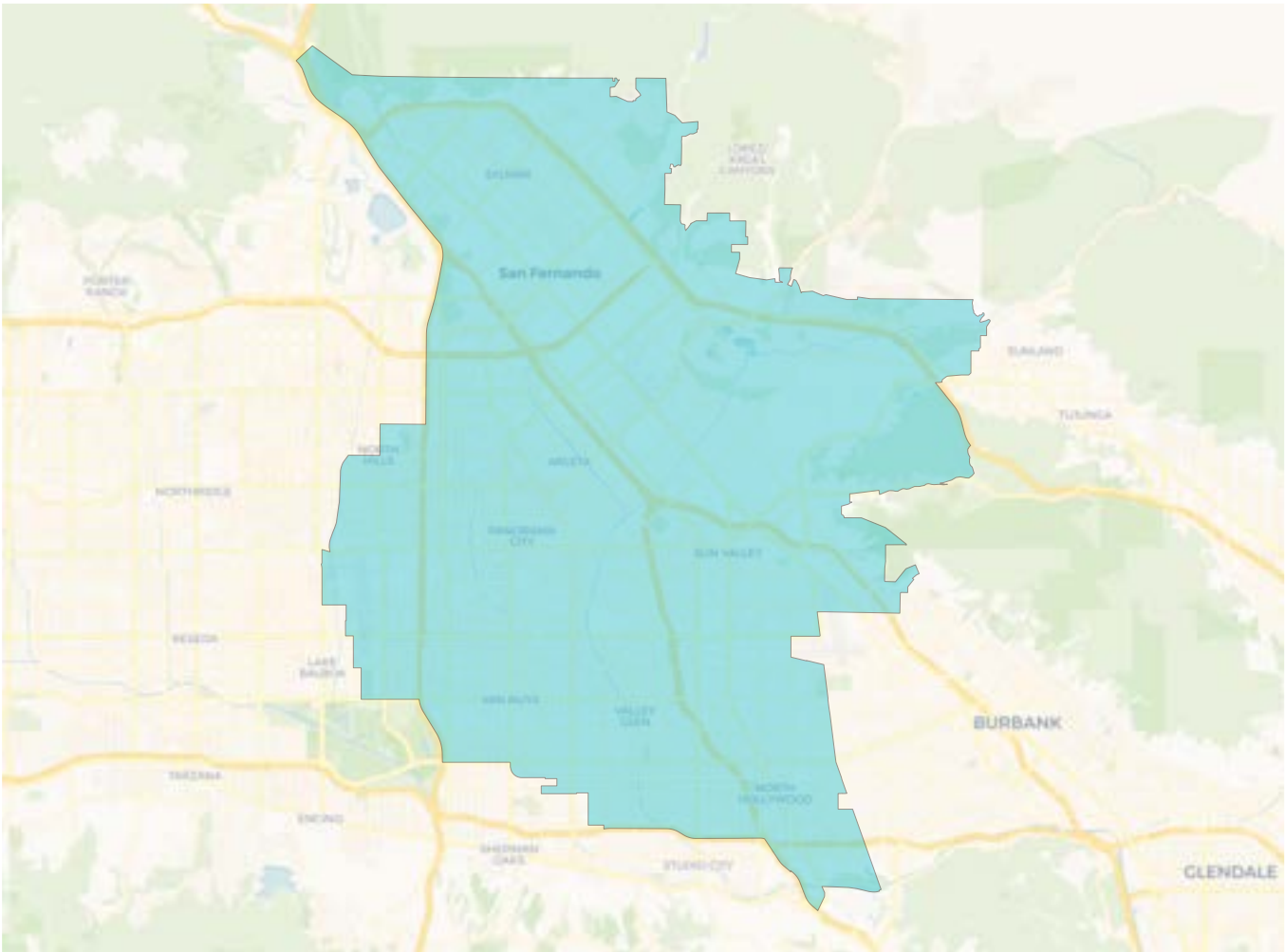
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,065	-1	-0.0%	231,227	30.4%	210,705	27.7%	288,737	38.0%	29,396	3.9%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
519,416	175,492	33.8%	133,810	25.8%	181,708	35.0%	28,406	5.5%		



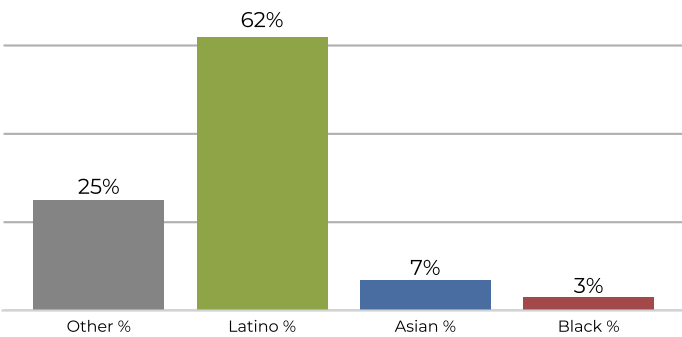
California Congress

AB 604

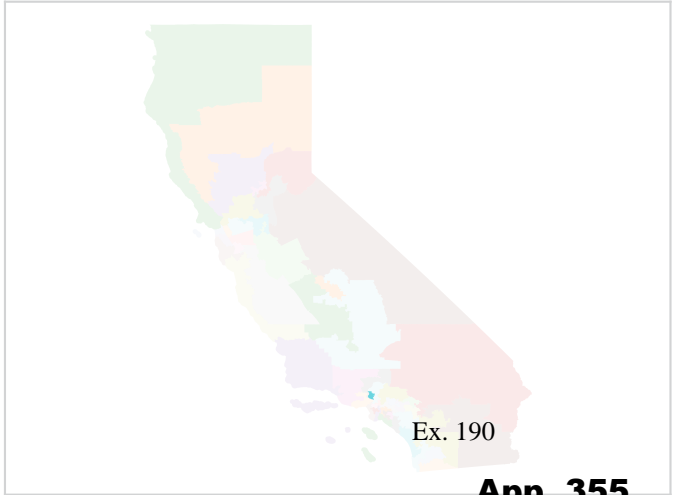
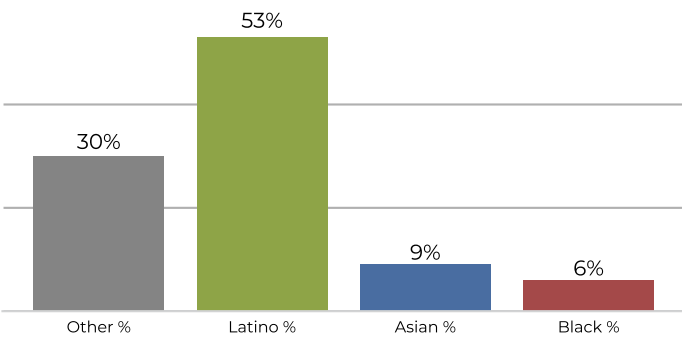
District 29



2020 Census



Citizen Voting Age Population



Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	195,337	25.7%	477,560	62.8%	58,158	7.7%	29,011	3.8%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
452,149	139,842	30.9%	242,495	53.6%	42,451	9.4%	27,361	6.1%		



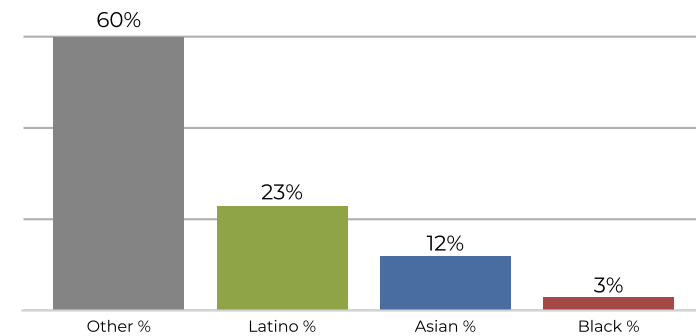
California Congress

AB 604

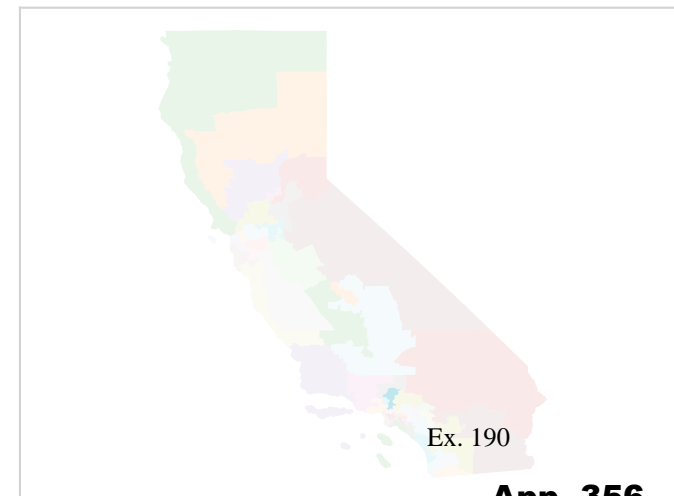
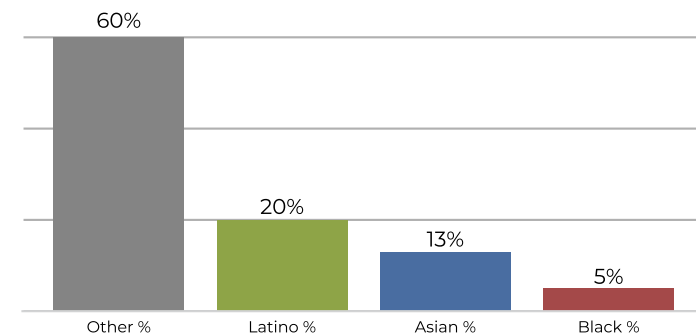
District 30



2020 Census



Citizen Voting Age Population



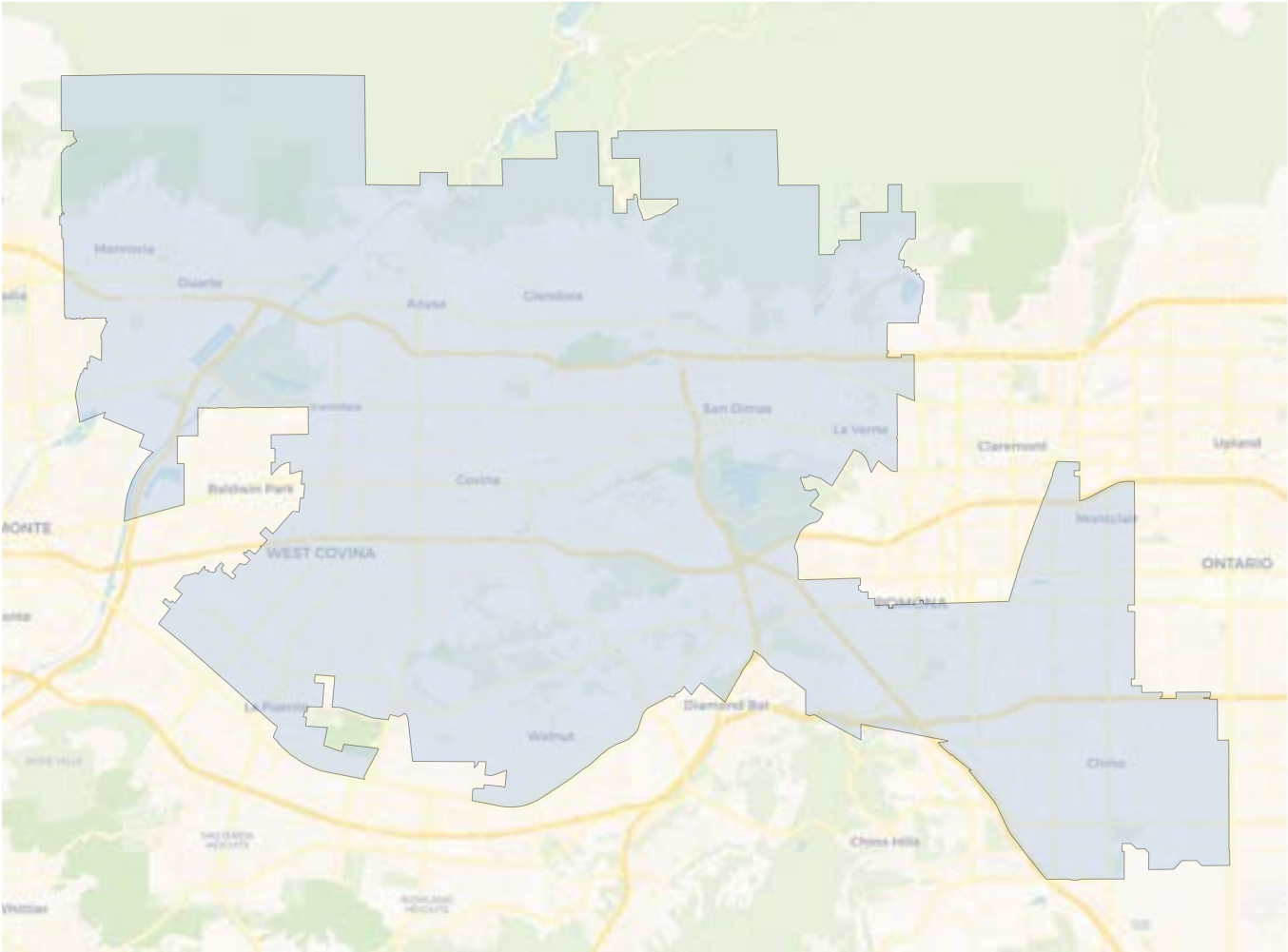
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	460,657	60.6%	178,511	23.5%	95,096	12.5%	25,802	3.4%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
547,252	333,360	60.9%	110,511	20.2%	72,569	13.3%	30,812	5.6%		



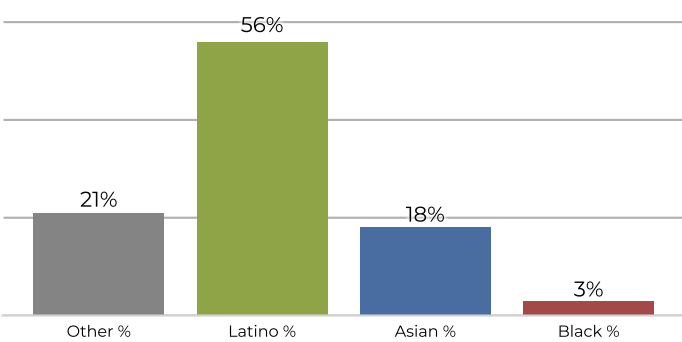
California Congress

AB 604

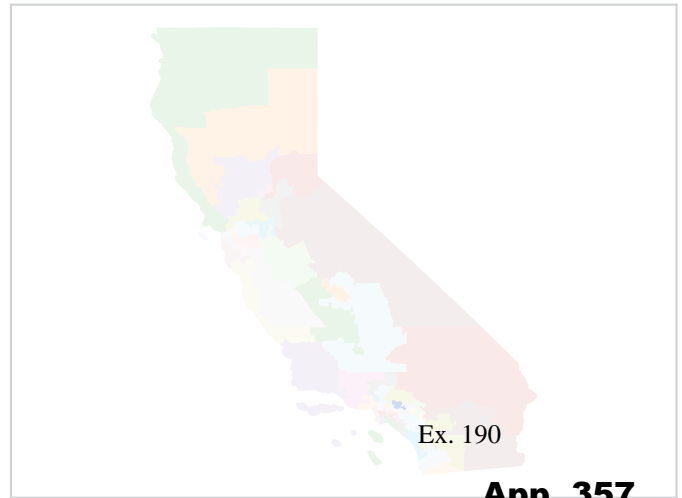
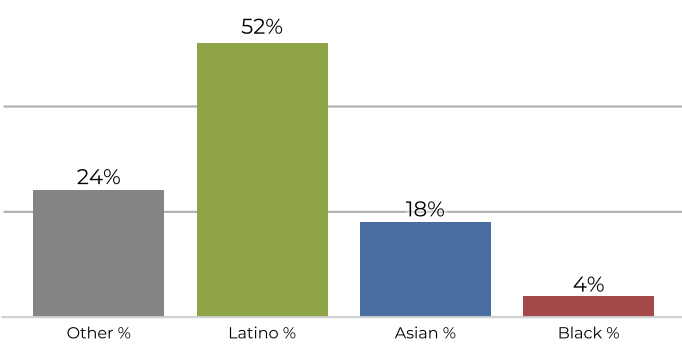
District 31



2020 Census



Citizen Voting Age Population



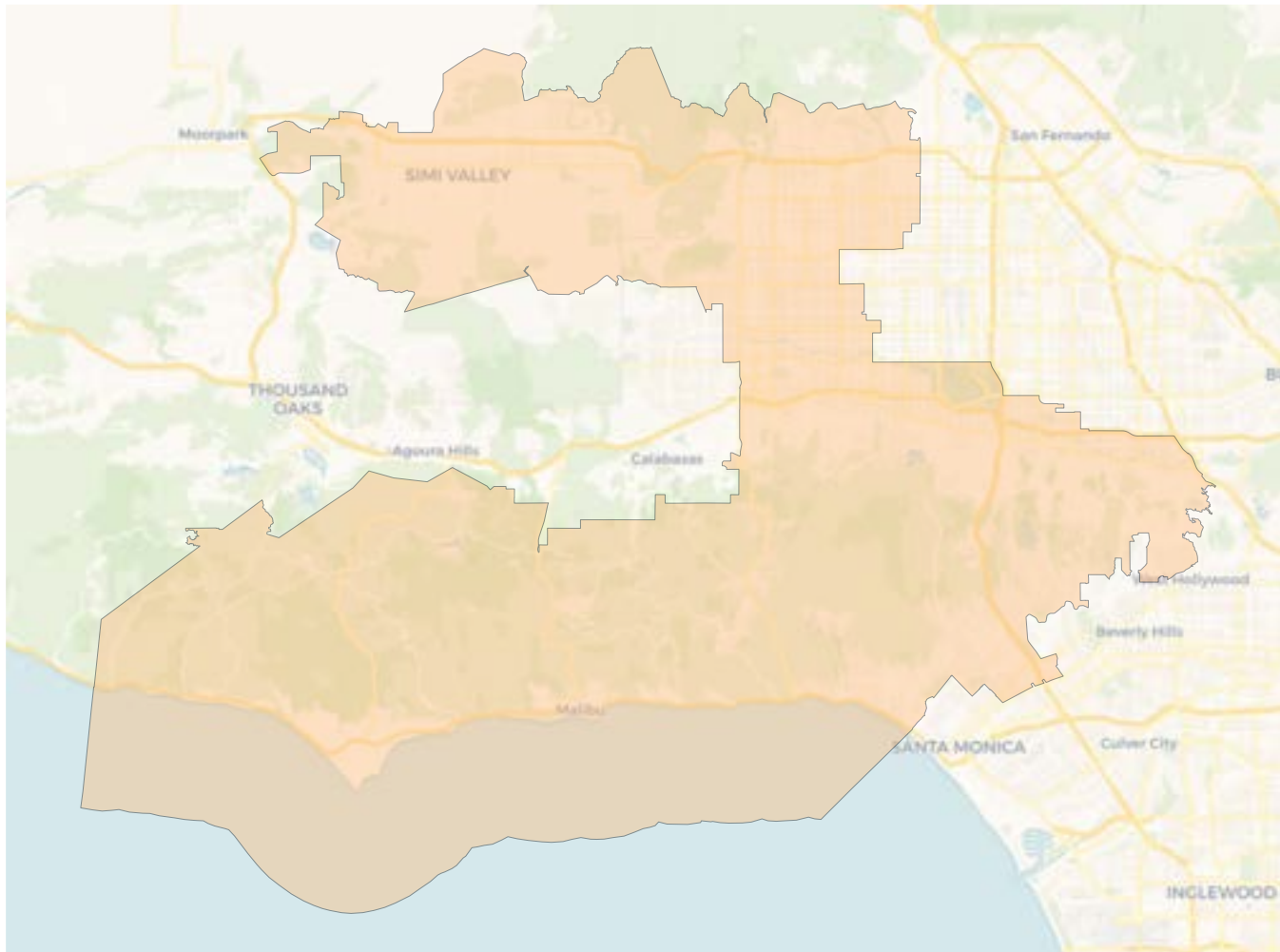
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	165,868	21.8%	429,185	56.5%	140,443	18.5%	24,570	3.2%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
502,061	121,938	24.3%	262,046	52.2%	93,452	18.6%	24,625	4.9%		



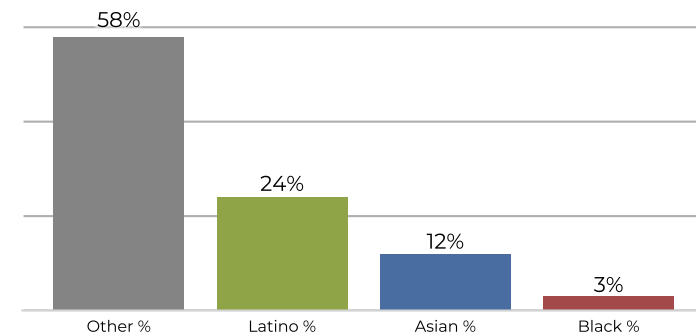
California Congress

AB 604

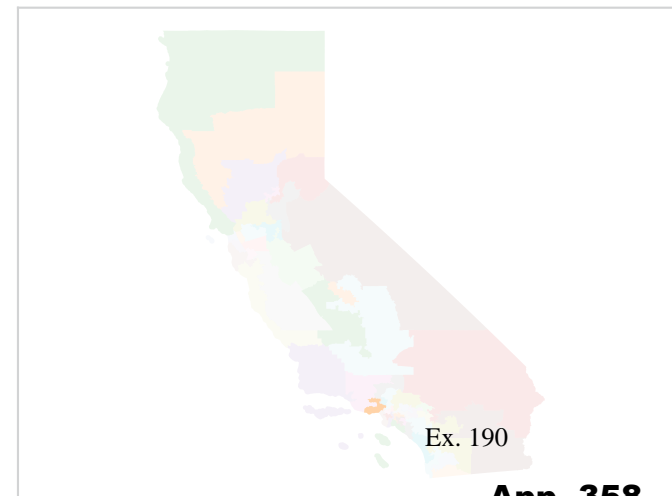
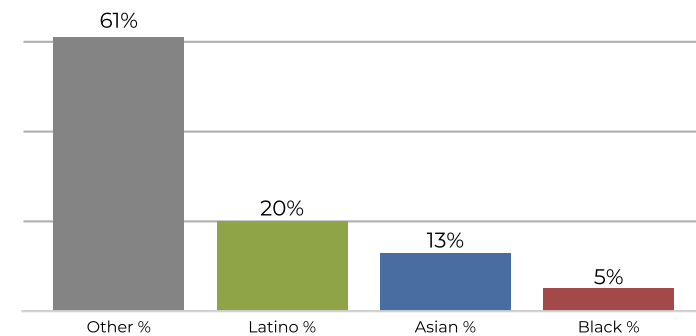
District 32



2020 Census



Citizen Voting Age Population



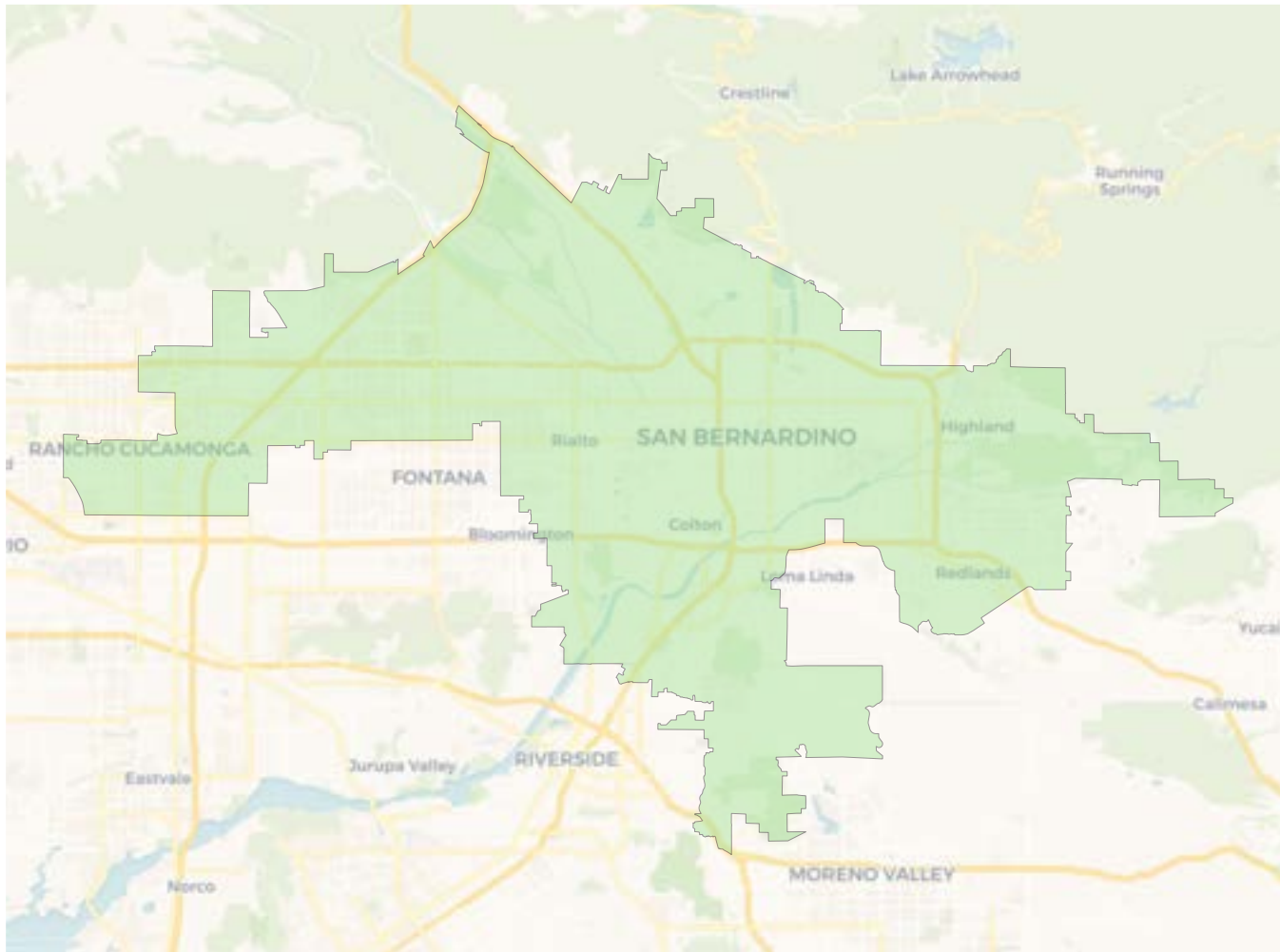
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,065	-1	-0.0%	447,933	58.9%	189,453	24.9%	94,693	12.5%	27,986	3.7%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
548,661	335,861	61.2%	110,131	20.1%	73,284	13.4%	29,385	5.4%		



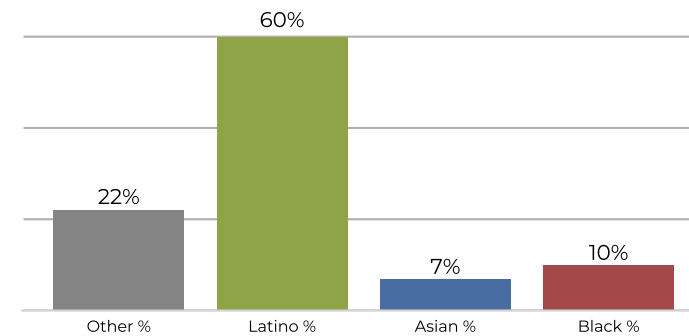
California Congress

AB 604

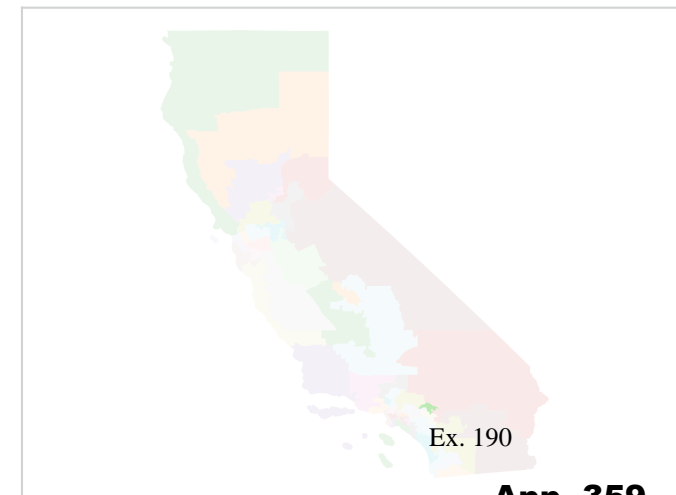
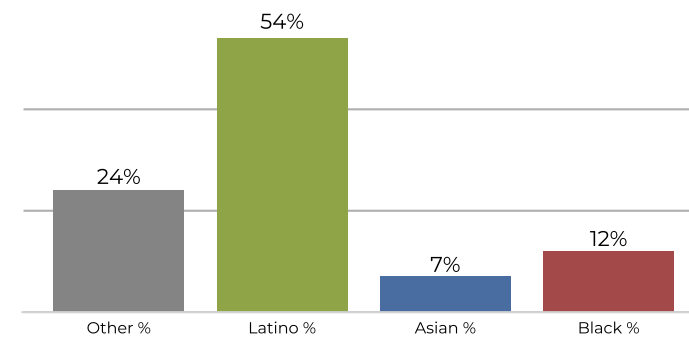
District 33



2020 Census



Citizen Voting Age Population



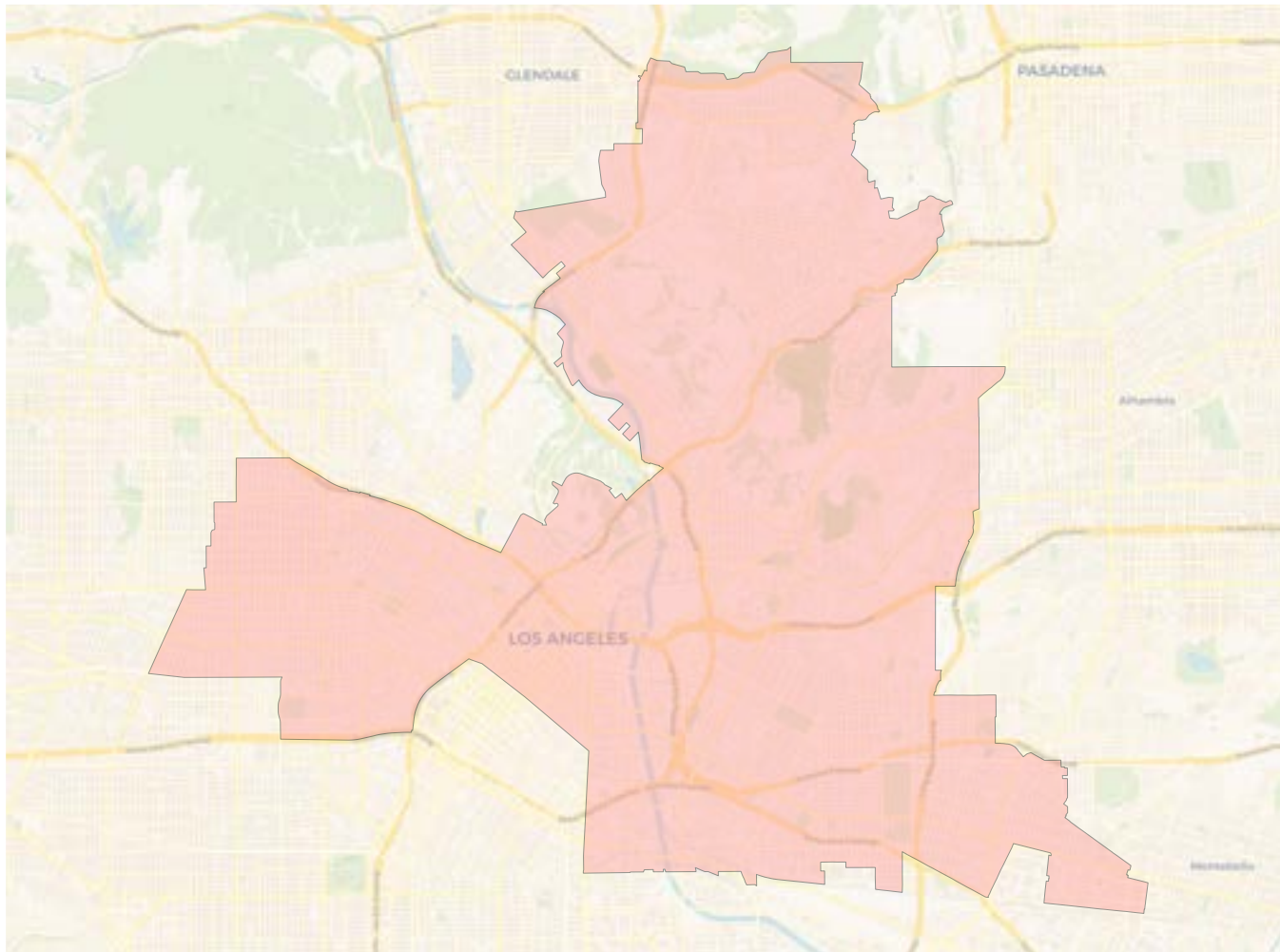
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	167,505	22.0%	459,436	60.4%	56,399	7.4%	76,727	10.1%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
475,755	118,596	24.9%	259,509	54.5%	36,866	7.7%	60,784	12.8%		



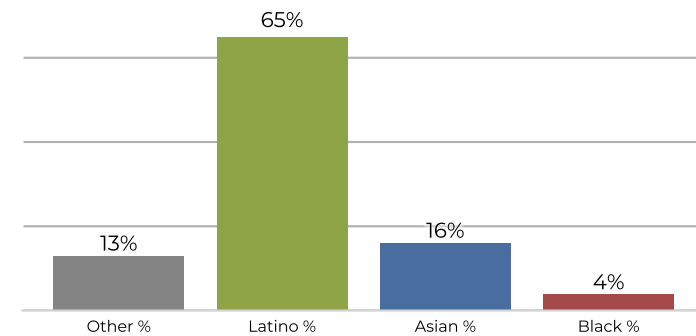
California Congress

AB 604

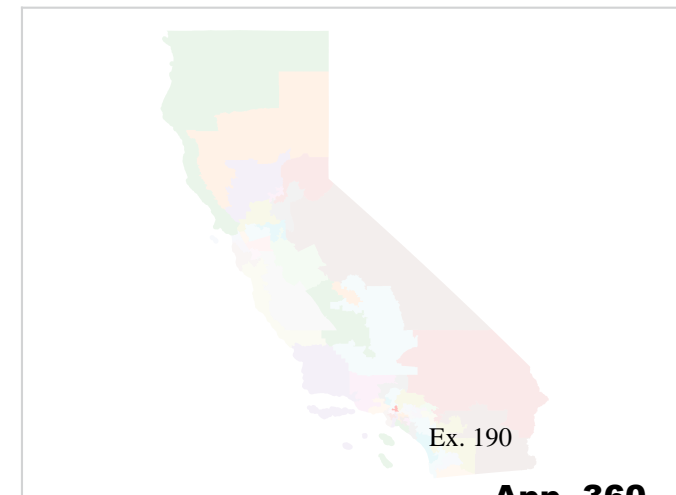
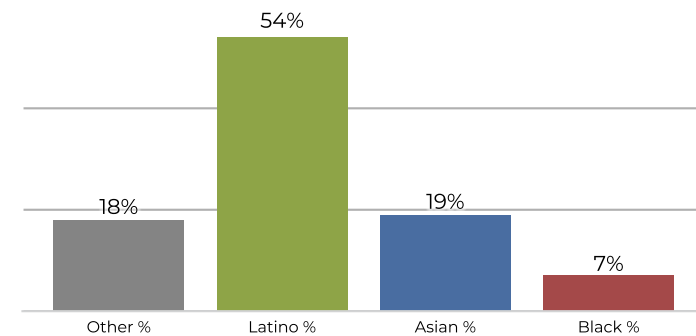
District 34



2020 Census



Citizen Voting Age Population



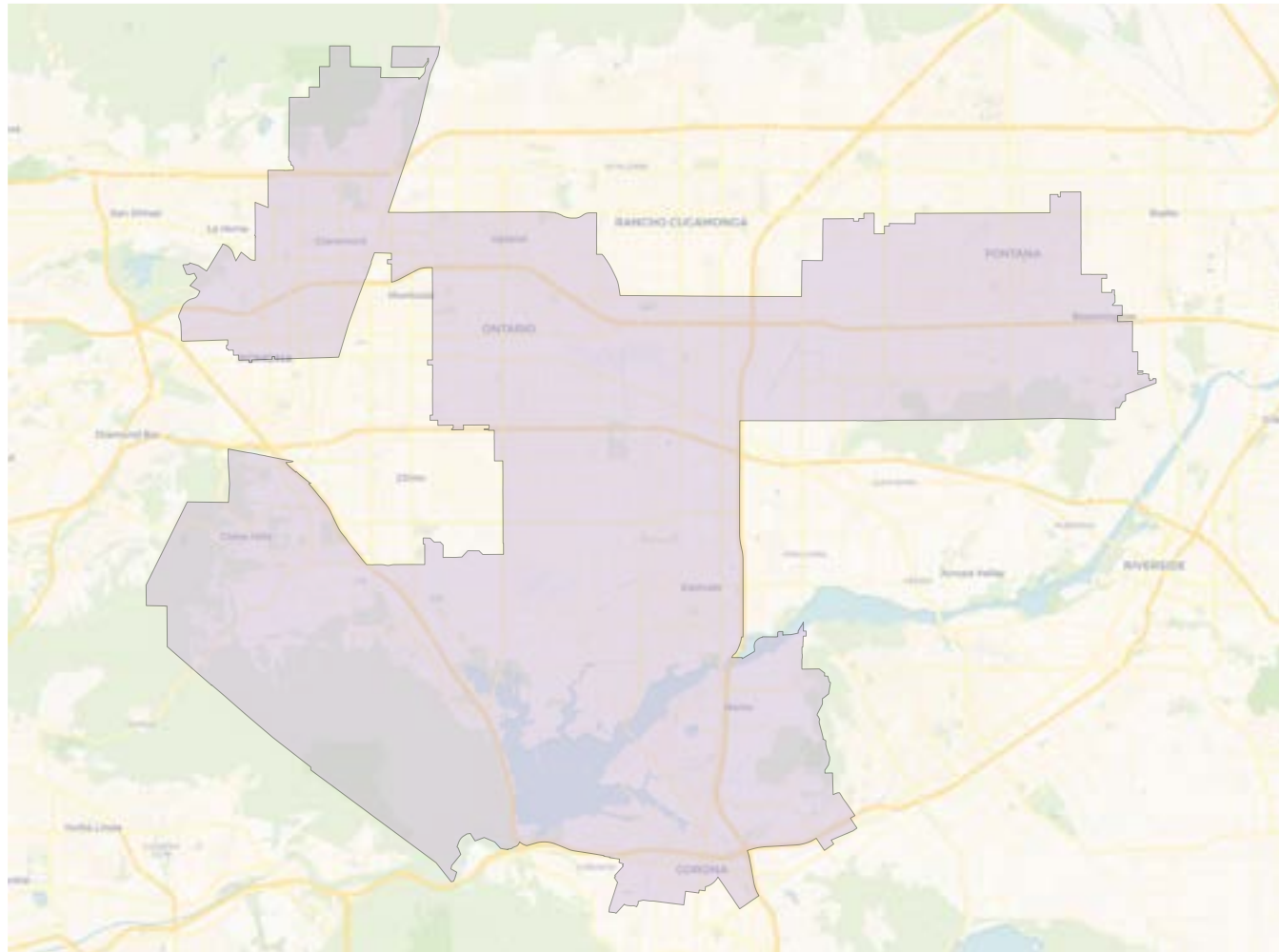
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	103,292	13.6%	497,280	65.4%	128,548	16.9%	30,947	4.1%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
430,418	77,745	18.1%	236,352	54.9%	85,671	19.9%	30,650	7.1%		



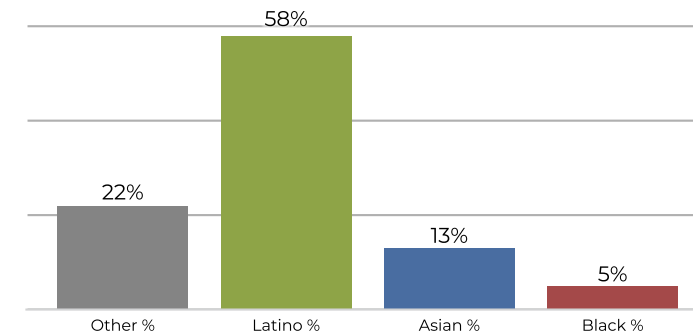
California Congress

AB 604

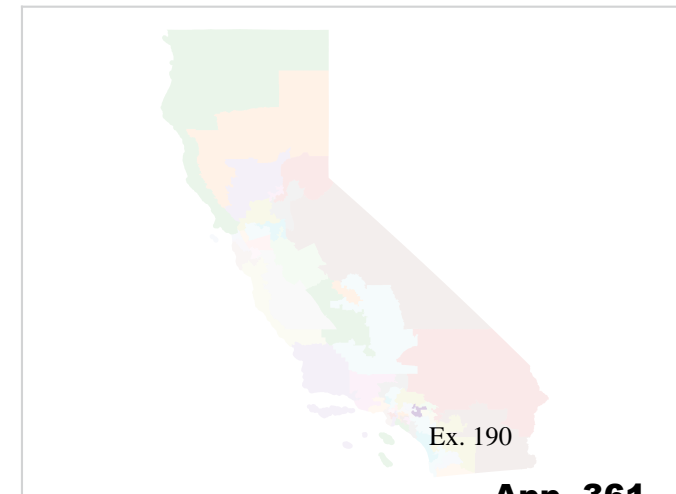
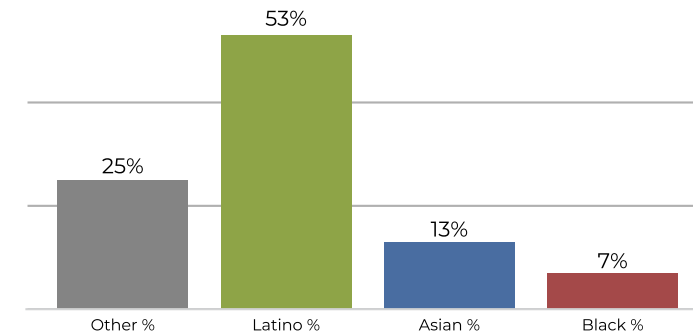
District 35



2020 Census



Citizen Voting Age Population



App. 361

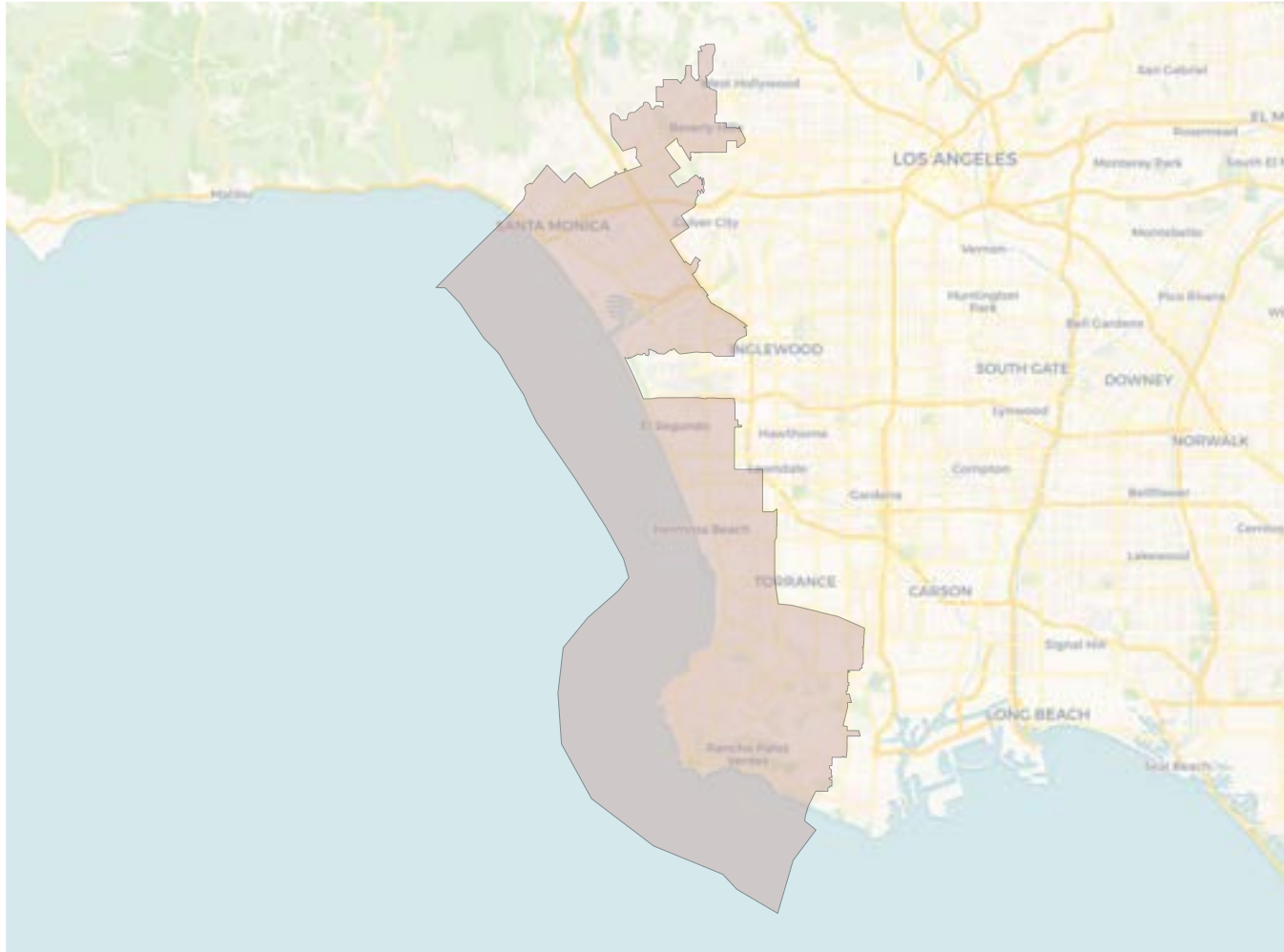
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	167,836	22.1%	446,255	58.7%	101,513	13.4%	44,462	5.8%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
481,931	124,220	25.8%	255,710	53.1%	64,071	13.3%	37,930	7.9%		



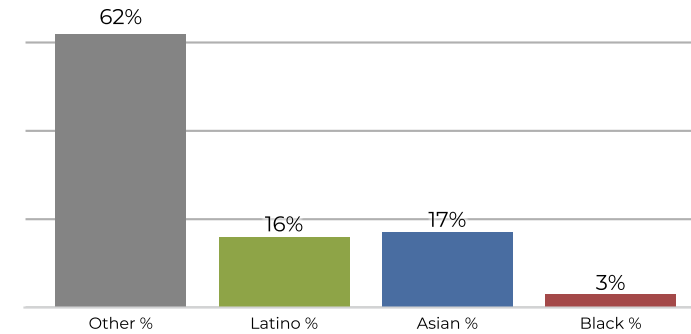
California Congress

AB 604

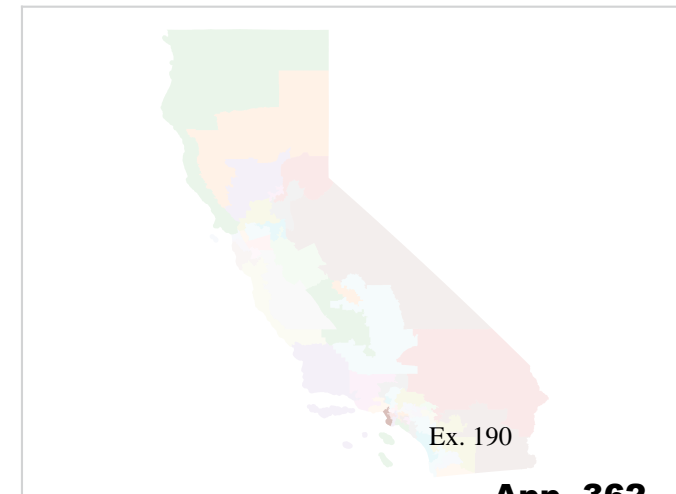
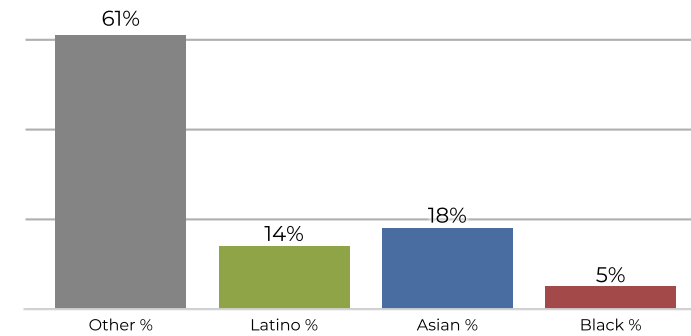
District 36



2020 Census



Citizen Voting Age Population



App. 362

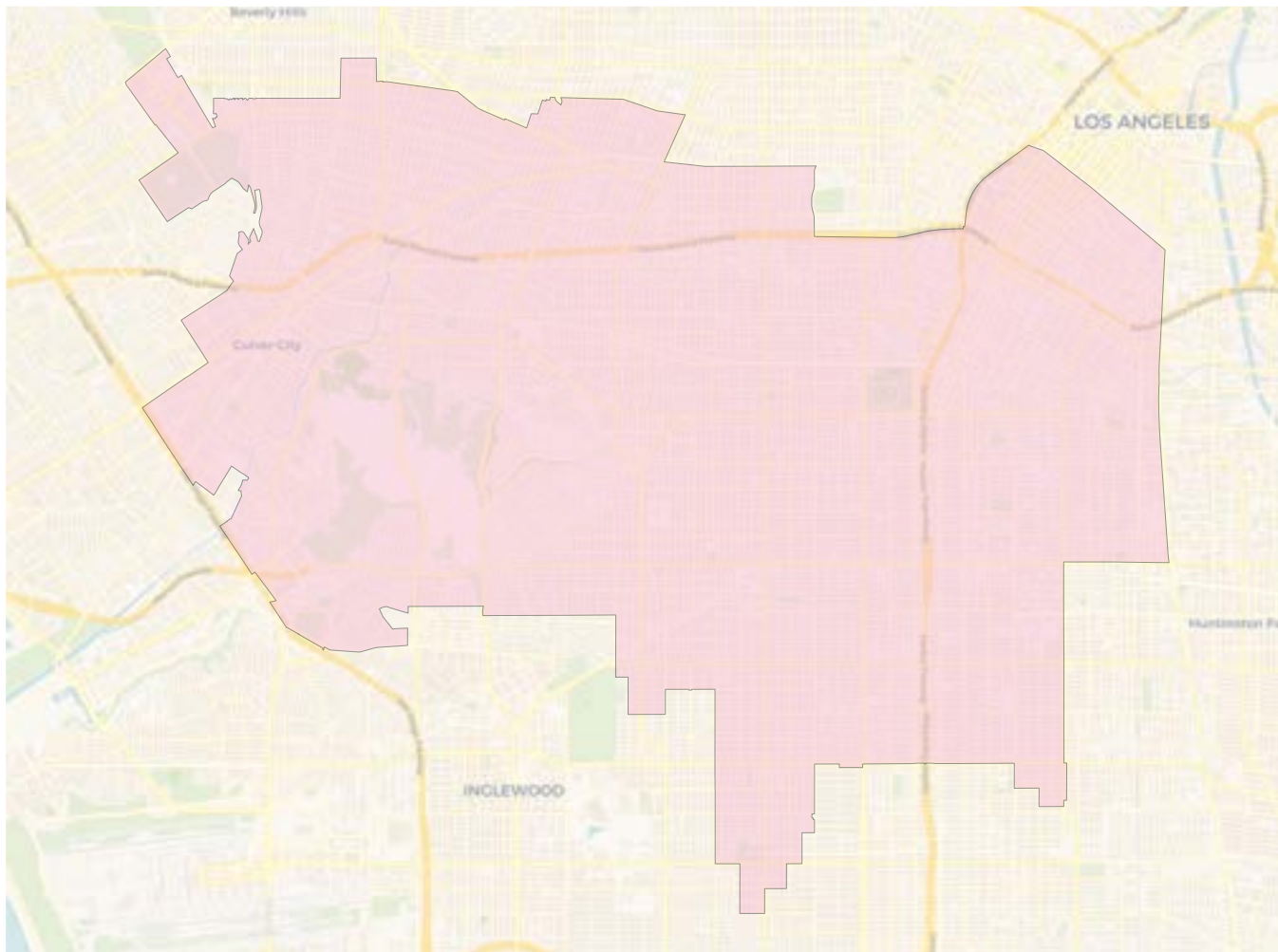
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	474,998	62.5%	126,932	16.7%	131,473	17.3%	26,663	3.5%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
545,928	337,185	61.8%	80,469	14.7%	100,377	18.4%	27,897	5.1%		



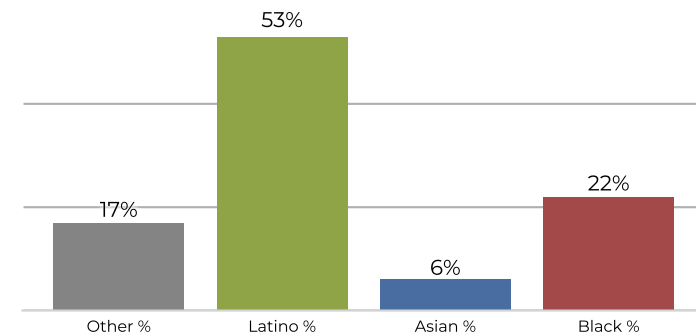
California Congress

AB 604

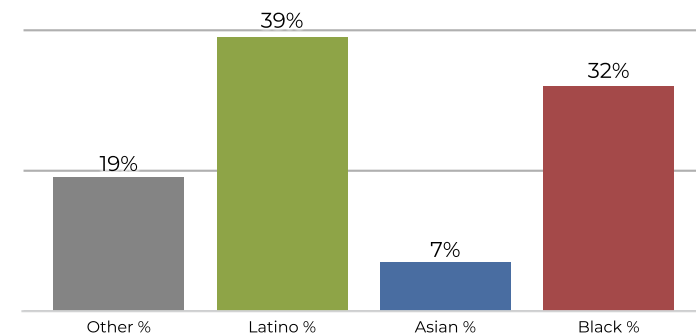
District 37



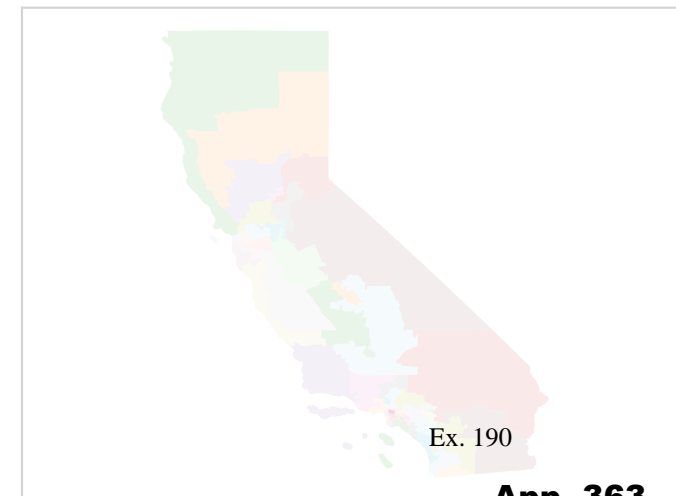
2020 Census



Citizen Voting Age Population



Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	131,743	17.3%	409,691	53.9%	47,245	6.2%	171,387	22.5%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
438,620	86,261	19.7%	174,716	39.8%	33,768	7.7%	143,875	32.8%		

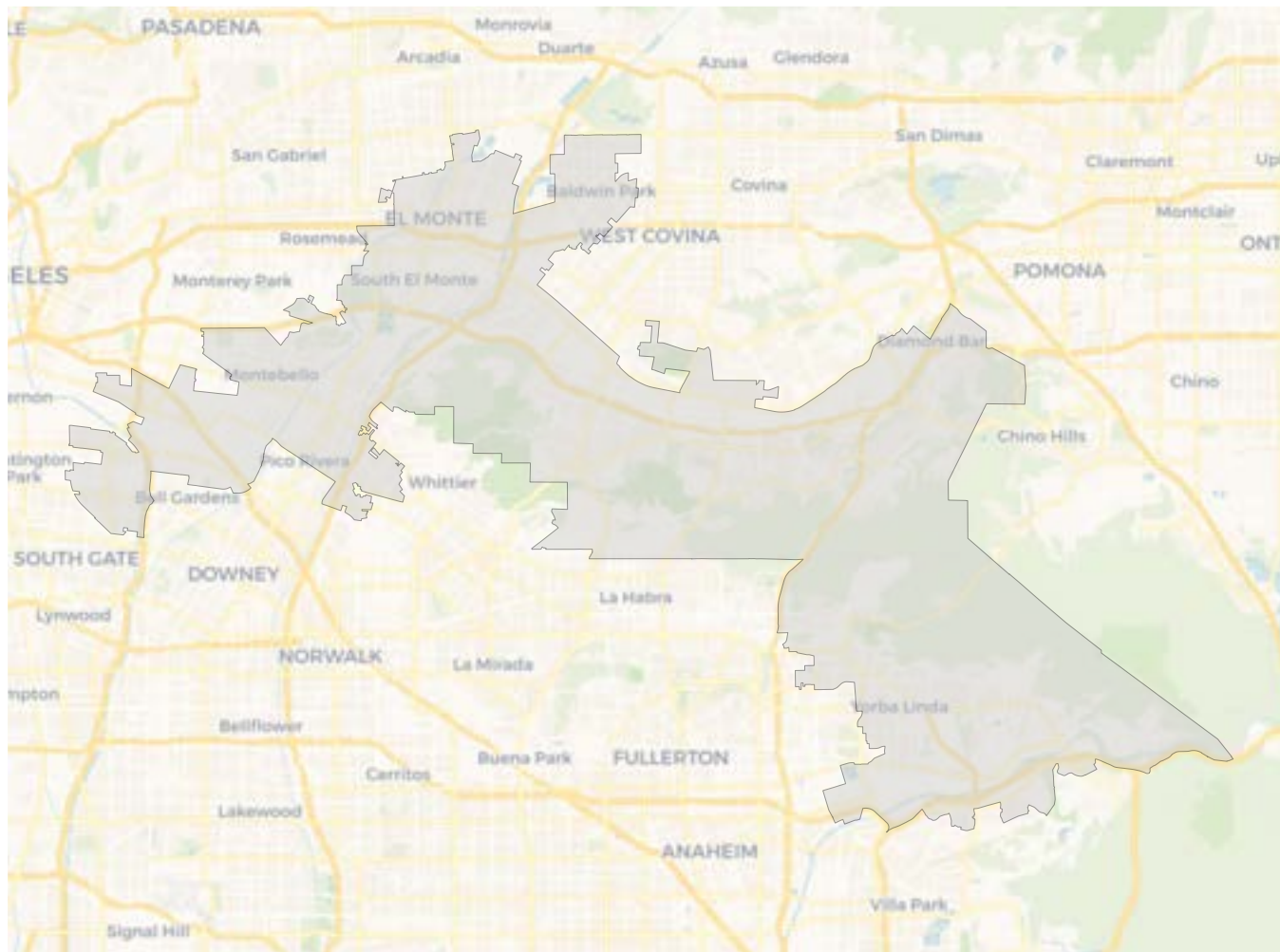




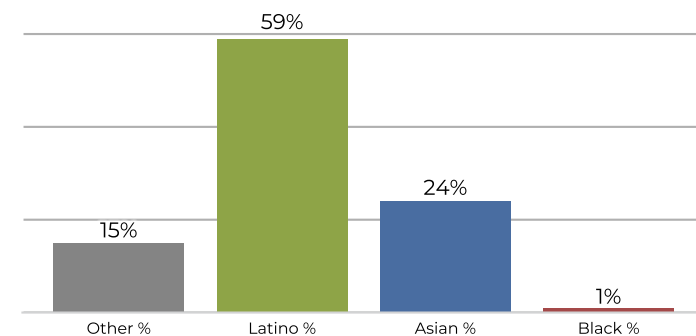
California Congress

AB 604

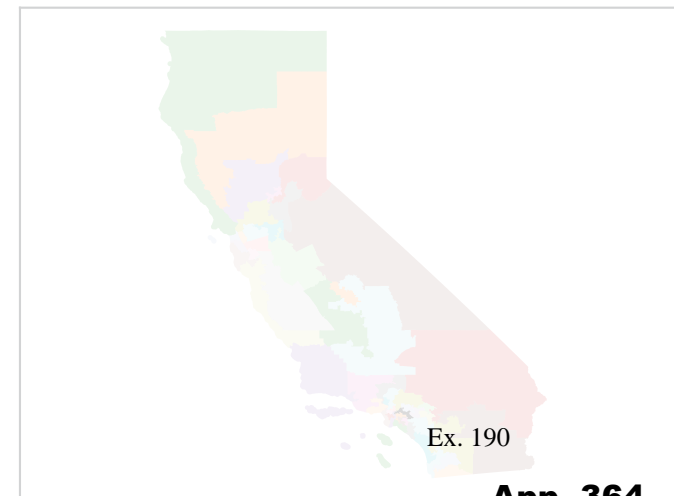
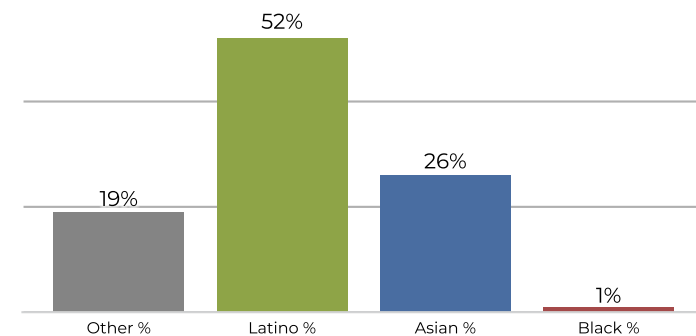
District 38



2020 Census



Citizen Voting Age Population



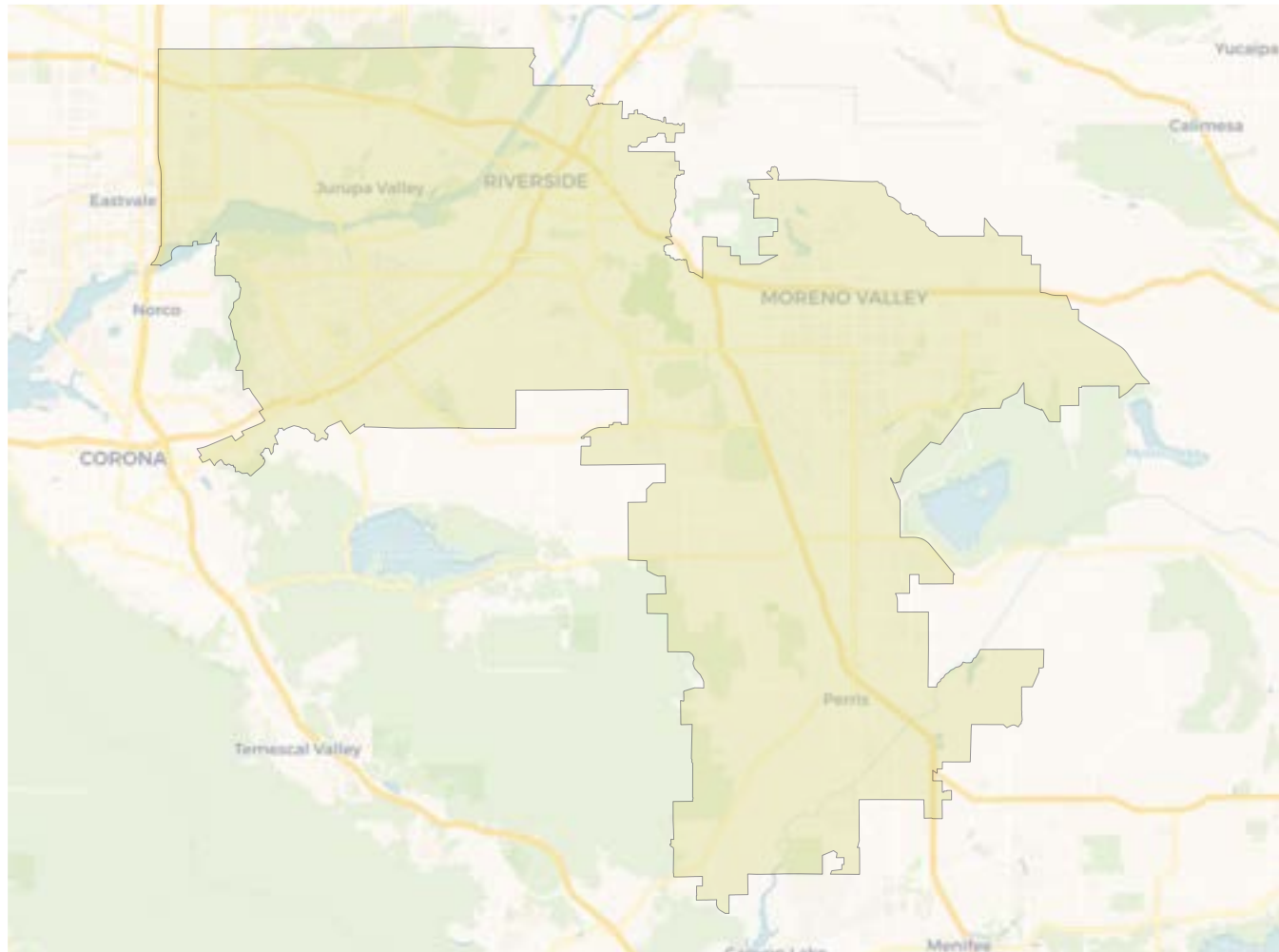
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	118,512	15.6%	450,094	59.2%	182,917	24.1%	8,544	1.1%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
465,896	89,906	19.3%	245,091	52.6%	122,795	26.4%	8,104	1.7%		



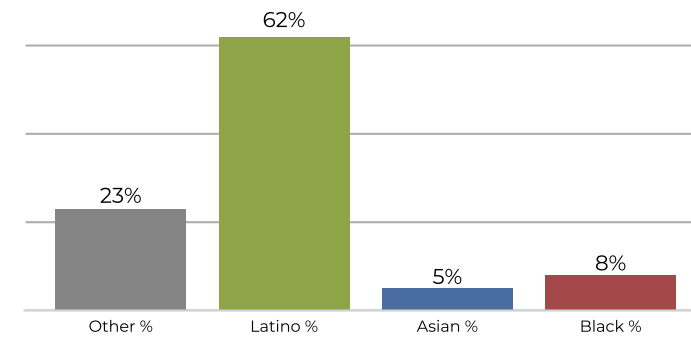
California Congress

AB 604

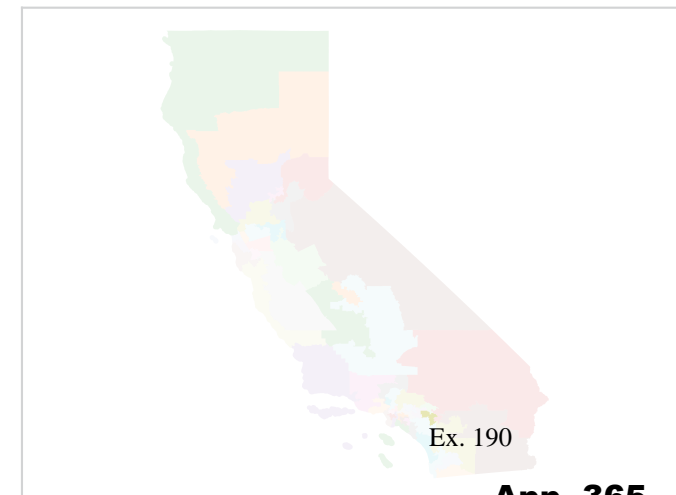
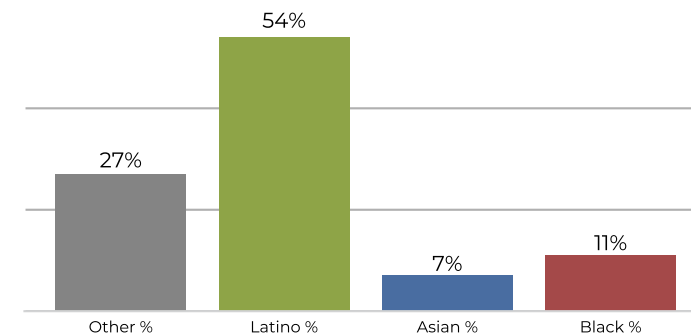
District 39



2020 Census



Citizen Voting Age Population



Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	178,497	23.5%	473,263	62.3%	43,859	5.8%	64,448	8.5%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
486,150	133,237	27.4%	263,801	54.3%	33,846	7.0%	55,266	11.4%		



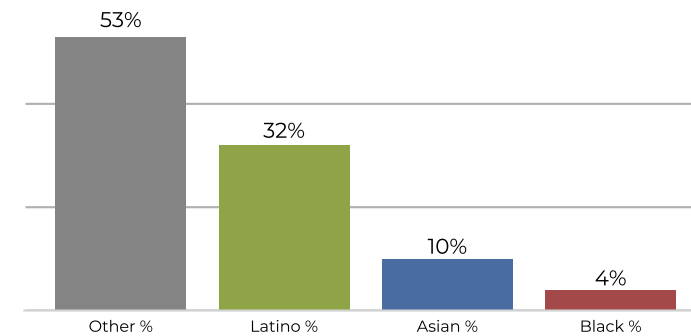
California Congress

AB 604

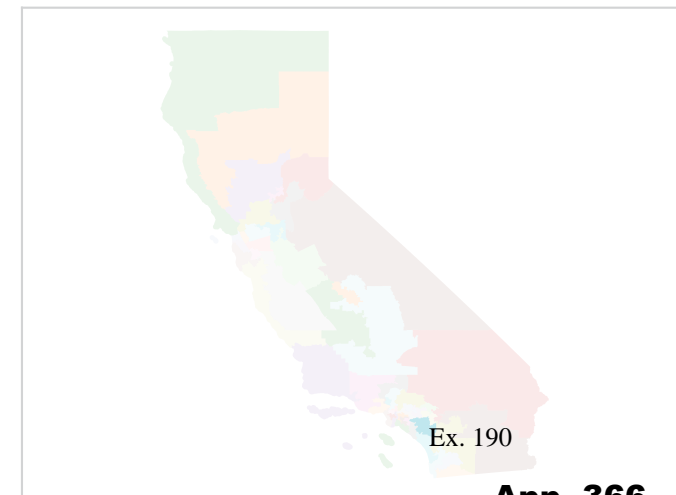
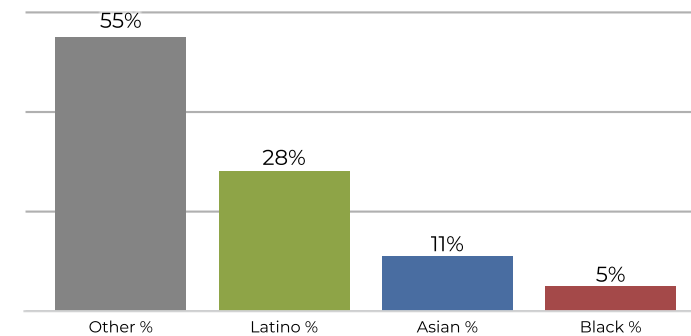
District 40



2020 Census



Citizen Voting Age Population



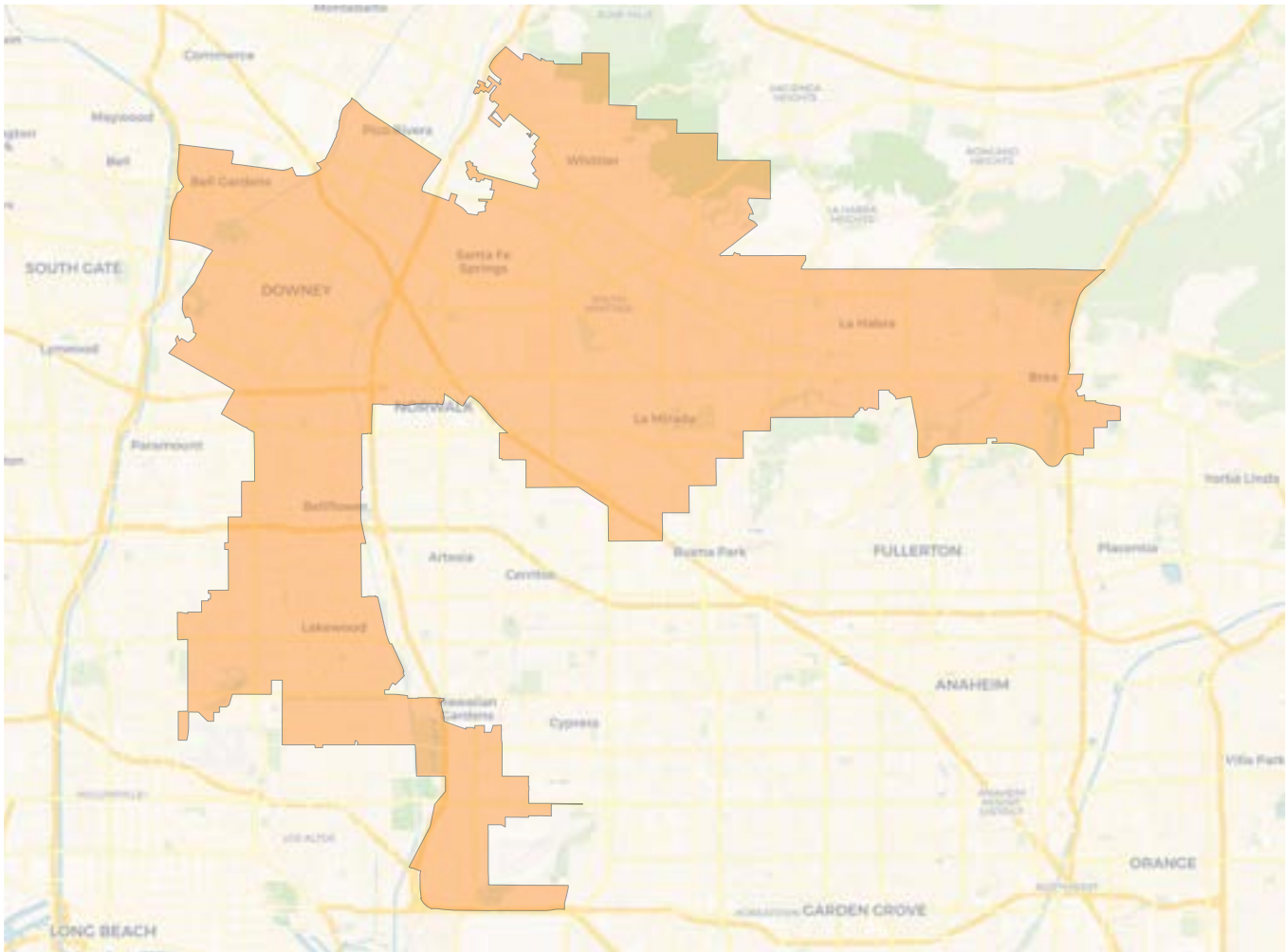
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	405,171	53.3%	243,980	32.1%	79,899	10.5%	31,016	4.1%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
543,973	300,038	55.2%	152,392	28.0%	63,206	11.6%	28,337	5.2%		



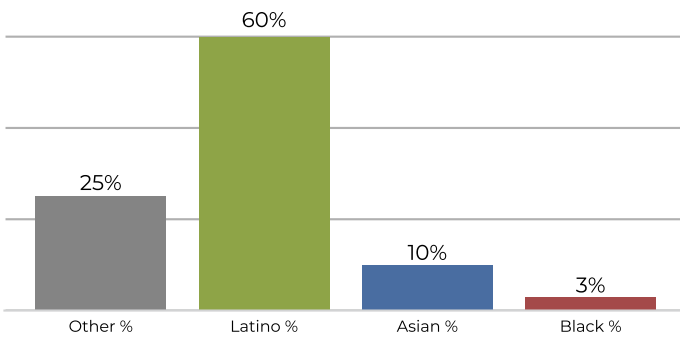
California Congress

AB 604

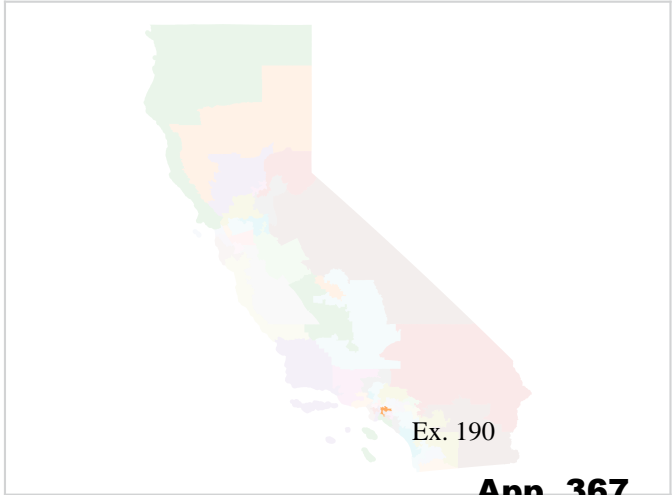
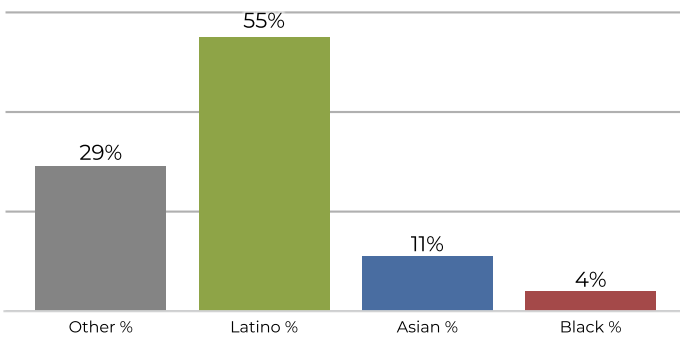
District 41



2020 Census



Citizen Voting Age Population



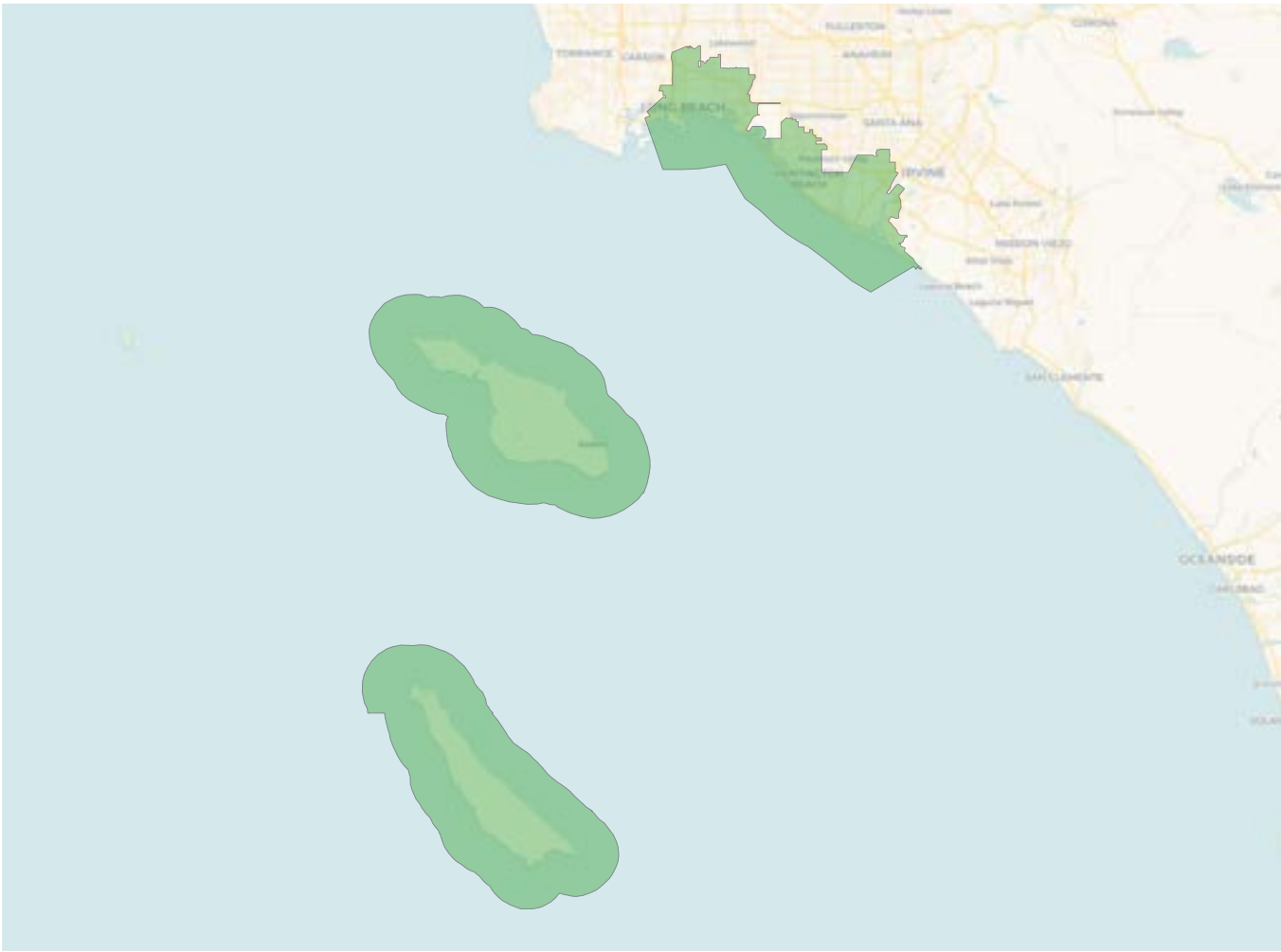
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,065	-1	-0.0%	190,955	25.1%	461,976	60.8%	78,136	10.3%	28,998	3.8%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
509,320	148,870	29.2%	280,278	55.0%	56,755	11.1%	23,417	4.6%		



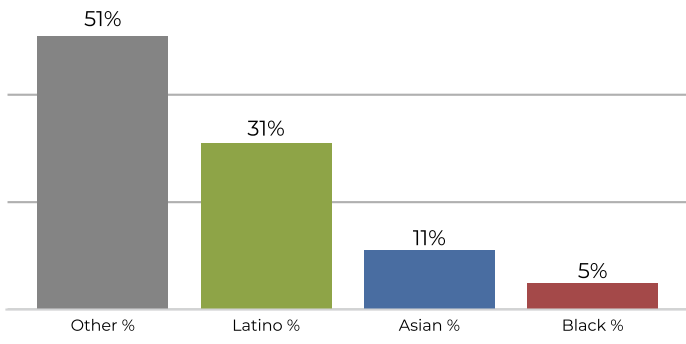
California Congress

AB 604

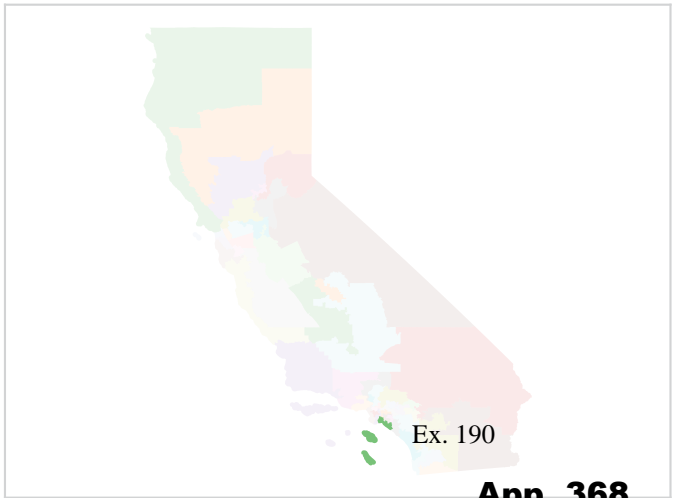
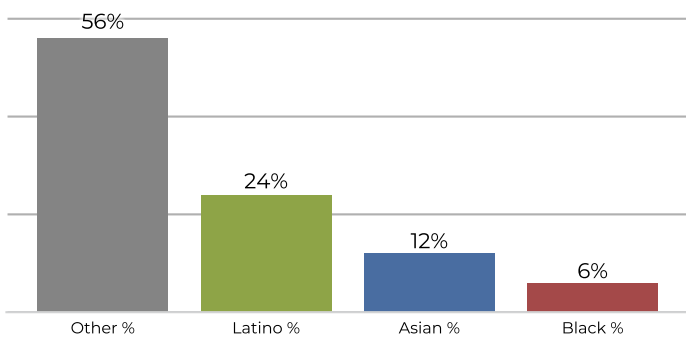
District 42



2020 Census



Citizen Voting Age Population



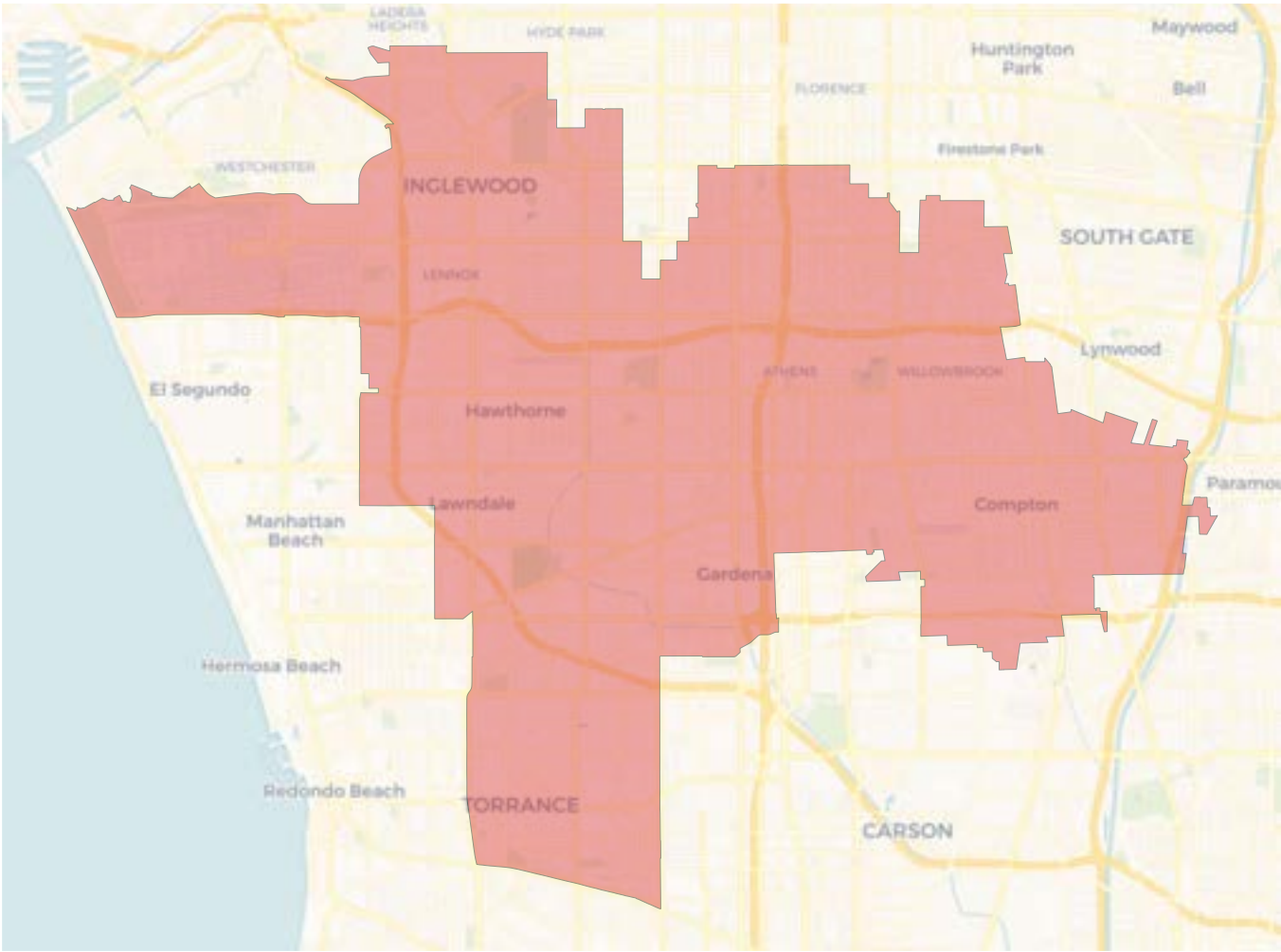
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	389,327	51.2%	240,878	31.7%	88,034	11.6%	41,828	5.5%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
547,320	306,806	56.1%	134,603	24.6%	69,836	12.8%	36,075	6.6%		



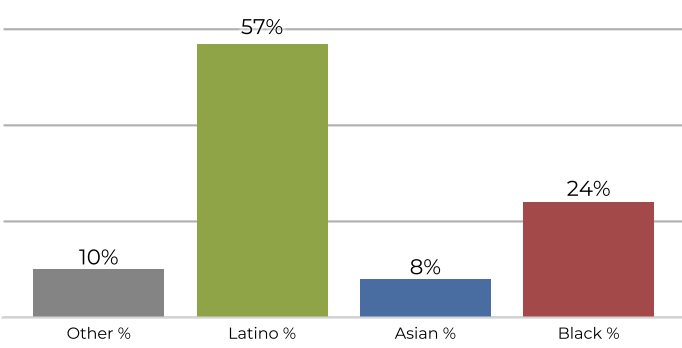
California Congress

AB 604

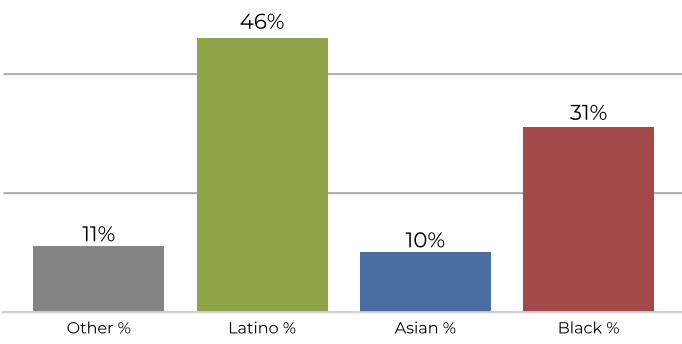
District 43



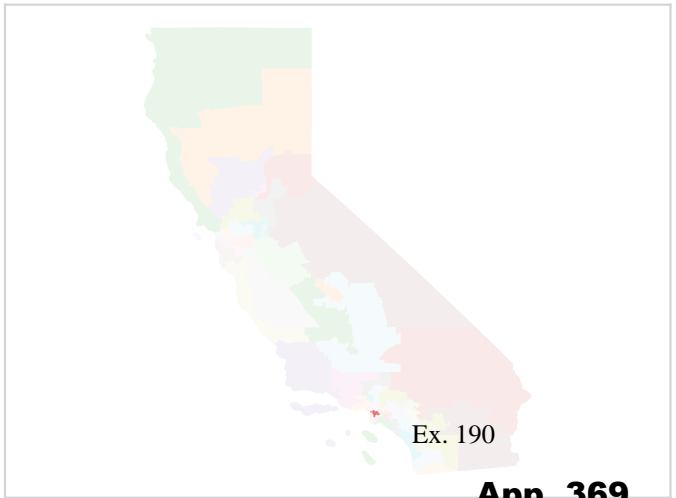
2020 Census



Citizen Voting Age Population



Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	81,626	10.7%	433,512	57.0%	62,451	8.2%	182,478	24.0%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
434,357	50,844	11.7%	201,766	46.5%	43,559	10.0%	138,188	31.8%		

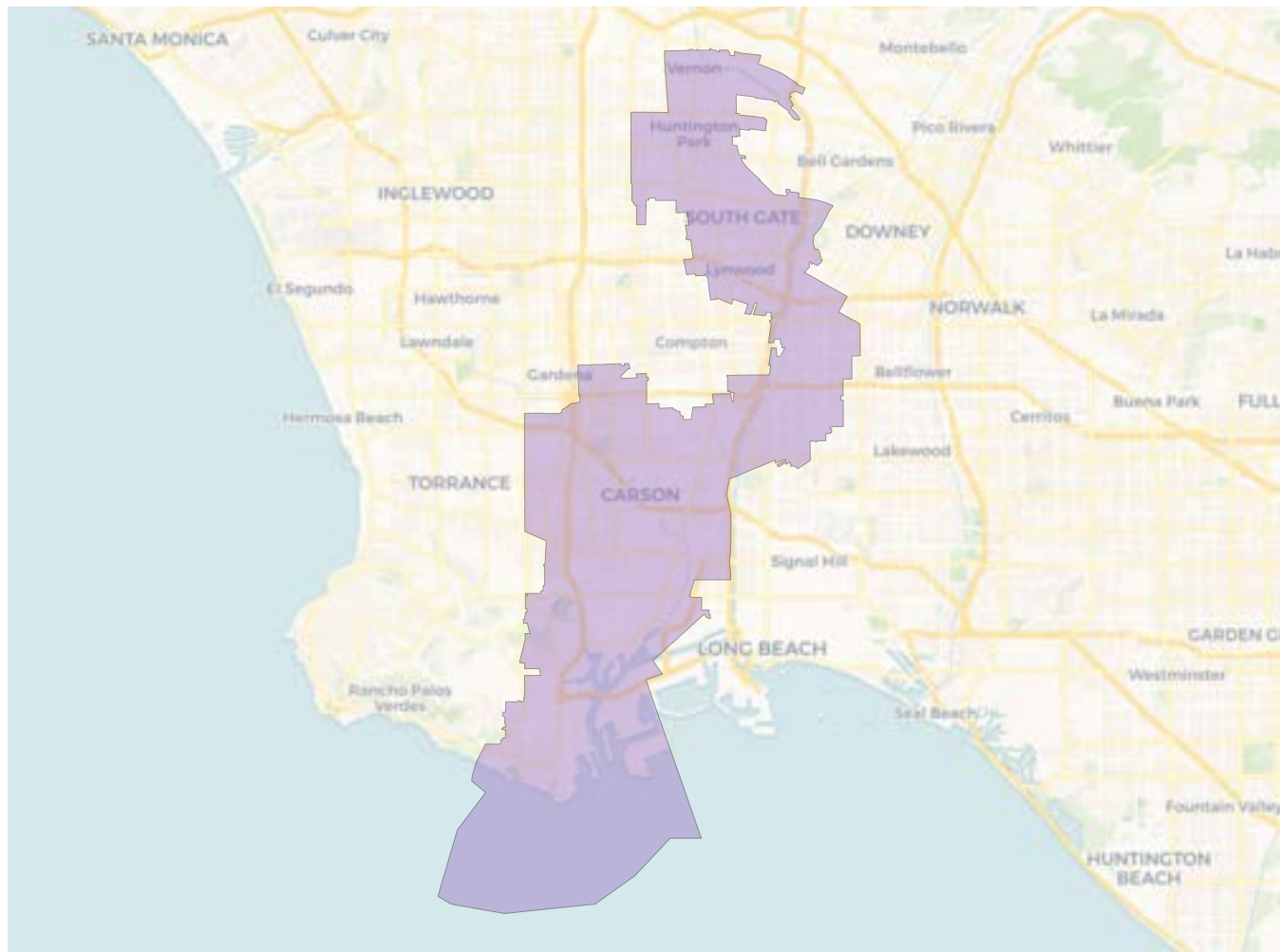




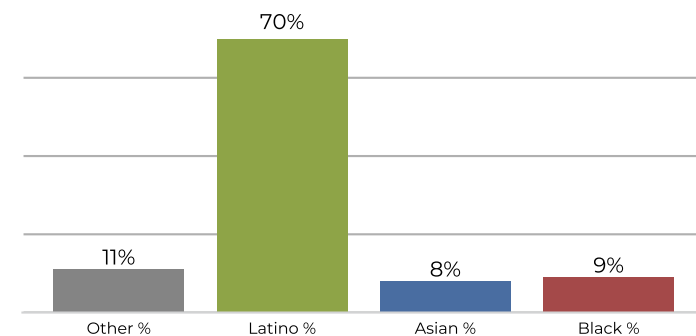
California Congress

AB 604

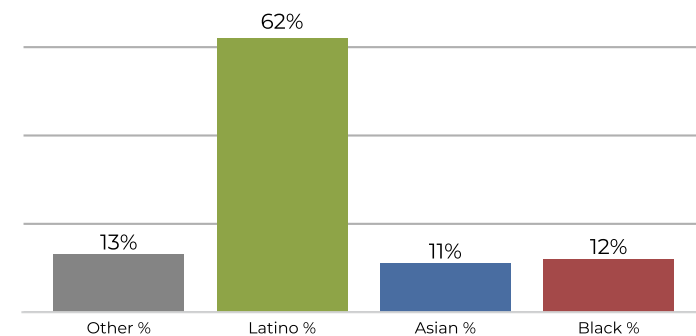
District 44



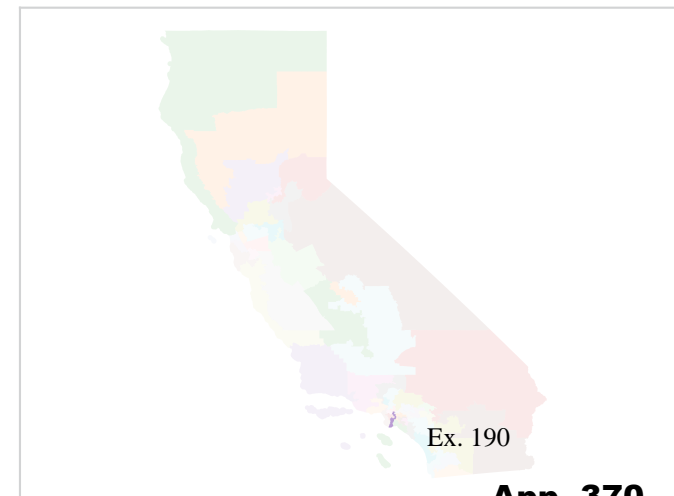
2020 Census



Citizen Voting Age Population



Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	84,841	11.2%	535,795	70.5%	67,863	8.9%	71,568	9.4%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
437,942	59,698	13.6%	272,815	62.3%	49,777	11.4%	55,652	12.7%		

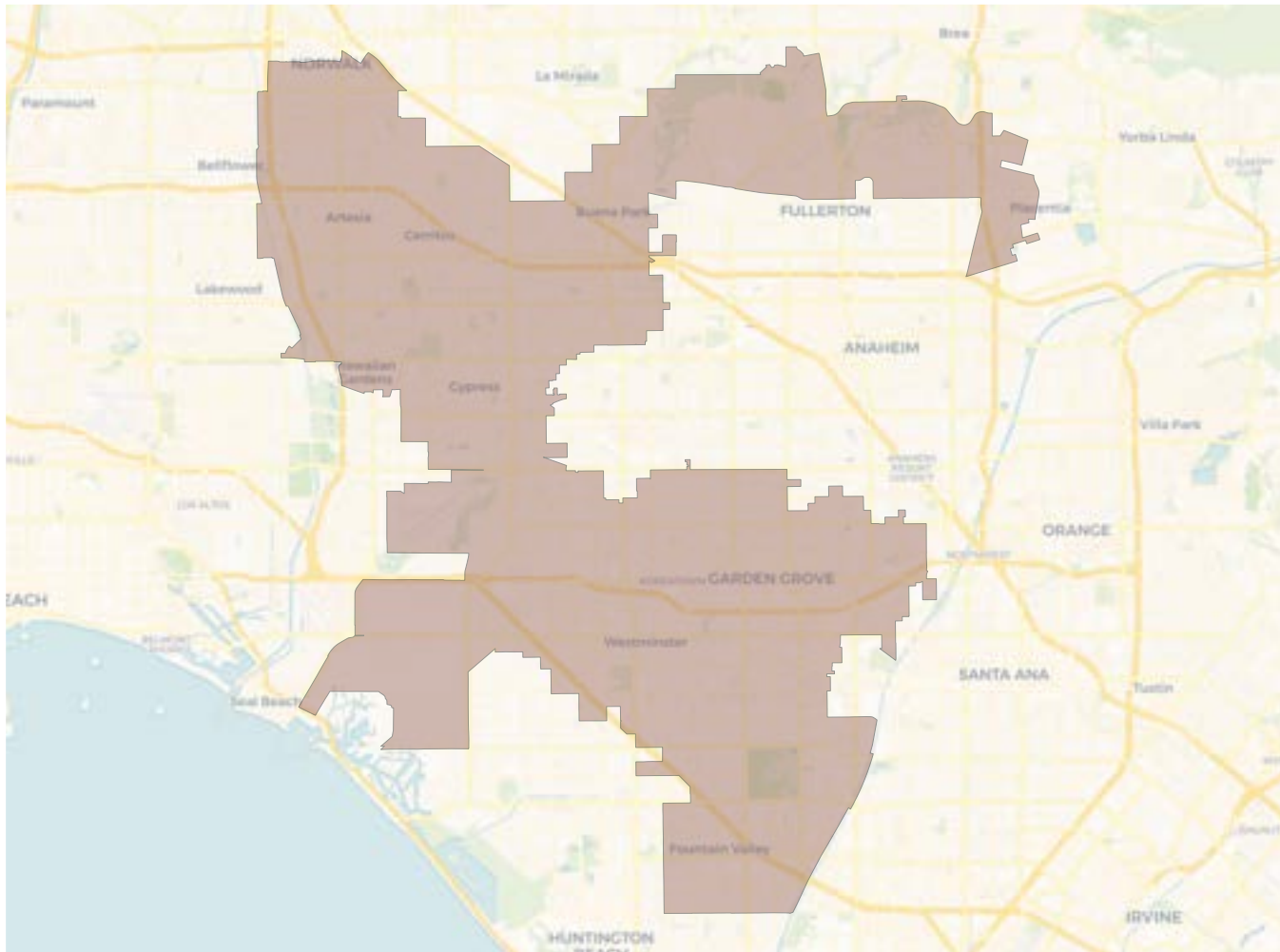




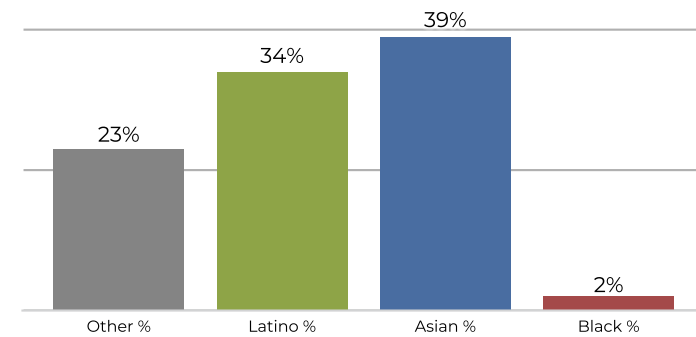
California Congress

AB 604

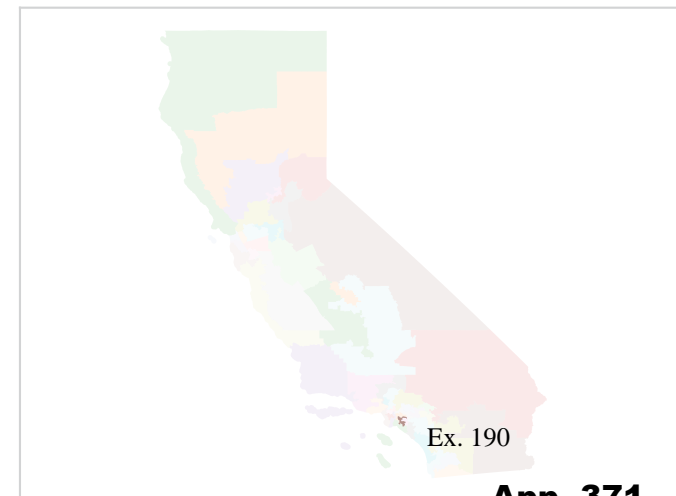
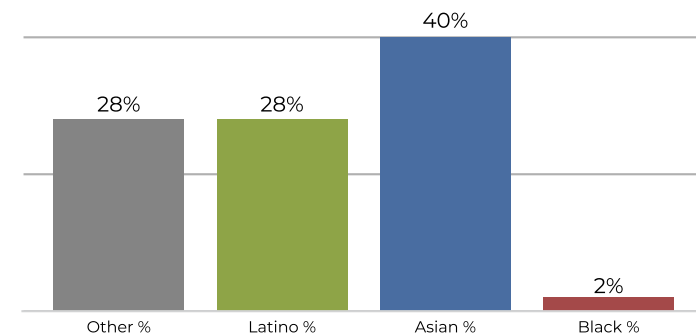
District 45



2020 Census



Citizen Voting Age Population



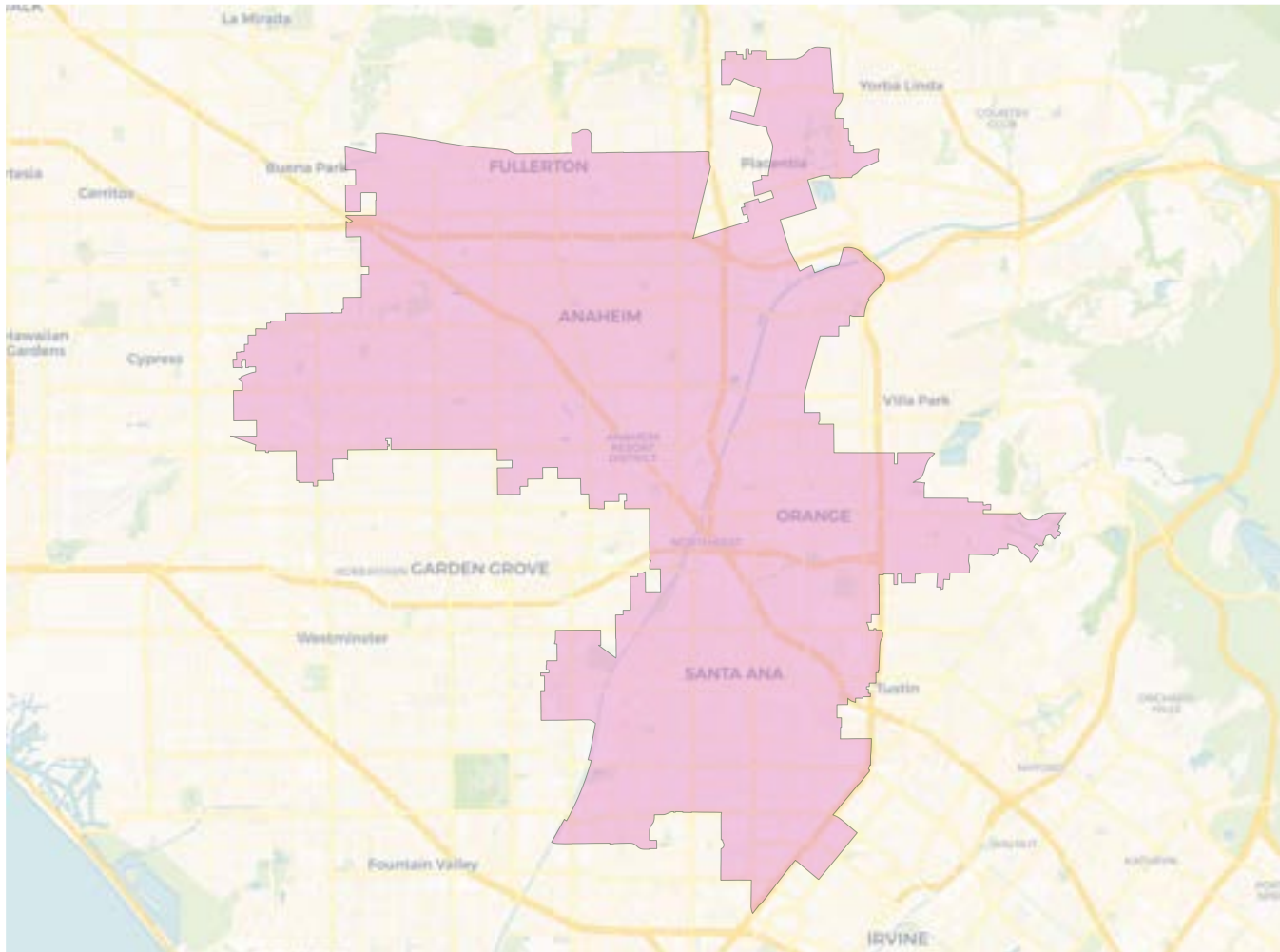
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	180,920	23.8%	263,412	34.7%	297,463	39.1%	18,271	2.4%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
492,914	137,833	28.0%	139,346	28.3%	201,275	40.8%	14,460	2.9%		



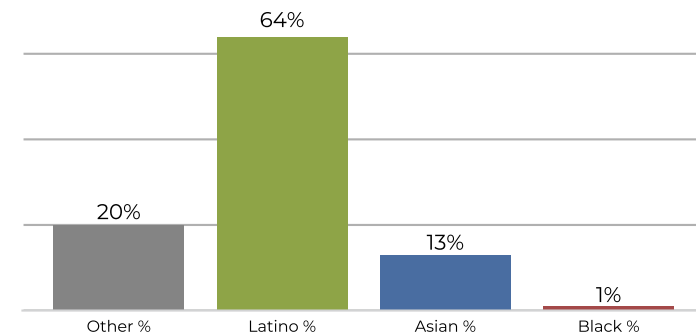
California Congress

AB 604

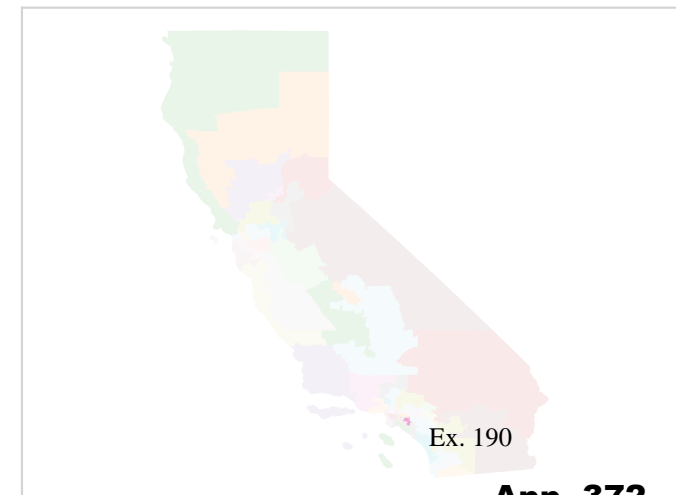
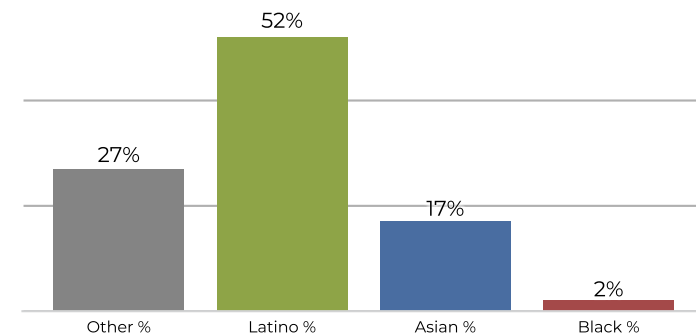
District 46



2020 Census



Citizen Voting Age Population



Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	155,233	20.4%	486,278	64.0%	104,743	13.8%	13,812	1.8%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
446,787	120,859	27.1%	235,309	52.7%	79,274	17.7%	11,345	2.5%		



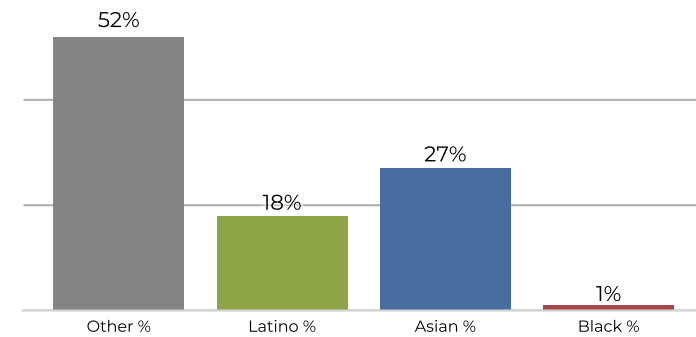
California Congress

AB 604

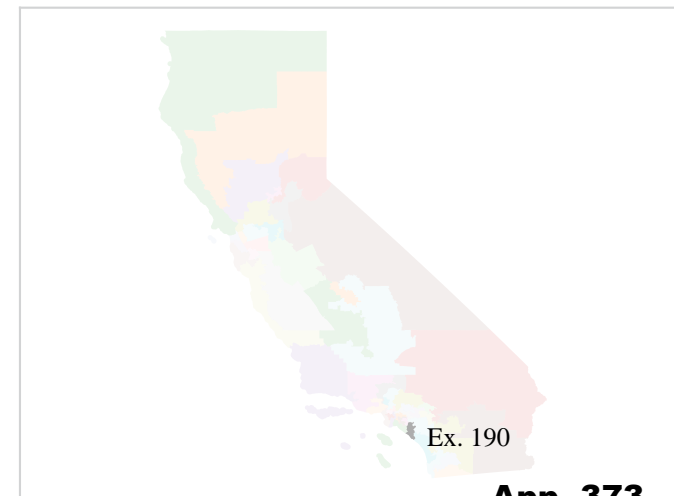
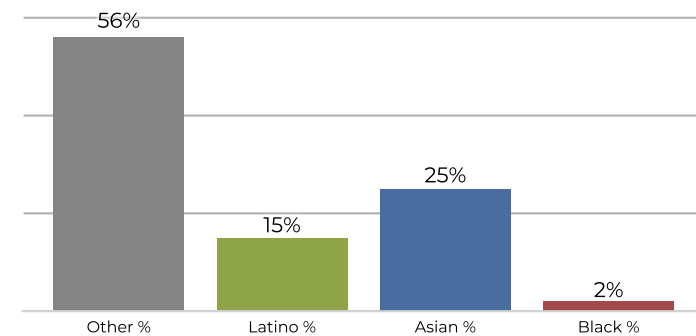
District 47



2020 Census



Citizen Voting Age Population



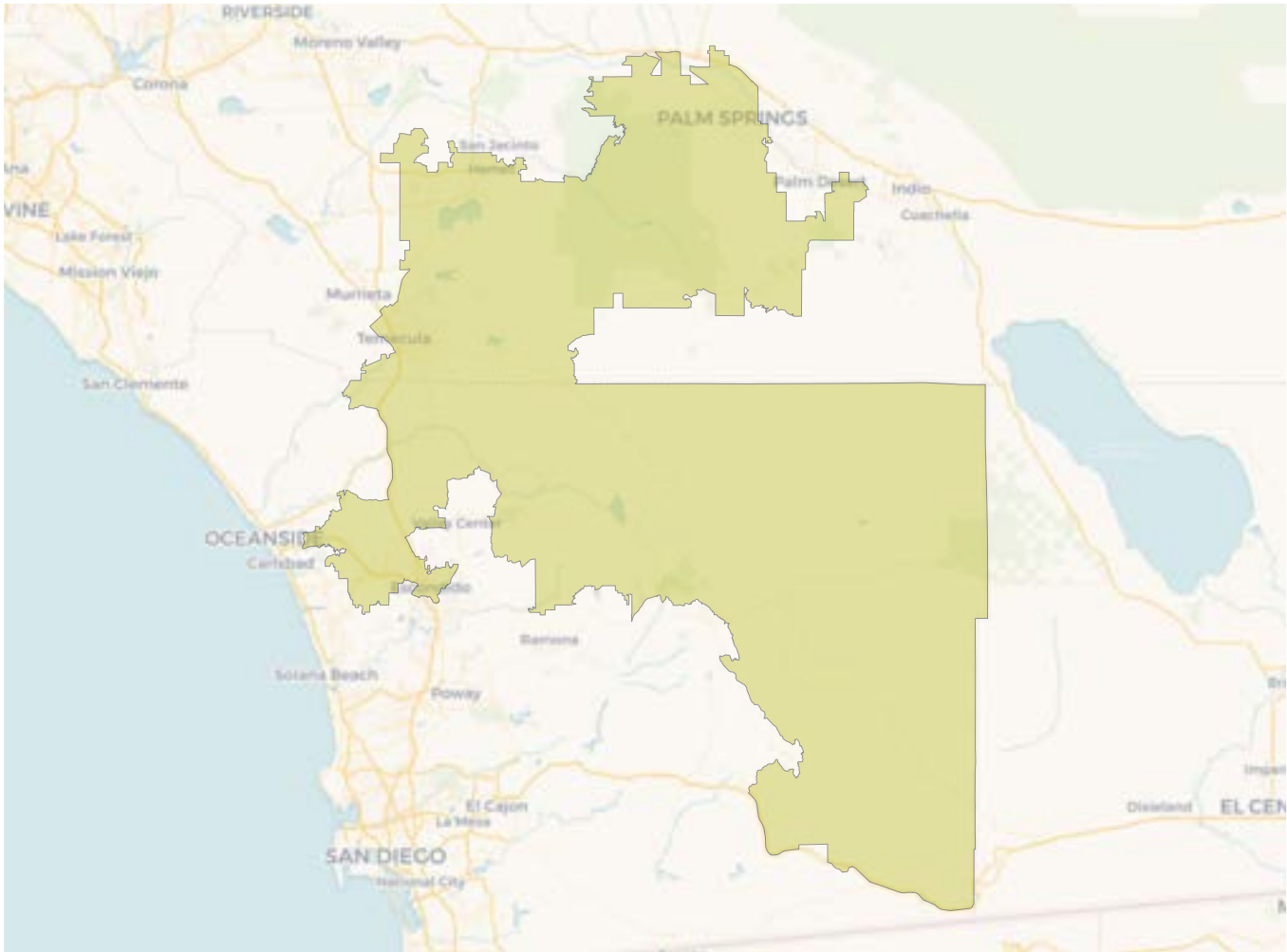
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,065	-1	-0.0%	399,795	52.6%	137,878	18.1%	209,399	27.6%	12,993	1.7%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
514,402	292,459	56.9%	78,502	15.3%	130,254	25.3%	13,187	2.6%		



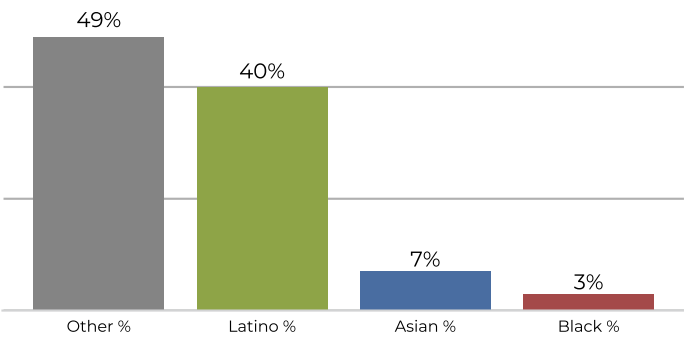
California Congress

AB 604

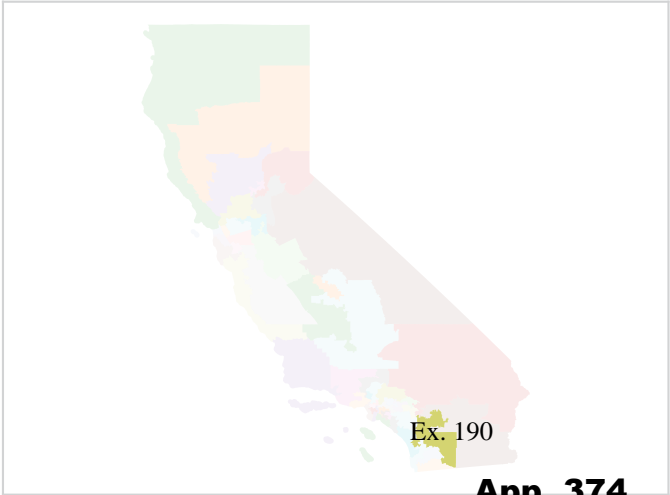
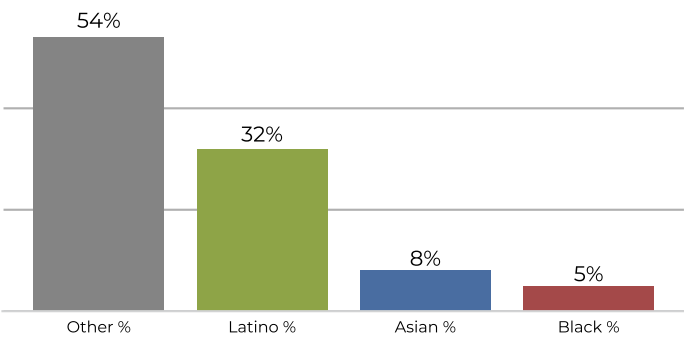
District 48



2020 Census



Citizen Voting Age Population



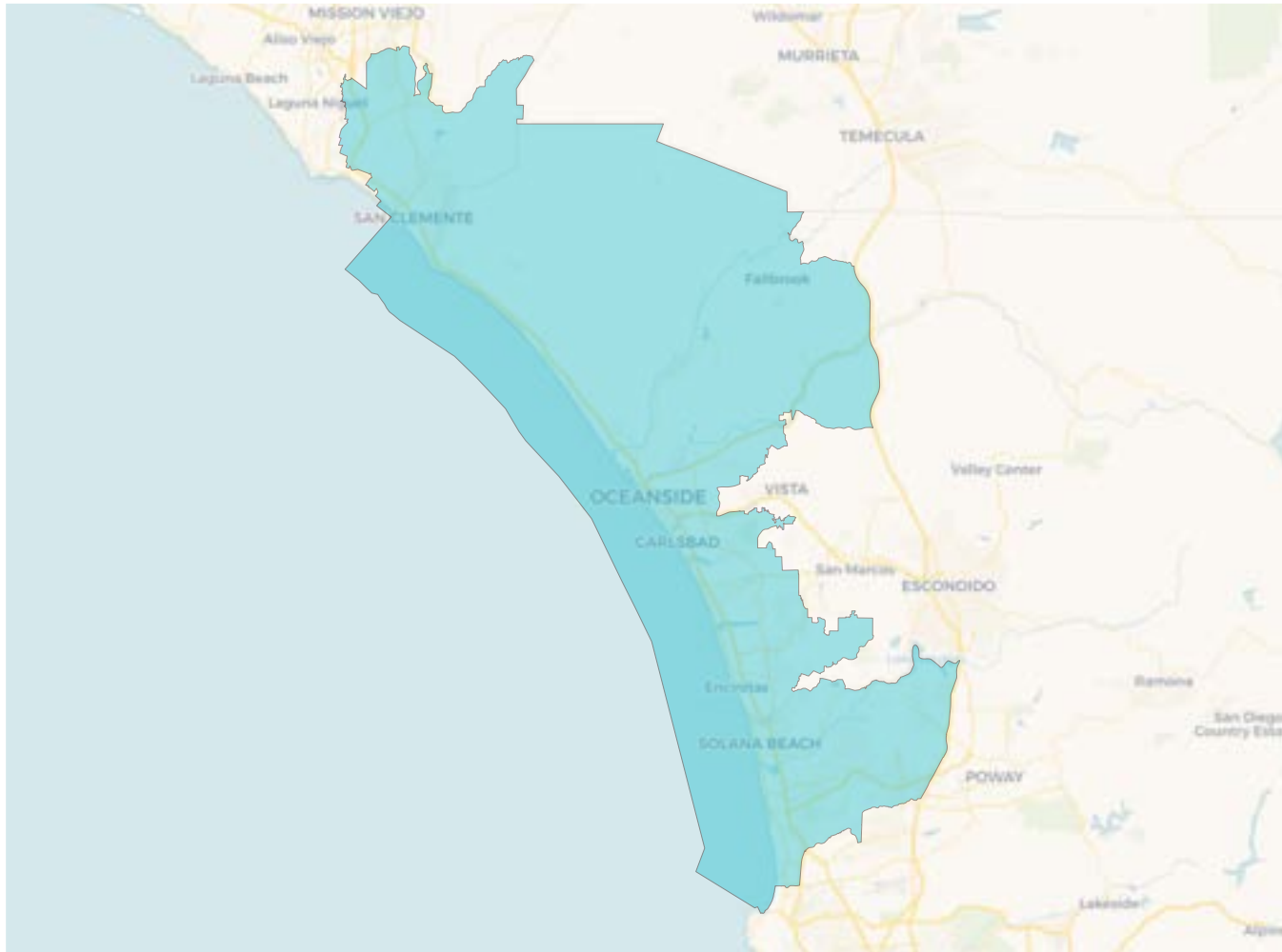
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	372,920	49.1%	304,909	40.1%	52,867	7.0%	29,370	3.9%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
518,620	281,580	54.3%	166,118	32.0%	43,349	8.4%	27,573	5.3%		



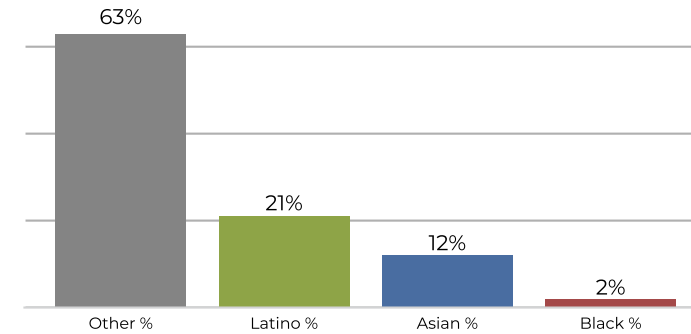
California Congress

AB 604

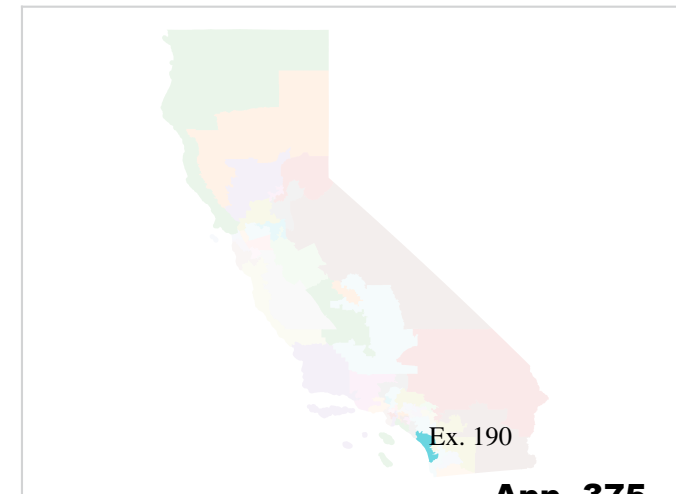
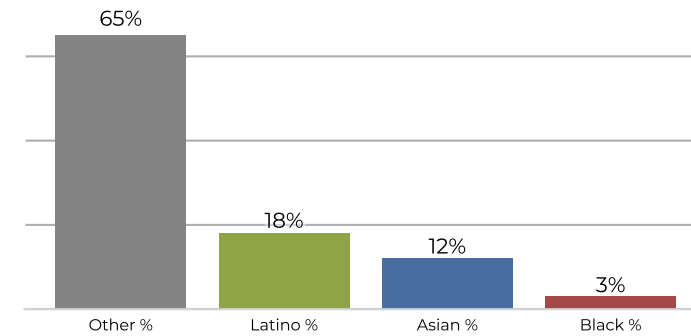
District 49



2020 Census



Citizen Voting Age Population



Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	485,717	63.9%	164,145	21.6%	94,807	12.5%	15,398	2.0%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
525,988	345,015	65.6%	96,790	18.4%	67,875	12.9%	16,308	3.1%		



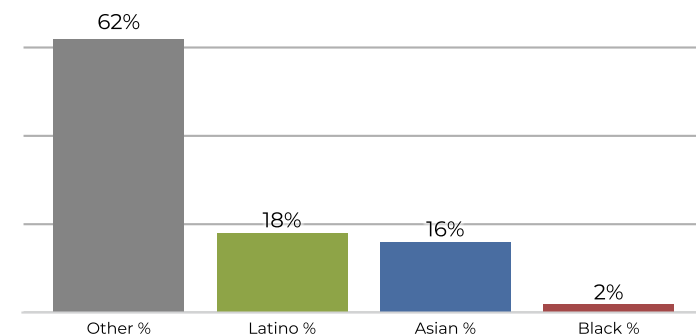
California Congress

AB 604

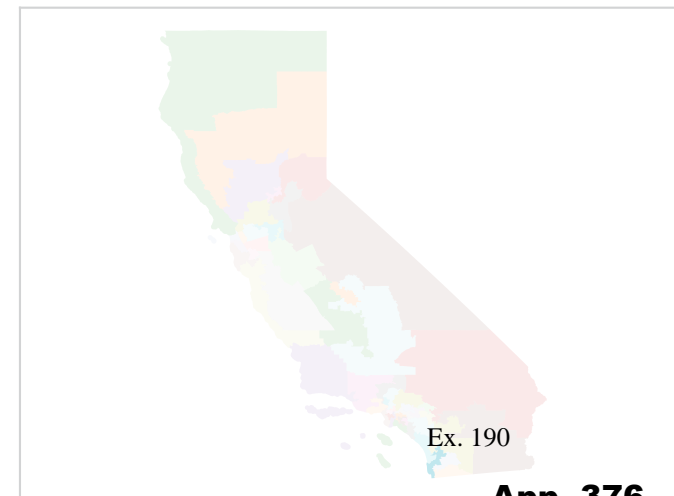
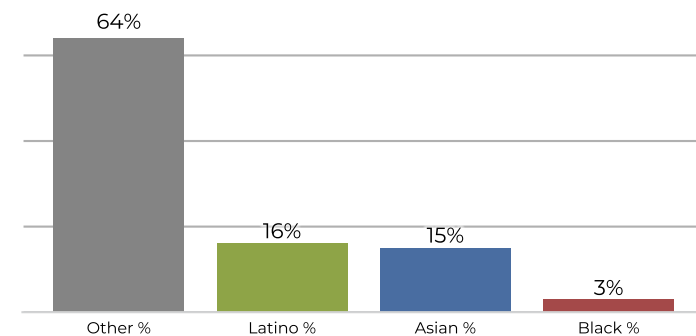
District 50



2020 Census



Citizen Voting Age Population



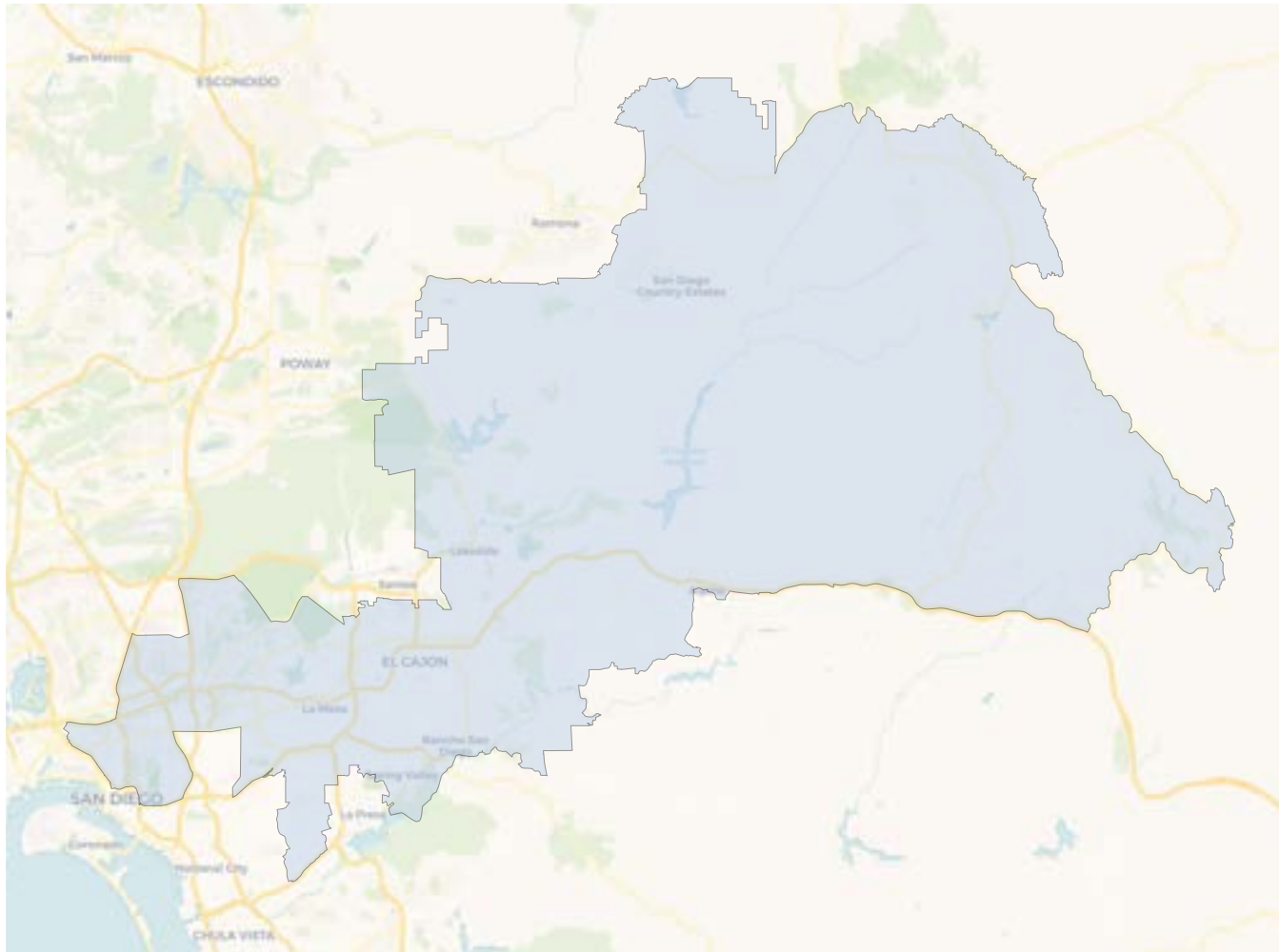
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	472,232	62.1%	140,896	18.5%	125,897	16.6%	21,041	2.8%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
560,570	360,404	64.3%	90,355	16.1%	88,402	15.8%	21,409	3.8%		



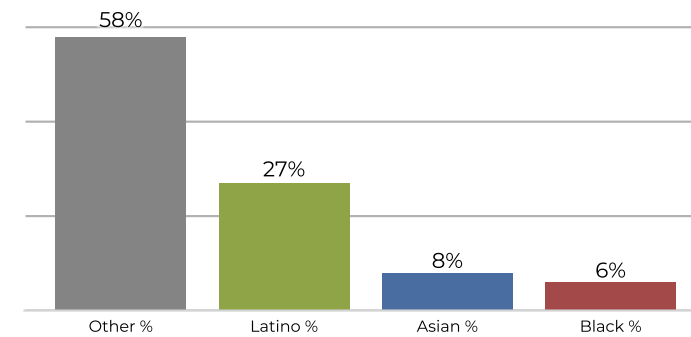
California Congress

AB 604

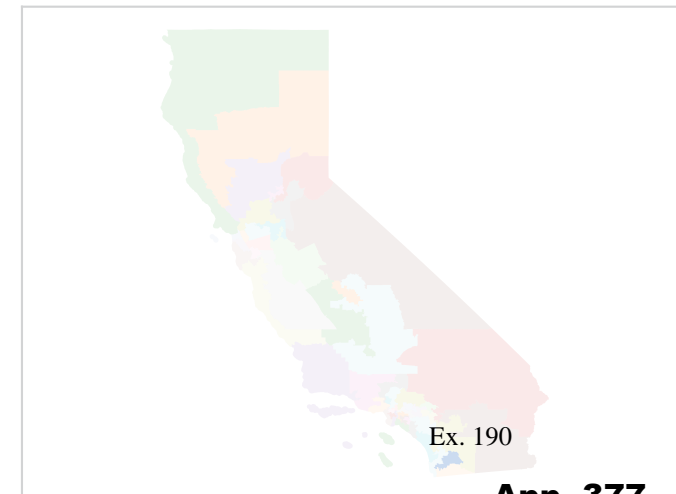
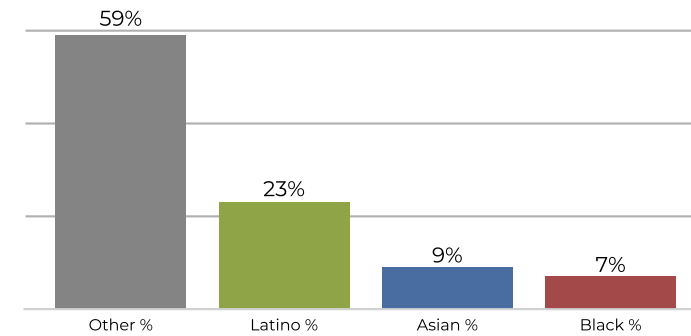
District 51



2020 Census



Citizen Voting Age Population



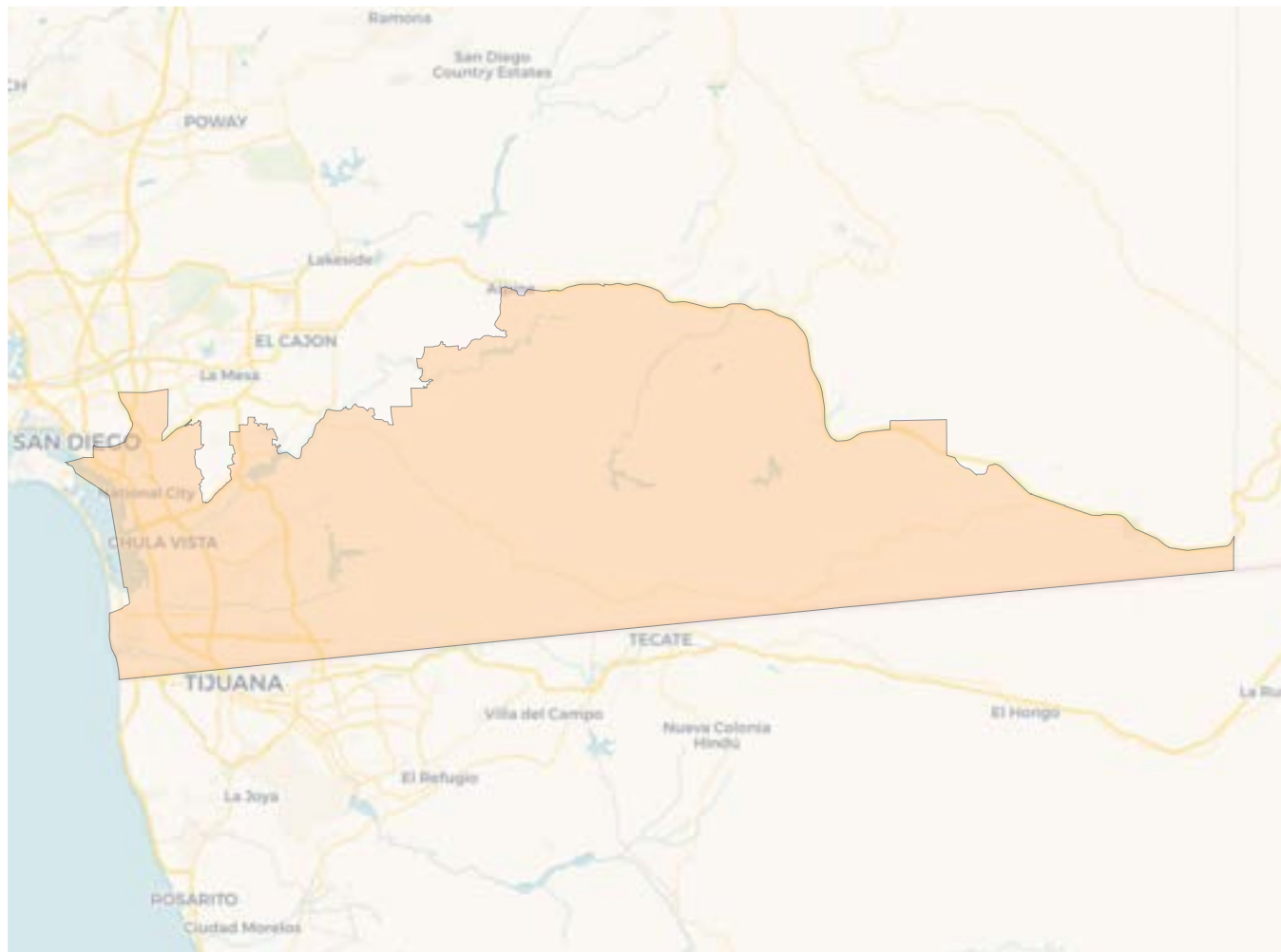
Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,067	1	0.0%	441,328	58.1%	205,434	27.0%	62,598	8.2%	50,707	6.7%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
573,012	342,684	59.8%	132,681	23.2%	53,569	9.3%	44,078	7.7%		



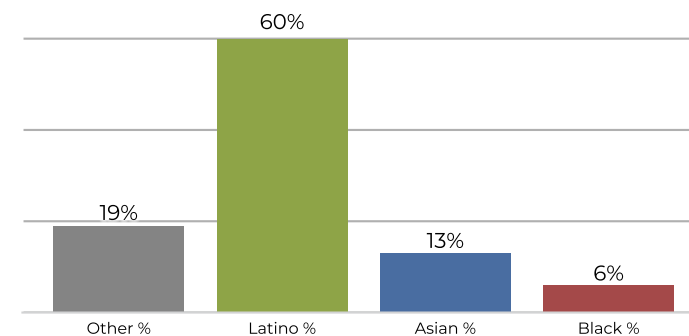
California Congress

AB 604

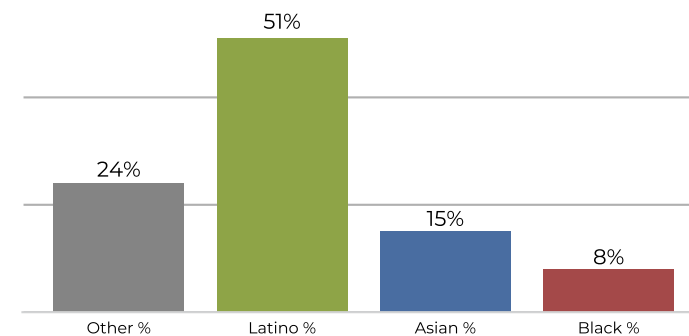
District 52



2020 Census



Citizen Voting Age Population



Population	Deviation	Deviation %	Other	Other %	Latino	Latino %	Asian	Asian %	Black	Black %
760,066	0	0.0%	151,060	19.9%	459,616	60.5%	98,430	13.0%	50,960	6.7%
Total CVAP	Other CVAP	Other CVAP %	Latino CVAP	Latino CVAP %	Asian CVAP	Asian CVAP %	Black CVAP	Black CVAP %		
490,770	119,463	24.3%	254,254	51.8%	73,711	15.0%	43,342	8.8%		

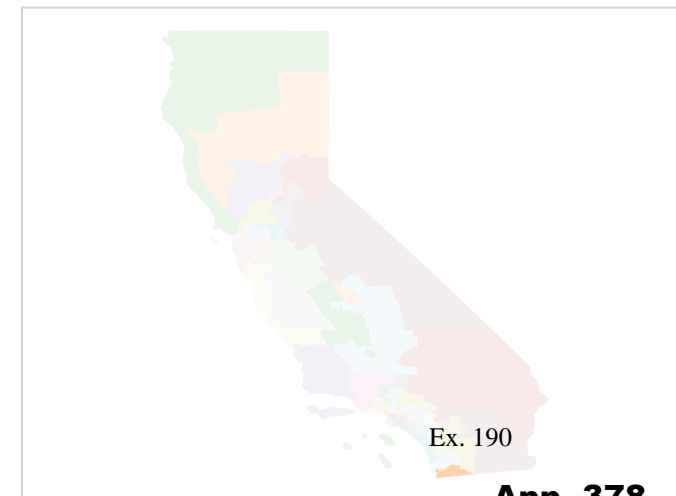


EXHIBIT 31

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

DAVID TANGIPA, *et al.*,

Plaintiffs,

and

UNITED STATES OF AMERICA,

Plaintiff-Intervenor,

v.

**GAVIN NEWSOM, in his official
capacity as the Governor of California,
et al.,**

Defendants,

**DEMOCRATIC CONGRESSIONAL
CAMPAIGN COMMITTEE, *et al.*,**

Defendant-Intervenors.

2:25-cv-10616-JLS-WLH-KKL
Three-Judge Court

**EXPERT REPORT OF DR.
JONATHAN RODDEN IN
SUPPORT OF DCCC'S
RESPONSE IN OPPOSITION TO
PLAINTIFFS' AND THE
UNITED STATES'S MOTIONS
FOR A PRELIMINARY
INJUNCTION**

I have expertise in the use of large data sets and geographic information systems (GIS) and conduct research and teaching on applied statistics related to elections. I frequently work with geo-coded voter files and other large administrative data sets, including in recent papers published in the *Annals of Internal Medicine* and *The New England Journal of Medicine*. I have developed a national data set of geo-coded precinct-level election results that has been used extensively in policy-oriented research related to redistricting and representation.

I have been accepted and testified as an expert witness in over a dozen election law and redistricting cases, all of which are listed in my CV. Much of the testimony in these cases had to do with geography, electoral districts, voting, ballots, and election administration.

III. MATERIALS CONSULTED

I obtained district boundaries for congressional districts promulgated in 2021 and used in the 2022 and 2024 elections (henceforth the “2021 Map”) from the California Citizens Redistricting Commission, and the boundaries of AB 604 from the California State Legislature. I obtained geographic boundary files and demographic data at the level of census blocks and block groups from the 2020 decennial census via the National Historical GIS (nhgis.org). I obtained block-level estimates of the citizen voting-age population (CVAP) and results of the 2020 presidential election imputed to the level of census blocks from the Redistricting Data Hub. I obtained boundaries of precincts as well as past congressional districts from the California Statewide Database. Following Dr. Trende’s approach, I also consulted demographic data and election results from 2016 to 2024 imputed to census blocks and block groups that have been assembled and distributed as part of a collaborative data-sharing endeavor among the redistricting community spearheaded by the computer scientist David Bradlee. These data and all relevant documentation are available at https://github.com/dra2020/block_data.

IV. THE RECONFIGURATION OF DISTRICT 13

Dr. Trende’s report focuses primarily on a visual inspection and interpretation of maps of three very small portions of District 13 of AB 604. One of those areas, around the city of Madera, he characterizes as an example of partisan predominance in district-drawing. He characterizes the other two areas—one around Modesto and the other around Stockton—as examples of racial predominance.¹ However, he provides no images, data, or other information about the rest of the district, or about the earlier version of the district in the 2021 Map. In Figure 1, I provide a map of

¹ The United States Census Department considers “Hispanic” to be an ethnic identity rather than a race. In census surveys, Hispanic identity is elicited through a question that is completely distinct from questions about race. Since Dr. Trende provides no information or data about race in his report and discusses the distinction between Hispanic and non-Hispanic voters, I will assume means “ethnic” predominance. I will use this term throughout the report.

the boundaries of District 13 in both the 2021 Map and AB 604, with green boxes that indicate the extent of the areas examined in Dr. Trende’s report.

Figure 1: District 13 in the 2021 Map and AB 604

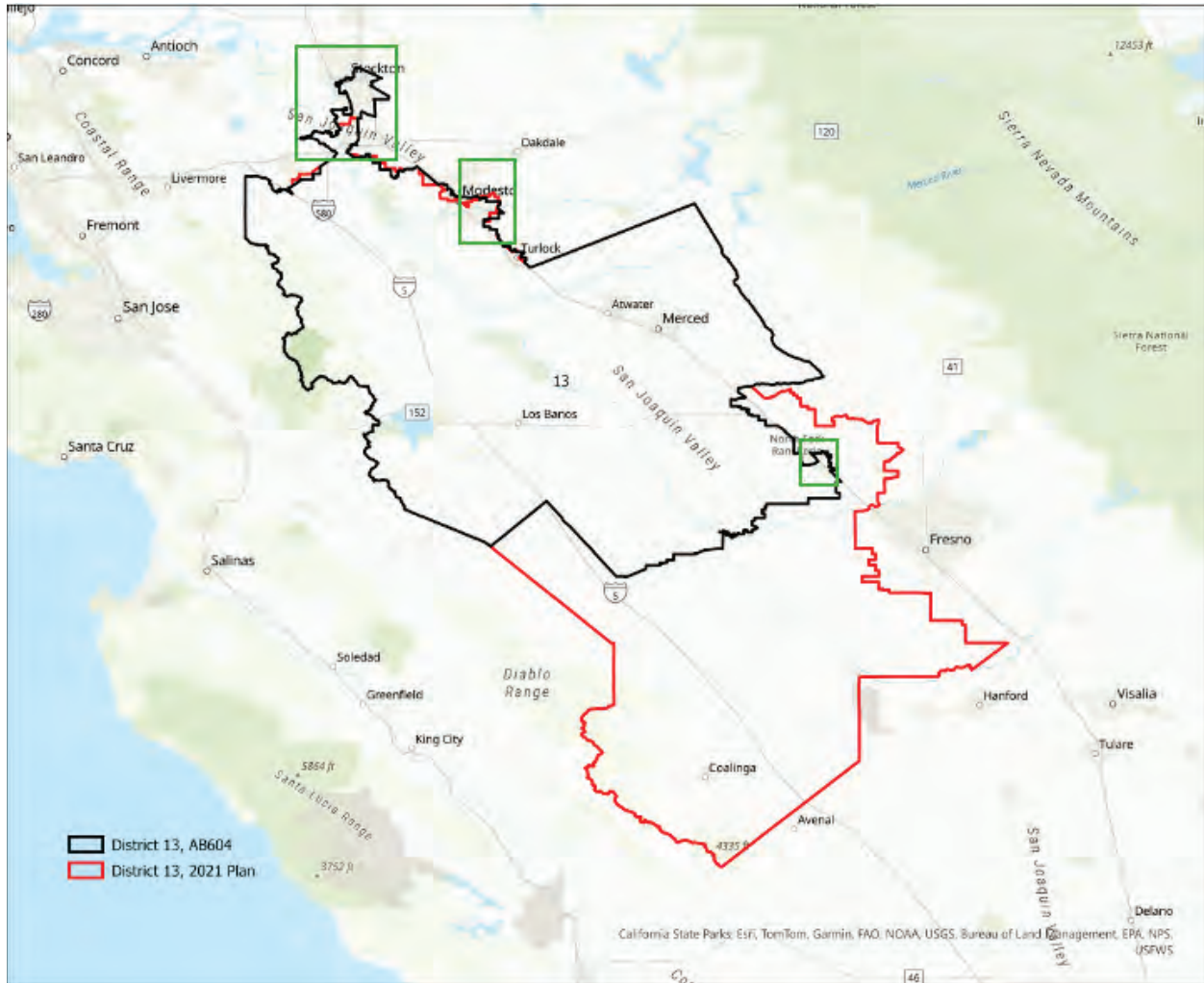


Figure 1 shows that the entire southern portion of District 13 in Fresno County was removed. This made the district less elongated and hence more compact according to the “Reock” measure of district compactness often used in court cases.² This removed an area of 5,928 square kilometers that contains 76,772 people. The removed territory is a rather rural part of the Central Valley, with a population density of only around 13 people per square kilometer. In the part of San Joaquin County that was added to District 13—the area around Stockton on which Dr. Trende focuses—only 100 square kilometers were added, but this small area contains 100,133 people, with a

² The Reock compactness score is computed by dividing the area of the district by the area of the smallest circle that would completely enclose it.

population density of 1,001 people per square kilometer. In other words, the reconfiguration of District 13 removed rural areas and added urban areas.

The rural area that was removed from District 13 in Fresno County has a Hispanic voting-age population share of 72 percent, and a Hispanic citizen voting-age share of 60 percent. Dr. Trende does not address the southern part of District 13 at all.

The census blocks *added* to District 13 in San Joaquin County, in and around Stockton, have a Hispanic voting-age population share of 68 percent, and a Hispanic citizen voting-age population share of 62 percent. In other words, both the rural area in Fresno County that was removed from District 13, as well as the urban area around Stockton that was added, were heavily Hispanic.

However, their partisanship was completely different. Based on an average comprised of data from several statewide elections between 2016 and 2024,³ the rural areas in Fresno County that were removed from District 13 have an average Democratic share of the two-party vote of 45.9 percent, whereas the urban areas added to District 13 around Stockton have a Democratic vote share of around 71.4 percent: a difference of 25.5 percentage points.⁴

This simple comparison of the trade of rural Fresno County areas for urban San Joaquin County areas reveals that the redesign of District 13 had an overwhelmingly political rather than ethnic logic. Figure 2 demonstrates that the California Central Valley has something in common with the rest of the United States: a very high correlation between population density and voting. I have taken all the census blocks in the counties that contain District 13—San Joaquin, Stanislaus, Merced, Madera, and Fresno—and placed them into deciles of population density, which are displayed on the horizontal axis. For each decile, I calculate the average Democratic vote share, which is displayed on the vertical axis. Figure 2 demonstrates that there is a very strong relationship between population density and Democratic voting. The bottom three density deciles lean Republican, and there is a large jump in Democratic voting when one goes from the third to the fourth decile.

³ The 2016 and 2020 presidential elections, the 2018 gubernatorial and attorney general elections, as well the 2022 general elections for Treasurer, Secretary of State, Lieutenant Governor, Attorney General, Governor, and U.S. Senator, and the 2024 U.S. Senate and presidential election.

⁴ Because the political behavior of this area has been shifting over time, it is also useful to examine only the most recent general elections from 2022 and 2024. With this indicator, the Democratic vote share in the areas moved out of the Southern part of the district was 42.8 percent, and the Democratic vote share in the urban areas moved in was 67.5 percent—a difference of around 25 percentage points.

The approaches of Demonstration Maps B and C in the Stockton area were very similar to one another. In addition to removing Garden Acres and August, they dropped a larger chunk of Stockton, which also has a relatively high Hispanic voting-age population. Both maps introduce a new city split of Tracy, the home of District 9 representative Josh Harder, which is entirely in District 9 in AB 604, adding a section of it to District 13. Like Weston Ranch, Tracy is a heterogeneous area, with a Hispanic population of around 39 percent and a relatively large Asian population.

Tracy is also quite Democratic in its voting behavior, but not quite as much so as the parts of Stockton that Dr. Trende removed in configuring Demonstration Maps B and C. To achieve his attempted reductions in the size of the Hispanic population, Dr. Trende was forced to reduce the district's Democratic vote share (from 54.41 percent to 53.87 percent).¹³ Moreover, like Demonstration Map A, Demonstration Map B keeps most of the Modesto-area boundary that Dr. Trende characterized as racially motivated.

Relative to AB 604, Demonstration Map A reduced the Hispanic voting-age population by 1.6 percentage points. Demonstration Map B reduced the Hispanic voting-age population by 4.5 percentage points by trading parts of the Stockton area for a slice of Tracy. Demonstration Map C makes further changes in the Modesto area that bring the Hispanic voting-age population lower than AB 604 by 5.4 percentage points. However, this is achieved by splitting the city of Ceres, which had been kept whole in AB 604 in District 13. As can be seen in Figure 14, Demonstration Map C moves a part of Ceres with a relatively large Hispanic population out of District 13, and in the city of Modesto, more heterogeneous areas were moved into District 13 to make up for the loss, with a net effect of reducing the overall district Hispanic population share. As with Demonstration Map B, these moves also made the district slightly less Democratic. Using the partisan index introduced above, the Democratic vote share in District 13 in AB 604 is 54.41 percent, whereas it is 53.76 percent in Demonstration Map C.¹⁴

In sum, Dr. Trende's efforts to make small changes around the district boundary aimed at removing Hispanic voters from District 13 appear to reveal a trade-off. As border-adjacent Hispanic voters are removed from the district, its Democratic vote share decreases. This trade-off can be visualized in Figure 15, which plots the change in Hispanic voting-age population share vis-à-vis AB 604 on the horizontal axis (-1.6 percentage points for Map A, -4.5 for Map B, and -5.4 for Map C), and the change in Democratic vote share vis-à-vis AB 604 on the vertical axis (-.06 percentage points for Map A, -.54 for Map B, and -.64 for Map C). Small decreases in the Hispanic voting-age population share of District 13 in Dr. Trende's demonstration maps correspond to small decreases in the Democratic vote share.

¹³ Using only the most recent elections, District 13 in Demonstration Map B has a Democratic vote share of 51.16 percent, compared with 51.30 percent for AB 604.

¹⁴ Using only the most recent general elections, the Democratic vote share in District 13 in AB 604 is 51.30 percent, whereas in Demonstration Map C it is 51.17 percent.

Exhibit 434



In the Matter Of:

DAVID TANGIPA

vs

GAVIN NEWSOM

PAUL H. MITCHELL

December 10, 2025

CERTIFIED COPY

Tangipa v. Newsom

DX434

2:25-cv-10616-JLSWLH-KKL

App. 300

DX434-0001

DAVID TANGIPA vs GAVIN NEWSOM
Paul H. Mitchell on 12/10/2025

UNITED STATES DISTRICT COURT
FOR THE
CENTRAL DISTRICT OF CALIFORNIA

--o0o--

DAVID TANGIPA, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	No.
)	2:25-cv-10616-JLS-WLH-
GAVIN NEWSOM, in his)	KKL
official capacity as the)	
Governor of California,)	
et al.,)	
)	
Defendants.)	
)	

CERTIFIED COPY

--o0o--

Videoconferencing Videotaped Deposition of

PAUL H. MITCHELL

Wednesday, December 10, 2025

--o0o--

ARRAY - JOB NO. 103797

Certified Shorthand Reporters

Reported by: LINDA J. HART, CSR License 4357, RMR/CRR

DAVID TANGIPA vs GAVIN NEWSOM
Paul H. Mitchell on 12/10/2025

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Page 3		Page 5	
1	For the DEMOCRATIC CONGRESSIONAL CAMPAIGN COMMITTEE:	1	I N D E X
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5	lmadduri@elias.law	6	--oOo--
	Cdodge@elias.law	7	E X H I B I T S
6		8	Plaintiff's Description
7	- and -		Exhibit No.
8	QURESHI LAW	9	
	By: OMAR QURESHI, Esq. (VIA ZOOM)	10	Exhibit 1 Federal subpoena, dated
9	700 S. Flower Street, Suite 1000		11/26/2025.
	Los Angeles, California 90017-4112	11	Exhibit 2 Proof of Service of Federal
10	213.600.6096		subpoena.
	Omar@qureshi.law	12	Exhibit 3 Federal Subpoena dated
11			12/03/2025.
12		13	Exhibit 4 DCCC Responses to Plaintiff's
	For the LEAGUE OF UNITED LATIN AMERICAN CITIZENS:		First Set of Interrogatories.
13	DEMOCRACY DEFENDERS	14	
	By: SOFIA FERNANDEZ-GOLD, Esq. (VIA ZOOM)	15	Exhibit 5 Political Consulting Agreement,
14	And JACOB KOVACS-GOODMAN, Esq. (VIA ZOOM)		dated 7/15/2025.
	Sofia@democracydefenders.org	16	Exhibit 6 DCCC letter from Julie Merz,
15	Jacob@democracydefenders.org		e-mail chain.
16		17	
17		18	Exhibit 7 E-mail chain.
18	For the Witness PAUL H. MITCHELL:	19	
	HANSEN BRIDGETT, LLP	20	Exhibit 8 Capitol Weekly Podcast, August
19	By: KIMON MANOLIUS, Esq.		15, 2025.
	And JAKE ZARONE, Esq.	21	Exhibit 9 Hispanas Organized for Political
20	425 Market Street, Floor 26		Equality, Presentation,
	San Francisco, California 94105-5841	22	10/17/2025.
21	415.995.5841	23	Exhibit 10 Letter from HOPE to Citizens
	Kmanolius@hansenbridgett.com		Redistricting Commission, dated
22	Jzarone@hansenbridgett.com	24	11/24/21.
23		25	
24			
25			

DAVID TANGIPA vs GAVIN NEWSOM
Paul H. Mitchell on 12/10/2025

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DAVID TANGIPA vs GAVIN NEWSOM
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<p style="text-align: right;">Page 11</p> <p>1 BE IT REMEMBERED, that on Wednesday, the 10th</p> <p>2 day of December, 2025, commencing at the hour of 10:08</p> <p>3 a.m. thereof, at Hansen Bridgett, LLP, 500 Capitol Mall,</p> <p>4 Suite 1500, Sacramento, California, before me, Linda J.</p> <p>5 Hart, a Certified Shorthand Reporter, in and for the</p> <p>6 County of Sacramento, State of California, there</p> <p>7 personally appeared</p> <p>8 PAUL H. MITCHELL,</p> <p>9 called, as a witness, by the Plaintiffs, who, being by</p> <p>10 me first duly sworn, was thereupon examined and</p> <p>11 interrogated as hereinafter set forth:</p> <p>12 THE VIDEOGRAPHER: Good morning. Here begins</p> <p>13 media number one of the deposition of Paul Mitchell,</p> <p>14 Volume 1 in the matter of David Tangpia, et al. versus</p> <p>15 Gavin Newsom, et al., versus -- scratch verse.</p> <p>16 This case is in the United States District</p> <p>17 Court for the Central District of California and the</p> <p>18 case number is 2:25-cv-10616-JLS-WLH-KKL.</p> <p>19 Today's date is December 10th, 2025 and the</p> <p>20 time is 10:08 a.m.</p> <p>21 This deposition is taking place at Hansen</p> <p>22 Bridgett, LLP, 500 Capitol Mall, Suite 1500, Sacramento,</p> <p>23 California. The videographer is Nicholas Coulter</p> <p>24 appearing on behalf of Array Legal Services.</p> <p>25 Would counsel please identify yourselves and</p>	<p style="text-align: right;">Page 13</p> <p>1 MR. COLOMBO: Michael Colombo on behalf of</p> <p>2 plaintiffs.</p> <p>3 THE WITNESS: They keep popping out, there's</p> <p>4 more and more.</p> <p>5 MR. AULISI: Dominic Aulisi on behalf of the</p> <p>6 plaintiffs.</p> <p>7 THE VIDEOGRAPHER: Would the reporter please</p> <p>8 swear in the witness?</p> <p>9 THE REPORTER: Good day. My name is Linda</p> <p>10 Hart, Certified Shorthand Reporter No. 4357, from L.J.</p> <p>11 Hart & Associates.</p> <p>12 Can I ask you to raise your right hand,</p> <p>13 please?</p> <p>14 Do you solemnly swear to tell the truth, the</p> <p>15 whole truth, and nothing but the truth in this matter</p> <p>16 now pending?</p> <p>17 THE WITNESS: Yes.</p> <p>18 THE REPORTER: Go ahead.</p> <p>19 MS. HAMILL: Thank you.</p> <p>20 EXAMINATION</p> <p>21 By: JULIE HAMILL, Attorney at Law, counsel on behalf of</p> <p>22 the Plaintiffs:</p> <p>23 MR. MANOLIUS: Do you want them up on the</p> <p>24 screen or --</p> <p>25 MR. MEUSER: If we could, less delaying right</p>

DAVID TANGIPA vs GAVIN NEWSOM
Paul H. Mitchell on 12/10/2025

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<p>1 now.</p> <p>2 MS. HAMILL: Is it okay to proceed while we're</p> <p>3 working that out.</p> <p>4 MR. MANOLIUS: Yeah, of course. I had sent</p> <p>5 you the number I think --</p> <p>6 MS. HAMILL: Judge.</p> <p>7 MR. MEUSER: Well, I sent you the Zoom that</p> <p>8 they are working off of.</p> <p>9 MR. MANOLIUS: Okay.</p> <p>10 MR. MEUSER: So what you have got there is</p> <p>11 your Zoom and what they, you know, what he's working off</p> <p>12 is the official Zoom so --</p> <p>13 MR. MANOLIUS: Do you have the other Zoom</p> <p>14 number?</p> <p>15 THE WITNESS: Looks like she's doing</p> <p>16 something.</p> <p>17 MS. HAMILL: If it's okay I'd like to begin.</p> <p>18 A Go for it.</p> <p>19 Q Okay. Thank you for being here today?</p> <p>20 A Of course.</p> <p>21 Q You're obviously very popular, Mr. Mitchell?</p> <p>22 A I can't confirm or deny that.</p> <p>23 Q Have you had your deposition take taken</p> <p>24 before?</p> <p>25 A Once.</p>	<p>1 refresher?</p> <p>2 A Please.</p> <p>3 Q I'm sure your counsel explained to you how</p> <p>4 this is going to go, we're not in a courtroom but you're</p> <p>5 under oath so everything you say here is under penalty</p> <p>6 of perjury. We're going to try to talk slow or speak</p> <p>7 slowly so that the court reporter can get down</p> <p>8 everything that is said.</p> <p>9 (Zoom interruption.)</p> <p>10 Let's try not to talk over each other and then</p> <p>11 when you answer my questions, please use words like</p> <p>12 "yes" or "no" instead of sounds like uh-huh, huh-uh, or</p> <p>13 a nod or a shake of the head.</p> <p>14 Does that make sense?</p> <p>15 A Yes.</p> <p>16 Q Perfect. Okay. I'm going to ask you</p> <p>17 questions. Your attorney is going to object. I also</p> <p>18 understand that your attorney intends to instruct you</p> <p>19 not to answer on the grounds of privilege for certain</p> <p>20 questions unless your attorney instructs you not to</p> <p>21 answer, you must answer my questions.</p> <p>22 A (Witness nodding head.)</p> <p>23 Q Okay. Is there any reason why you can't give</p> <p>24 your best testimony today?</p> <p>25 A No. I do have a little bit of a cold but that</p>
Page 15	Page 17
<p>1 Q When was that?</p> <p>2 A I can't -- I don't know the exact year.</p> <p>3 Q 10, 20 years ago?</p> <p>4 MR. MANOLIUS: If you know.</p> <p>5 A Ten-ish.</p> <p>6 MS. HAMILL: Okay. And what was the case</p> <p>7 about?</p> <p>8 A The case was about a CVRA case in Santa</p> <p>9 Clarita somewhere.</p> <p>10 Q Do you remember the case name?</p> <p>11 A No.</p> <p>12 Q Santa Clarita California Voting Rights Act</p> <p>13 case?</p> <p>14 A Yeah, it was maybe a community college</p> <p>15 district or something like that.</p> <p>16 Q Were you an expert witness?</p> <p>17 A No, why you.</p> <p>18 Q Were you a percipient witness?</p> <p>19 A I don't know the terminology.</p> <p>20 Q Did you draw maps in that case?</p> <p>21 A I did an analysis jurisdiction.</p> <p>22 Q Okay. Who did you do the analysis for?</p> <p>23 A I don't recall the exact client.</p> <p>24 Q So you had your deposition taken before</p> <p>25 probably a long time ago, you probably need a little</p>	<p>1 shouldn't impair me, I have some cough drops.</p> <p>2 Q Are you taking any medication that would</p> <p>3 impede your ability to recall events?</p> <p>4 A No.</p> <p>5 Q And as the map drawer in this case, I suspect</p> <p>6 the Judicial Panel is going to have questions for you</p> <p>7 next week at the preliminary injunction hearing.</p> <p>8 Are you willing to come down to Los Angeles</p> <p>9 next week to testify at the preliminary injunction</p> <p>10 hearing in this case?</p> <p>11 A I haven't made a decision.</p> <p>12 MR. MANOLIUS: Yeah, objection. He's not under</p> <p>13 subpoena, so he doesn't need to answer that now for that</p> <p>14 proceeding.</p> <p>15 MR. WOODS: I'd also object that it calls for</p> <p>16 a legal conclusion.</p> <p>17 MS. HAMILL Q: I was just asking if you would</p> <p>18 be willing to come down to testify during the</p> <p>19 preliminary injunction hearing next week in this case?</p> <p>20 MR. MANOLIUS: Same objections. All of them.</p> <p>21 MR. WOODS: Same.</p> <p>22 THE WITNESS: (Shrugging shoulders.)</p> <p>23 MS. HAMILL: Is that a yes or a no?</p> <p>24 A I am not willing to commit to anything.</p> <p>25 Q Unwilling to commit to anything?</p>

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<p style="text-align: right;">Page 18</p> <p>1 A Thank you.</p> <p>2 Q And are you available next Monday?</p> <p>3 MR. MANOLIUS: Objection, vague. For what?</p> <p>4 THE WITNESS: I don't know.</p> <p>5 MS. HAMILL Q: Do you have any travel or work</p> <p>6 obligations scheduled for next Monday?</p> <p>7 A I don't know.</p> <p>8 MR. MANOLIUS: Objection. Relevance.</p> <p>9 MS. HAMILL: And would you be available for</p> <p>10 remote video testimony if not available to travel to Los</p> <p>11 Angeles next week?</p> <p>12 MR. MANOLIUS: Same objections.</p> <p>13 MR. WOODS: Join.</p> <p>14 MS. HAMILL: Yes or no?</p> <p>15 A I don't know.</p> <p>16 Q You don't know? And you live in Sacramento,</p> <p>17 which is more than 100 miles away from Los Angeles; is</p> <p>18 that correct?</p> <p>19 A Yes.</p> <p>20 Q When did you first learn about this case?</p> <p>21 MR. MANOLIUS: Objection. As to what?</p> <p>22 A Could you clarify?</p> <p>23 MS. HAMILL: Do you know why we're here today.</p> <p>24 A Yes. You mean the lawsuit. I first learned</p> <p>25 about the lawsuit when, I don't know, I don't know the</p>	<p style="text-align: right;">Page 20</p> <p>1 you understand what I'm referring to?</p> <p>2 A Yes.</p> <p>3 Q What is your understanding of that?</p> <p>4 A It is the map that was approved by voters on</p> <p>5 the ballot on the November election.</p> <p>6 Q Okay.</p> <p>7 (Whereupon Plaintiff's Exhibit 1</p> <p>8 was marked for identification.)</p> <p>9 MS. HAMILL: Okay. I am marking as Exhibit 1</p> <p>10 the subpoena to Paul Mitchell to testify at a deposition</p> <p>11 in a civil action. This was dated for a December 5th</p> <p>12 appearance and it was issued on November 26th. And all</p> <p>13 the counsel on the line received a copy of this via an</p> <p>14 e-mail. Have you seen this document before? Your</p> <p>15 counsel --</p> <p>16 A This looks like a document I received.</p> <p>17 Q And when did you receive it?</p> <p>18 A I don't recall the exact date I received it.</p> <p>19 It was on two different dates.</p> <p>20 Q You received a subpoena on two different</p> <p>21 dates?</p> <p>22 A Yes.</p> <p>23 Q When? Do you know what dates?</p> <p>24 A Maybe twice on Monday, two different servings.</p> <p>25 Q I am going to mark as Exhibit 2 the proof of</p>
<p style="text-align: right;">Page 19</p> <p>1 exact date, whenever it first popped up.</p> <p>2 Q Was it before you received your subpoena?</p> <p>3 A Yes.</p> <p>4 Q How long before your subpoena?</p> <p>5 A I don't recall.</p> <p>6 Q Did you learn about it the day that it was</p> <p>7 filed?</p> <p>8 MR. MANOLIUS: Objection, calls for</p> <p>9 speculation.</p> <p>10 A I don't have that information.</p> <p>11 Q So I don't want you to guess or speculate but</p> <p>12 I am entitled to your best estimate?</p> <p>13 A My best estimate is that I would have known</p> <p>14 when it was publicized in the news, but I wouldn't have</p> <p>15 had knowledge about it before then.</p> <p>16 Q So you've known about it since November?</p> <p>17 MR. MANOLIUS: Objection, calls for</p> <p>18 speculation. He's already said he doesn't know.</p> <p>19 A I don't recall the exact date. I wouldn't</p> <p>20 know. I mean, if that's when the case was -- you</p> <p>21 apparently know the date that it was filed so whenever</p> <p>22 the date it was filed or whenever it was publicized in</p> <p>23 the news, I'm up-to-date in the news so whenever it was</p> <p>24 filed in the news is when I would have known about it.</p> <p>25 Q And so when I say the phrase Prop 50 map do</p>	<p style="text-align: right;">Page 21</p> <p>1 service of subpoena.</p> <p>2 (Whereupon Plaintiff's Exhibit 2</p> <p>3 was marked for identification.)</p> <p>4 THE WITNESS: No, not 5-foot-7 inches. I</p> <p>5 object to being five foot seven inches in this</p> <p>6 declaration.</p> <p>7 MR. WOODS: Object to that.</p> <p>8 MS. HAMILL: And how tall --</p> <p>9 A 180 pounds. Mark, you can be bad.</p> <p>10 MR. MEUSER: I didn't do that. I didn't do</p> <p>11 that.</p> <p>12 MS. HAMILL Q: And how tall are you</p> <p>13 Mr. Mitchell?</p> <p>14 A 5'10".</p> <p>15 Q And do you live at 545 Wilhaggen Drive?</p> <p>16 A Yes.</p> <p>17 Q Have you seen this document before?</p> <p>18 A No.</p> <p>19 Q We'll mark as Exhibit 3 subpoena to testify at</p> <p>20 a deposition in a civil action, and this is with a date</p> <p>21 of December 10th, 2025, which is today's date.</p> <p>22 (Whereupon Plaintiff's Exhibit 3</p> <p>23 was marked for identification.)</p> <p>24 MR. WOODS: Sorry, counsel. Shouldn't he be</p> <p>25 referring to the exhibits that you're marking rather</p>

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<p style="text-align: right;">Page 22</p> <p>1 than the counsel copy?</p> <p>2 MS. HAMILL: Sure.</p> <p>3 MR. WOODS: That's just --</p> <p>4 MS. HAMILL: If that's how you want to play.</p> <p>5 Q Have you seen this document before,</p> <p>6 Mr. Mitchell?</p> <p>7 A Yes, I believe so.</p> <p>8 Q And is this the document that reflects the</p> <p>9 meeting location and the time of the deposition today?</p> <p>10 A Yes, it does look like that.</p> <p>11 Q Okay. And can you look down to the second</p> <p>12 check mark on this document is for production. Have you</p> <p>13 seen this before?</p> <p>14 MR. MANOLIUS: The check mark.</p> <p>15 MS. HAMILL Q: The section of the document</p> <p>16 that says "production" and the text that follows.</p> <p>17 A I've seen something that looks like this, yes.</p> <p>18 Q Okay. So it says your files, including</p> <p>19 without limitation all correspondence, memoranda,</p> <p>20 analysis, reports, tables, figures, charts, invoices,</p> <p>21 slide decks, talking points, electronic maps and data</p> <p>22 files and other documents relating to your conception</p> <p>23 drafting revision analysis or presentation of the</p> <p>24 California congressional map placed on the November 2025</p> <p>25 ballot as Proposition 50.</p>	<p style="text-align: right;">Page 24</p> <p>1 Q And Liz Stitt serves as chief administrative</p> <p>2 officer and senior line drawer with Redistricting</p> <p>3 Partners?</p> <p>4 A No.</p> <p>5 MR. MANOLIUS: Objection, vague as to time.</p> <p>6 You can answer.</p> <p>7 THE WITNESS: She is in England right now so</p> <p>8 she left our, she left as an employee in sometime in the</p> <p>9 summer. I don't know exactly when.</p> <p>10 MS. HAMILL: And she does contract work for</p> <p>11 you; correct?</p> <p>12 A No. Right now she's working in England so she</p> <p>13 doesn't have an employment contract with us of any kind.</p> <p>14 Q Have you worked with Miss Stitt at all on the</p> <p>15 Proposition 50 maps?</p> <p>16 MR. MANOLIUS: Objection, legislative</p> <p>17 privilege. You don't have to answer. Don't answer.</p> <p>18 MS. HAMILL Q: So you're asserting a</p> <p>19 legislative privilege to the question of whether Liz</p> <p>20 Stitt worked with you at all on Proposition 50 maps.</p> <p>21 MR. MANOLIUS: She is not on -- actually, let</p> <p>22 me correct that.</p> <p>23 You can certainly ask if she was in</p> <p>24 communication with Mr. Mitchell regarding this project.</p> <p>25 I believe the answer is no, but you can ask that</p>
<p style="text-align: right;">Page 23</p> <p>1 Have you seen that before?</p> <p>2 A Yes.</p> <p>3 Q And did you endeavor to find the documents</p> <p>4 requested in this subpoena?</p> <p>5 MR. MANOLIUS: Objection, attorney-client</p> <p>6 privilege. Don't answer the question.</p> <p>7 MS. HAMILL: So you won't tell me if you</p> <p>8 looked for the documents.</p> <p>9 MR. MANOLIUS: I am telling you that we have,</p> <p>10 his counsel has been engaged in a search for documents.</p> <p>11 MS. HAMILL: Thank you.</p> <p>12 MR. MANOLIUS: I also note that we issued an</p> <p>13 objection very late last evening or late after the</p> <p>14 midnight with regard to that.</p> <p>15 THE REPORTER: When you mark the exhibits</p> <p>16 don't cover up any writing with the sticker.</p> <p>17 MS. HAMILL Q: So you were the owner of</p> <p>18 Redistricting Partners, LLC; correct?</p> <p>19 A Yes.</p> <p>20 Q And you're also the agent for service?</p> <p>21 A I don't know what that term is.</p> <p>22 Q And Redistricting Partners principal address</p> <p>23 is your home; correct?</p> <p>24 A It's either my home or my accountant's office.</p> <p>25 I don't know which one.</p>	<p style="text-align: right;">Page 25</p> <p>1 question and he'll answer.</p> <p>2 THE WITNESS: Yes. Sorry. Yes, she was.</p> <p>3 MS. HAMILL Q: So Liz Stitt was in</p> <p>4 communication with you regarding this project?</p> <p>5 A Yes.</p> <p>6 Q Which means the Proposition 50 maps?</p> <p>7 A Yes.</p> <p>8 Q Are there any other members of the</p> <p>9 Redistricting Partners team?</p> <p>10 MR. MANOLIUS: Of any kind?</p> <p>11 MS. HAMILL: Let's say from July 2025 to the</p> <p>12 present.</p> <p>13 MR. MANOLIUS: Okay.</p> <p>14 THE WITNESS: Can I ask you a clarification.</p> <p>15 MS. HAMILL: Yes, you may.</p> <p>16 A Okay. So the fact is Liz -- Redistricting</p> <p>17 Partners has no employees. Liz Stitt was the last</p> <p>18 employee so when you say Redistricting Partners' team</p> <p>19 can you clarify what you mean by that?</p> <p>20 Q Have you heard of Evan McLaughlin?</p> <p>21 A Yes.</p> <p>22 Q And Joe Armenta?</p> <p>23 A Yes.</p> <p>24 Q And Jacob Thomas Fisher?</p> <p>25 A Thompson.</p>

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<p>1 Q Thompson-Fisher?</p> <p>2 A Yes.</p> <p>3 Q Stacey Reardon?</p> <p>4 A Yes.</p> <p>5 Q And those people worked with you to help you</p> <p>6 draw maps?</p> <p>7 MR. MANOLIUS: Objection, compound. You can</p> <p>8 answer.</p> <p>9 MR. WOODS: Vague.</p> <p>10 THE WITNESS: Do you want to split out the</p> <p>11 people a little bit? The first three do but Stacey</p> <p>12 Reardon didn't help draw any maps.</p> <p>13 MS. HAMILL Q: And did you direct their work?</p> <p>14 A Yes.</p> <p>15 Q So is it fair to say that you drew the Prop 50</p> <p>16 maps?</p> <p>17 MR. MANOLIUS: Objection, calls for</p> <p>18 information that's privileged under legislative</p> <p>19 privilege. I instruct you not to answer.</p> <p>20 MS. HAMILL Q: And in asserting that</p> <p>21 legislative privilege I need to understand the</p> <p>22 circumstances under which you're asserting it. So were</p> <p>23 you under contract with the California Legislature to</p> <p>24 draw the Proposition 50 maps?</p> <p>25 MR. MANOLIUS: Objection, vague as to time.</p>	<p>1 agreement a passive you're the one doing it.</p> <p>2 Q Did anyone in the Legislature ask you to draw</p> <p>3 the Proposition 50 maps?</p> <p>4 MR. MANOLIUS: Objection, calls for</p> <p>5 information that's protected under the legislative</p> <p>6 privilege. Don't answer.</p> <p>7 MS. HAMILL Q: Can you please explain to me on</p> <p>8 what grounds Mr. Mitchell is invoking this privilege?</p> <p>9 He is not a member of the Legislature so I am very</p> <p>10 confused as to how this applies to his work.</p> <p>11 MR. MANOLIUS: I've read the cases so no, I am</p> <p>12 not going to explain it here or we've made our</p> <p>13 objection.</p> <p>14 MS. HAMILL: There's -- we are entitled to a</p> <p>15 factual explanation of how this privilege would even</p> <p>16 remotely apply to this work. We don't have any</p> <p>17 understanding that Mr. Mitchell was working for the</p> <p>18 Legislature, is a legislator or would be in any way</p> <p>19 entitled to invoke this privilege.</p> <p>20 MR. MANOLIUS: We disagree with you. He is --</p> <p>21 his, his work went to the Legislature and so in that</p> <p>22 regard the provide earrings of that work and of any</p> <p>23 comments to him are, their comments are protected under</p> <p>24 the Legislature under the legislature.</p> <p>25 MS. HAMILL: The comments. When did your work</p>
Page 27	Page 29
<p>1 MS. HAMILL: Ever, at any time.</p> <p>2 A No.</p> <p>3 MS. HAMILL Q: Were you under contract with</p> <p>4 any particular legislator to draw the Proposition 50</p> <p>5 maps?</p> <p>6 MR. MANOLIUS: Objection, vague as to under</p> <p>7 contract. You mean in a paid capacity, is that what</p> <p>8 you're asking?</p> <p>9 MS. HAMILL: Under any contract, paid or</p> <p>10 unpaid.</p> <p>11 MR. WOODS: Objection, calls for a legal</p> <p>12 conclusion. You can answer if you can.</p> <p>13 MR. MANOLIUS: And vague.</p> <p>14 A I don't know what an unpaid contract means, so</p> <p>15 if you're saying was I -- I was not paid by anybody in</p> <p>16 the legislature to draw the map.</p> <p>17 MS. HAMILL Q: Did you have an agreement with</p> <p>18 someone in the legislature to draw the Proposition 50</p> <p>19 maps?</p> <p>20 MR. MANOLIUS: Objection, vague as to the term</p> <p>21 agreement.</p> <p>22 A If you can define that.</p> <p>23 MS. HAMILL Q: You want me to define</p> <p>24 agreement?</p> <p>25 A Well, I mean, is agreement a direction or is</p>	<p>1 go to the Legislature.</p> <p>2 MR. MANOLIUS: Objection, vague. If you know.</p> <p>3 THE WITNESS: I think that there's different</p> <p>4 ways to characterize the process of going to the</p> <p>5 Legislature, either the public, there was at some date I</p> <p>6 don't recall exactly the date the DCCC submitted the</p> <p>7 through the portal and official capacity was sent to the</p> <p>8 Legislature at that point. If there's further questions</p> <p>9 aside from that.</p> <p>10 MS. HAMILL: So -- your counsel sent an e-mail</p> <p>11 about one o'clock this morning asserting that you will</p> <p>12 not testify about your work on the maps starting</p> <p>13 July 2nd. And so I'm trying to understand the</p> <p>14 significance of this date if you submitted the maps to</p> <p>15 the Legislature the DCCC submitted the maps to the</p> <p>16 Legislature August 15th.</p> <p>17 MR. MANOLIUS: Okay. Oh objection, lacks</p> <p>18 foundation, but you can certainly talk about July 2nd.</p> <p>19 A That was a meeting with the chief of staff and</p> <p>20 the speaker on a bike path.</p> <p>21 MS. HAMILL Q: Did you catch that?</p> <p>22 A It was a meeting with the chief of staff and</p> <p>23 the speaker.</p> <p>24 Q You're a fast talker.</p> <p>25 A So sorry.</p>

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<p style="text-align: right;">Page 30</p> <p>1 Q It's okay for me.</p> <p>2 A Yeah. Yeah.</p> <p>3 Q But we need to slow it down so that the court</p> <p>4 reporter can make a clear record.</p> <p>5 A Yeah.</p> <p>6 Q So you on July 2nd you had a meeting with the</p> <p>7 chief of staff of the speaker, is it Rivas?</p> <p>8 A Rivas is chief of staff.</p> <p>9 Q Rivas is chief of staff on July 2nd. And you</p> <p>10 didn't enter into a contract?</p> <p>11 MR. WOODS: Objection, calls for a legal</p> <p>12 conclusion.</p> <p>13 MR. MANOLIUS: And also vague as to time.</p> <p>14 MS. HAMILL Q: You didn't enter into an</p> <p>15 agreement.</p> <p>16 MR. MANOLIUS: Same thing.</p> <p>17 MR. WOODS: Same objections.</p> <p>18 MS. HAMILL: And we're pretending that we</p> <p>19 don't know what "agreement" means.</p> <p>20 A I don't know if agreement means understanding</p> <p>21 or agreement means a service that I'm required or</p> <p>22 obligated to perform.</p> <p>23 MS. HAMILL: How about an understanding.</p> <p>24 A Yes, an understanding.</p> <p>25 Q An understanding on July 2nd that you would be</p>	<p style="text-align: right;">Page 32</p> <p>1 A Team being an abstract term of like all the</p> <p>2 former employees of Redistricting Partners that might</p> <p>3 come together to help draw this whether they were paid</p> <p>4 or not?</p> <p>5 Q Yes?</p> <p>6 A Daniel Lopez. I'm not trying to play hide the</p> <p>7 ball on anything, but I can't recall other names but</p> <p>8 there might have been somebody else that kind of the</p> <p>9 extended team that had some input at some point. Those</p> <p>10 are the ones that come to mind. If the another one</p> <p>11 comes to mind I can tell you later so --</p> <p>12 Q And can you walk me through the process of</p> <p>13 drawings the Proposition 50 maps?</p> <p>14 MR. MANOLIUS: Objection, calls for information</p> <p>15 that's protected under the Legislative privilege. I</p> <p>16 instruct you not to answer.</p> <p>17 MS. HAMILL Q: What factors did you consider</p> <p>18 while you were drawing the Proposition 50 maps.</p> <p>19 MR. MANOLIUS: Same objections. Don't answer.</p> <p>20 MS. HAMILL Q: What was your methodology that</p> <p>21 you used to draw the Proposition 50 maps?</p> <p>22 MR. MANOLIUS: Same objection, don't answer the</p> <p>23 question.</p> <p>24 MS. HAMILL Q: What redistricting platform do</p> <p>25 you use?</p>
<p style="text-align: right;">Page 31</p> <p>1 undertaking to draw the Prop 50 maps?</p> <p>2 MR. MANOLIUS: Objection, misstates his</p> <p>3 testimony. You can answer.</p> <p>4 A Misstates that I would draw maps.</p> <p>5 MS. HAMILL: That you would draw maps.</p> <p>6 A (Witness nodding head.)</p> <p>7 Q What kind of maps?</p> <p>8 A Statewide congressional maps.</p> <p>9 Q And so that understanding was reached on</p> <p>10 July 2nd?</p> <p>11 A (Witness nodding head.)</p> <p>12 Q Is that correct?</p> <p>13 A Yes.</p> <p>14 Q Report report your answer?</p> <p>15 MS. HAMILL Q: So you listed a number of</p> <p>16 people earlier. You listed Eric McLaughlin, Joe</p> <p>17 Armenta, Jacob Thompson-Fisher.</p> <p>18 Was there anyone else involved in drawing the</p> <p>19 maps?</p> <p>20 MR. MANOLIUS: Objection, lacks foundation and</p> <p>21 calls for speculation. You mean at Redistricting</p> <p>22 Partners or anywhere else.</p> <p>23 MS. HAMILL Q: With respect to your work on</p> <p>24 the proposition 50 maps, was there anyone else involved</p> <p>25 on your team?</p>	<p style="text-align: right;">Page 33</p> <p>1 MR. MANOLIUS: Objection, vague as to time.</p> <p>2 MS. HAMILL: At any time.</p> <p>3 MR. MANOLIUS: Is that like a -- you mean like</p> <p>4 computer program? I am just not very techie.</p> <p>5 MS. HAMILL: I'll ask the witness. Do you</p> <p>6 understand what I mean when I say --</p> <p>7 A (Witness nodding head.) Yes, I understand.</p> <p>8 MS. MANOLIUS: I am sorry.</p> <p>9 MS. HAMILL: There's no instruction not to</p> <p>10 answer.</p> <p>11 MR. MANOLIUS: You can answer.</p> <p>12 THE WITNESS: There are multiple programs we</p> <p>13 use, one the primary programs we use is kind of an in</p> <p>14 house program, I almost couldn't really define it, but</p> <p>15 Maptitude is one of the other programs that we use,</p> <p>16 QGIS. We have at times had employees use State</p> <p>17 redistricting maps just because it's easy and accessible</p> <p>18 to experiment with something, and then of course normal</p> <p>19 programs; Excel, Access, database programs, Tableau.</p> <p>20 Q Do you have a favorite program?</p> <p>21 MR. MANOLIUS: Objection. Vague as to reason,</p> <p>22 but --</p> <p>23 A It depends on the use. My favorite program is</p> <p>24 probably our internal program that allows us to produce</p> <p>25 maps quickly.</p>

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<p style="text-align: right;">Page 34</p> <p>1 MS. HAMILL Q: Is that something that is</p> <p>2 proprietary to you something that you created.</p> <p>3 A Absolutely, created from scratch.</p> <p>4 Q Is it similar to a Maptitude or a -- to a</p> <p>5 state redistricting map?</p> <p>6 MR. MANOLIUS: Objection, vague. Go ahead.</p> <p>7 A It -- if you have seen Redistricting Partners</p> <p>8 map they have a certain look to them. They all look the</p> <p>9 same, it's the program that does that, it's the program</p> <p>10 that makes the maps from a shape file.</p> <p>11 Q Okay. Does it have a name?</p> <p>12 A Syzygy.</p> <p>13 Q Sygyzy. Sorry. How do you spell that?</p> <p>14 A SYGYZY; is that correct.</p> <p>15 Q Is sounds a little like KIWSI, you know it if</p> <p>16 you see it?</p> <p>17 A No, there you go. No. Sygyzy is some obscure</p> <p>18 word that Jacob Thompson-Fisher liked and so that's what</p> <p>19 he calls it.</p> <p>20 Q So what data was available to you while you</p> <p>21 were drawing the Proposition 50 map?</p> <p>22 MR. MANOLIUS: Same objection, don't answer the</p> <p>23 question.</p> <p>24 MS. HAMILL: And just to clarify you're</p> <p>25 objecting on the grounds of legislative privilege.</p>	<p style="text-align: right;">Page 36</p> <p>1 THE REPORTER: Yes?</p> <p>2 THE WITNESS: Yes, it is. Sorry.</p> <p>3 MS. HAMILL: Thank you.</p> <p>4 THE WITNESS: And I'm sure there are other</p> <p>5 sources, like there's -- forget the name. There's a</p> <p>6 national redistricting data site that use public, other</p> <p>7 public sources of data.</p> <p>8 MS. HAMILL: And in California, do you produce</p> <p>9 the political data or do buy it?</p> <p>10 MR. MANOLIUS: Objection, vague as to time and</p> <p>11 under what circumstance. You can answer.</p> <p>12 THE WITNESS: When I use Political Data the</p> <p>13 two main sources would be the statewide database and the</p> <p>14 other source would be PDI.</p> <p>15 Q And the statewide data base is free; correct?</p> <p>16 A Yes.</p> <p>17 Q Do you use consumer data?</p> <p>18 MR. MANOLIUS: Objection, vague, as a general</p> <p>19 matter.</p> <p>20 A No, I have never used consumer data in any</p> <p>21 redistricting project that I recall.</p> <p>22 MS. HAMILL Q: Does any of the data that you</p> <p>23 use have racial assumptions built in.</p> <p>24 MR. MANOLIUS: Objection, vague as to when and</p> <p>25 under what circumstances and what project.</p>
<p style="text-align: right;">Page 35</p> <p>1 MR. MANOLIUS: Yes, I am sorry. Legislative</p> <p>2 privilege.</p> <p>3 MS. HAMILL Q: And what inputs go into the</p> <p>4 data that you use or went into the data that you used to</p> <p>5 draw the Proposition 50 maps.</p> <p>6 MR. MANOLIUS: Same objection. I instruct you</p> <p>7 not to answer.</p> <p>8 MS. HAMILL Q: Where do you get your data when</p> <p>9 you're drawing maps.</p> <p>10 MR. MANOLIUS: Objection, vague as to what maps</p> <p>11 when.</p> <p>12 MS. HAMILL: There's no instruction.</p> <p>13 A Oh.</p> <p>14 MR. MANOLIUS: As a general manner.</p> <p>15 A It depends on the client.</p> <p>16 In California the law requires you to use the</p> <p>17 statewide database. In other states we use just raw</p> <p>18 census. And then if we were looking at other data for</p> <p>19 other purposes there's other sources.</p> <p>20 I am vice president of a company called</p> <p>21 Political Data so we don't really use that data much at</p> <p>22 all but if we were, we would use that for my other</p> <p>23 company.</p> <p>24 Q Is that PDI?</p> <p>25 A Uh-huh.</p>	<p style="text-align: right;">Page 37</p> <p>1 THE WITNESS: Could you clarify racial</p> <p>2 assumptions, what you mean by that?</p> <p>3 MS. HAMILL: Does it have a meaning to you</p> <p>4 when I say racial assumptions?</p> <p>5 A That seems overly broad potentially. The data</p> <p>6 that I use includes data on race, if that's what you're</p> <p>7 asking.</p> <p>8 Q Okay. And what does that look like?</p> <p>9 MR. MANOLIUS: Again, vague as to time and</p> <p>10 project.</p> <p>11 A Generally, census data is in two parts. You</p> <p>12 have geography and you have data, meaning the counts,</p> <p>13 and so the data would look like numbers assigned to</p> <p>14 geographies and then when those two are put together you</p> <p>15 can use that in redistricting.</p> <p>16 Q And so do you work with CVAP for certain</p> <p>17 racial groups and then put that into geography,</p> <p>18 generally?</p> <p>19 MR. MANOLIUS: Objection, vague as to time and</p> <p>20 project. If -- I guess at any time.</p> <p>21 A In general, we use the CVAP data that's</p> <p>22 adjusted by the statewide database that's considered an</p> <p>23 adjusted data set and that's updated most recent data</p> <p>24 set we would be using at any time.</p> <p>25 Q And you adjust it is to eliminate the prison</p>

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<p style="text-align: right;">Page 38</p> <p>1 population; is that right?</p> <p>2 A The prison population reallocation. It</p> <p>3 doesn't eliminate the prison population, it just moves</p> <p>4 them in the different sense of smart groups.</p> <p>5 Q Oh, it does?</p> <p>6 A Yeah. So, like, if some place has 120 people</p> <p>7 but the prison population says four people were living</p> <p>8 there when they were arrested, it now has 120 more</p> <p>9 people.</p> <p>10 Q Oh, interesting.</p> <p>11 A Yeah, that's a redistricting.</p> <p>12 Q Do you ever decide the election results from</p> <p>13 precincts and match them to census blocks?</p> <p>14 MR. MANOLIUS: Objection. Vague. I don't</p> <p>15 understand the question.</p> <p>16 MR. WOODS: Joine.</p> <p>17 A Basically, I can talk? Yes.</p> <p>18 MS. HAMILL Q: How do you do that?</p> <p>19 A It's technical, but generally what you do is</p> <p>20 you take a precinct and you disaggregate that precinct</p> <p>21 data down to the census blocks based on a weighting.</p> <p>22 Oftentimes the weighting is how many people</p> <p>23 are in those census blocks or how much -- what the CVAP</p> <p>24 total population is in that census block or what the</p> <p>25 total voter count is.</p>	<p style="text-align: right;">Page 40</p> <p>1 things like that, there were irregularities, that's the</p> <p>2 only kind of thing. Generally we just go with the total</p> <p>3 vote layer, as long as it's there, with the exception of</p> <p>4 one very strange old election result there's, it's</p> <p>5 always been fine. We don't worry. The vote by mail</p> <p>6 doesn't impact it.</p> <p>7 Q So we received some documents from the DCCC</p> <p>8 in the case. Are you familiar with the DCCC?</p> <p>9 A Yes.</p> <p>10 Q And in these documents they shared some</p> <p>11 communications between you and people with the DCCC.</p> <p>12 Have you seen those documents?</p> <p>13 A No.</p> <p>14 Q Have you been in contact with the lawyers for</p> <p>15 the DCCC?</p> <p>16 A Not that I'm aware of.</p> <p>17 Q And so in these communications they represent</p> <p>18 that the DCCC liked the Proposition 50 map that you drew</p> <p>19 and so I'm wondering, was there a request for proposals</p> <p>20 himself from the DCCC for the Proposition 50 map?</p> <p>21 MR. MANOLIUS: Objection. Lacks foundation.</p> <p>22 MR. WOODS: Join.</p> <p>23 MR. MANOLIUS: Vague as to time. And I am not</p> <p>24 sure what you mean by like it, but you can answer.</p> <p>25 A Could you repeat the question?</p>
<p style="text-align: right;">Page 39</p> <p>1 (Reporter clarification.)</p> <p>2 In that census block. So if we had a hundred</p> <p>3 votes cast and we needed to assign it to five census</p> <p>4 blocks and every census block had 20 people then we</p> <p>5 would assign it like that.</p> <p>6 If every census block had one-fifth of the</p> <p>7 population we would assign it like that.</p> <p>8 However, if one census block had a half of the</p> <p>9 population, one census block had a third of the</p> <p>10 population, the next census block had a sixth of the</p> <p>11 population and the other two were blank, we would then</p> <p>12 not assign votes to this blank census blocks, we would</p> <p>13 assign the votes to the populated census blocks at the</p> <p>14 appropriate ratio of the weighted field. So that is a</p> <p>15 technical answer.</p> <p>16 Q Does vote by mail impact your data in any way?</p> <p>17 MR. WOODS: Objection. Ambiguous.</p> <p>18 MR. MANOLIUS: Objection, vague as to time and</p> <p>19 project.</p> <p>20 A One critical way that vote by mail can impact</p> <p>21 is that when counties report both by mail data in</p> <p>22 election results separately from the total votes cast in</p> <p>23 one area, there was an election maybe going black like</p> <p>24 2008 where some counties didn't report like there wasn't</p> <p>25 the total vote but there was the vote by mail vote,</p>	<p style="text-align: right;">Page 41</p> <p>1 Q Was there a request for proposals?</p> <p>2 A No.</p> <p>3 Q There was no request for proposals from the</p> <p>4 DCCC for a Prop 50 map?</p> <p>5 A No. And a suggestion would be that we didn't</p> <p>6 know what Prop 50 was when we were drawing the maps, so</p> <p>7 you might --</p> <p>8 MS. HAMILL: Okay. That's a good</p> <p>9 clarification to make because early when I said when I</p> <p>10 was trying to sort of establish what we're going to be</p> <p>11 discussing, when I talk about the Proposition 50 map I'm</p> <p>12 also talking about the maps that you drew to get there</p> <p>13 because nobody knew it was called Prop 50 until it</p> <p>14 actually got to the ballot; right?</p> <p>15 MR. MANOLIUS: Objection, calls for</p> <p>16 speculation, lacks foundation. You can answer.</p> <p>17 A Further, we didn't know we were doing a ballot</p> <p>18 measure necessarily.</p> <p>19 Q Okay.</p> <p>20 A Or even doing a map that would be real</p> <p>21 necessarily.</p> <p>22 Q Because it started off as a bluff; correct?</p> <p>23 A (Witness nodding head.)</p> <p>24 MR. MANOLIUS: Objection, calls for</p> <p>25 information that is protected by the legislative</p>

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<p style="text-align: right;">Page 42</p> <p>1 privilege. Don't answer the question.</p> <p>2 MS. HAMILL Q: Okay. So let me rephrase. Was</p> <p>3 there a request for proposals from the DCCC to draw a</p> <p>4 new congressional map for California in the summer of</p> <p>5 2025?</p> <p>6 MR. MANOLIUS: To Mr. Mitchell?</p> <p>7 MS. HAMILL: No, just a request for proposals</p> <p>8 issued that you were are aware.</p> <p>9 MR. MANOLIUS: Oh.</p> <p>10 A I am not aware of that at all.</p> <p>11 MS. HAMILL: Was there a request for proposals</p> <p>12 from the State of California to draw a new congressional</p> <p>13 map for the State of California in the summer of 2025?</p> <p>14 MR. MANOLIUS: To the extent communications</p> <p>15 were with the Legislature and then we will assert the</p> <p>16 legislative privilege, don't answer the question. If</p> <p>17 there's somebody else made a request of you you can</p> <p>18 answer.</p> <p>19 THE WITNESS: Nobody made a request to me in</p> <p>20 an official capacity in a way like a request for</p> <p>21 proposal. Sorry to go fast. Nobody -- let me revise</p> <p>22 that. I never saw a request for proposal to draw maps</p> <p>23 from any entity.</p> <p>24 MS. HAMILL Q: How did you end up in</p> <p>25 communication with the DCCC regarding this map that</p>	<p style="text-align: right;">Page 44</p> <p>1 MR. MANOLIUS: Okay.</p> <p>2 THE WITNESS: So interrogatory number one the</p> <p>3 words here that means that's what they were asked.</p> <p>4 MR. MANOLIUS: The way it works is a question</p> <p>5 and a response.</p> <p>6 A The response. All right.</p> <p>7 MR. MANOLIUS: And we are stopping at the</p> <p>8 bottom of the page.</p> <p>9 MS. HAMILL: Yes.</p> <p>10 MR. MANOLIUS: Because the response continues,</p> <p>11 it says line 16 on page 2.</p> <p>12 MS. HAMILL: And if you'd prefer to review the</p> <p>13 entire response to interrogatory number one, that</p> <p>14 continues on the next page, feel free to do that.</p> <p>15 A Okay.</p> <p>16 MR. MANOLIUS: We'll just start with the first</p> <p>17 part.</p> <p>18 A Okay. I stopped at the bottom of one.</p> <p>19 MS. HAMILL: Okay. And so if you look at page</p> <p>20 one, line 19, the sentence that begins in the middle of</p> <p>21 line 19 says, the DCCC reviewed an initial draft of the</p> <p>22 map for the first time on August 3rd, 2025, and called</p> <p>23 it the draft map. And then it says DCCC liked the draft</p> <p>24 map. Do you see that?</p> <p>25 A Yes.</p>
<p style="text-align: right;">Page 43</p> <p>1 became the Prop 50 map?</p> <p>2 MR. MANOLIUS: Objection, lacks foundation,</p> <p>3 calls for speculation and vague as to time. Go ahead.</p> <p>4 A Could you repeat the question, please.</p> <p>5 MS. HAMILL: Would you mind repeating it for</p> <p>6 me?</p> <p>7 (Whereupon the record was read as</p> <p>8 follows: "Question: ")</p> <p>9 MR. WOODS: Objection, lacks foundation.</p> <p>10 MR. MANOLIUS: I renew my objection.</p> <p>11 A My answer is I don't recall.</p> <p>12 THE REPORTER: Your answer.</p> <p>13 A I don't recall.</p> <p>14 MS. HAMILL:</p> <p>15 (Whereupon Plaintiff's Exhibit 4</p> <p>16 was marked for identification.)</p> <p>17 MS. HAMILL: I am marking for identification</p> <p>18 as Exhibit 4 the DCCC response to plaintiff's first set</p> <p>19 of interrogatories. Have you seen this document before.</p> <p>20 A No.</p> <p>21 Q I want to direct your attention to page one</p> <p>22 and take a minute to review it.</p> <p>23 A Okay.</p> <p>24 MR. MANOLIUS: The whole page.</p> <p>25 MS. HAMILL: Yes.</p>	<p style="text-align: right;">Page 45</p> <p>1 Q Does that refresh your recollection about how</p> <p>2 you first got in touch with the DCCC regarding the map?</p> <p>3 MR. MANOLIUS: Objection. Vague as to time,</p> <p>4 lacks foundation. You can answer what you know.</p> <p>5 THE WITNESS: No, it doesn't refresh my</p> <p>6 memory, because the question here is about when they</p> <p>7 first saw the map.</p> <p>8 MS. HAMILL Q: Did you provide a copy of the</p> <p>9 map to the DCCC on August 3rd.</p> <p>10 A I have no reason to disbelieve what they have</p> <p>11 written, but I don't recall.</p> <p>12 Q Can you please turn to the next page?</p> <p>13 A (Witness complied.)</p> <p>14 Q And review the second part of the DCCC</p> <p>15 response to interrogatory number one.</p> <p>16 A The first paragraph.</p> <p>17 MR. MANOLIUS: Through line 16.</p> <p>18 MS. HAMILL: Correct. Thank you.</p> <p>19 A Okay.</p> <p>20 Q Yes.</p> <p>21 Q Okay. So according to DCCC in these</p> <p>22 interrogatory responses, they looked at a draft map that</p> <p>23 you drew on August 3rd and then they recommended some</p> <p>24 changes to it, and then August 14th is when your revised</p> <p>25 map was submitted to the State Legislature. Does that</p>

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<p style="text-align: right;">Page 46</p> <p>1 reflect your recollection of how this all transpired?</p> <p>2 MR. MANOLIUS: Objection, compound objection,</p> <p>3 to the extent you're misstating the document.</p> <p>4 And let me add objection, lacks foundation,</p> <p>5 calls for speculation.</p> <p>6 MS. MADDURI: Join. Yes. This is Lali</p> <p>7 Madduri. I represent the DCCC.</p> <p>8 THE REPORTER: Thank you.</p> <p>9 MS. HAMILL: Is there --</p> <p>10 MR. MANOLIUS: Can you read the question back?</p> <p>11 I am sorry. I lost track.</p> <p>12 (Whereupon the record was read as</p> <p>13 follows: "Question: ")</p> <p>14 MR. MANOLIUS: Objection. Lacks foundation,</p> <p>15 calls for speculation and as to the substance of the any</p> <p>16 changes, I instruct you not to answer under legislative</p> <p>17 privilege.</p> <p>18 A I think you misstated your question. You</p> <p>19 meant August 15th. You said August 14th, for the map</p> <p>20 being submitted to the Legislature.</p> <p>21 MS. HAMILL: Oh, thank you. You're right. So</p> <p>22 what happened?</p> <p>23 A To that, to that August 15th, I am aware of</p> <p>24 that date, to the rest of the dates, I'm just trusting</p> <p>25 that the DCCC is correct. I don't recall.</p>	<p style="text-align: right;">Page 48</p> <p>1 MR. MANOLIUS: Same objections. I instruct you</p> <p>2 not to answer under legislative privilege.</p> <p>3 MS. HAMILL Q: Isn't it true that the changes</p> <p>4 you made after August 3rd and before August 14th were</p> <p>5 designed to preserve a racial quota or a racial target</p> <p>6 in certain districts in the Proposition 50 map?</p> <p>7 MR. MANOLIUS: Same objections. I am going to</p> <p>8 add lacks foundation, calls for speculation and I</p> <p>9 instruct you not to answer under legislative privilege.</p> <p>10 MS. HAMILL Q: Can you walk me through all of</p> <p>11 the changes that you made between the draft map on</p> <p>12 August 3rd and the submitted map on August 14th.</p> <p>13 MR. MANOLIUS: Objection, calls for a narrative</p> <p>14 and also lacks foundation and I instruct you not to</p> <p>15 answer due to legislative privilege.</p> <p>16 MS. HAMILL Q: What people and groups were you</p> <p>17 talking to during this period of time as you were making</p> <p>18 goes changes to the map after August 3rd?</p> <p>19 MR. MANOLIUS: Objection, lacks foundation.</p> <p>20 You can certainly ask him who he talked to, but not the</p> <p>21 purpose of the communications so with that understanding</p> <p>22 if you talked to anybody about it you can tell counsel</p> <p>23 who. And just for the time period just to make sure,</p> <p>24 okay, August 3rd to 14th.</p> <p>25 MS. HAMILL: Correct.</p>
<p style="text-align: right;">Page 47</p> <p>1 Q Okay thank you?</p> <p>2 A Is that okay?</p> <p>3 Q Do you recall making changes to the map after</p> <p>4 August 3rd of 2025?</p> <p>5 MR. MANOLIUS: Objection, legislative privilege</p> <p>6 and instruct you not to answer.</p> <p>7 MS. HAMILL: And what changes were made to the</p> <p>8 map between August 3rd and August 14th 062025.</p> <p>9 MR. MANOLIUS: Same objections. Don't answer.</p> <p>10 MS. HAMILL Q: Did you bring a copy of your</p> <p>11 August 3rd version of the map with you today.</p> <p>12 A (Witness shaking head.) No.</p> <p>13 Q Did you bring any data files for the</p> <p>14 August 3rd map?</p> <p>15 A No.</p> <p>16 MR. MANOLIUS: And again just to point out our</p> <p>17 objection covered this material.</p> <p>18 MS. HAMILL Q: And what considerations did you</p> <p>19 make when deciding which of the DCCC proposed changes to</p> <p>20 incorporate in the map.</p> <p>21 MR. MANOLIUS: Same objections, I instruct you</p> <p>22 not to answer.</p> <p>23 MS. HAMILL Q: Did you consider race at all in</p> <p>24 reviewing the proposed changes from the DCCC and making</p> <p>25 changes to the map.</p>	<p style="text-align: right;">Page 49</p> <p>1 MR. MANOLIUS: Sorry. Thank you. And again,</p> <p>2 the two dates, the third through the 14th or 15th.</p> <p>3 A In all honesty, I don't recall for those</p> <p>4 particular dates of exactly who I would have talked the</p> <p>5 during the that time beyond the Redistricting Partners</p> <p>6 staff.</p> <p>7 Q Can you give me your best estimate generally</p> <p>8 within that rough time period of who you were talking to</p> <p>9 when you were making changes to the map?</p> <p>10 MR. MANOLIUS: Again, lacks foundation with</p> <p>11 regard to the making changes to the map as being</p> <p>12 associated with any specific conversation. With that</p> <p>13 understanding and without undermining legislative</p> <p>14 privilege you can answer who you recall talking to</p> <p>15 during that time period, about redistricting.</p> <p>16 A Can I ask my attorney a question. I don't</p> <p>17 know how this works.</p> <p>18 MR. MANOLIUS: No. You can't. I mean I would</p> <p>19 love you to but no, you can't.</p> <p>20 THE WITNESS: I spoke to Redistricting</p> <p>21 Partners staff during this period of time, probably</p> <p>22 spoke to my wife a few times. During this period of</p> <p>23 time, I believe that was when I spoke with Dustin</p> <p>24 Corcoran, a friend of mine, just personal friend. There</p> <p>25 are legislative staff that I spoke with. I don't know</p>

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<p style="text-align: right;">Page 50</p> <p>1 if I'm allowed to State who those people are.</p> <p>2 MR. MANOLIUS: You can answer who but not what</p> <p>3 you talked about.</p> <p>4 A Okay. Michael Wagaman, Steve Omara.</p> <p>5 MS. HAMILL: And I am sorry as you're going</p> <p>6 through this list --</p> <p>7 A Yeah.</p> <p>8 Q -- would you mind sharing with me the</p> <p>9 legislators who he worked for, the names of the</p> <p>10 legislator?</p> <p>11 A Yeah.</p> <p>12 MR. MANOLIUS: If you know.</p> <p>13 THE WITNESS: And I apologize if I'm not going</p> <p>14 to get everybody I'll do my best to answer.</p> <p>15 MS. HAMILL: Sure.</p> <p>16 A Steve Omara, the chief of staff to assembly</p> <p>17 speaker Rivas, Jason -- I am blanking, starts with an L,</p> <p>18 little, Lytle, with the chief of staff for the pro tem</p> <p>19 of the State Senate, Michael Wagaman, who is -- works</p> <p>20 for the legislature broadly, Jeff Gozzo, G-o-z-z-o, who</p> <p>21 works for the Legislature, State Senate, I believe,</p> <p>22 multiple members of Congress, maybe a few different</p> <p>23 legislators, Christopher Kabalkin, local legislator.</p> <p>24 Matt Weiner who used to work for the congressional</p> <p>25 delegation. Staff to members of Congress. And I</p>	<p style="text-align: right;">Page 52</p> <p>1 Q And were these groups attempting to sway your</p> <p>2 actions?</p> <p>3 MR. MANOLIUS: Objection.</p> <p>4 A I can't speak to the content.</p> <p>5 MR. MANOLIUS: Yeah. It calls for information</p> <p>6 that's privileged under the legislative privilege. I</p> <p>7 instruct you not to answer.</p> <p>8 MR. MANOLIUS: Wait for the next question.</p> <p>9 A I still haven't answered her first question.</p> <p>10 MR. MANOLIUS: Okay.</p> <p>11 THE WITNESS: So, NDRC, do you need what that</p> <p>12 stands for, national -- NDRC.</p> <p>13 MS. HAMILL: (Shaking head.)</p> <p>14 A Catalyst California, Asian Law Caucus, OC</p> <p>15 Action, Delores Huerta Foundation, I'm traveling up and</p> <p>16 down the state thinking about different groups up and</p> <p>17 down the state that I might have talked to, Black Power</p> <p>18 Network -- oh, and then I'd say multiple democratic</p> <p>19 party like county democratic party, different counties,</p> <p>20 so it might just be an umbrella.</p> <p>21 And to amend my earlier response about people</p> <p>22 I forgot to mention political consultants and pollsters.</p> <p>23 So I am sorry if I forgot that earlier.</p> <p>24 Q Okay. So according to these DCCC responses to</p> <p>25 the interrogatories that we have marked as Exhibit 4, on</p>
<p style="text-align: right;">Page 51</p> <p>1 probably told a handful of reporters that I couldn't</p> <p>2 talk to them.</p> <p>3 Q Did you talk to any advocacy groups?</p> <p>4 MR. MANOLIUS: During the same time period,</p> <p>5 August 3rd to August 15th.</p> <p>6 MS. HAMILL: Yes.</p> <p>7 MR. WOODS: Objection. Vague.</p> <p>8 MR. MANOLIUS: Same objection. And I am</p> <p>9 assuming about what, about redistricting?</p> <p>10 A Do you want to say about the Prop 50 maps.</p> <p>11 MS. HAMILL: Yes.</p> <p>12 A Yes, I did talk to a number of different</p> <p>13 advocacy groups.</p> <p>14 MR. MANOLIUS: That's it. That's the answer.</p> <p>15 The question is whether you had or not.</p> <p>16 MS. HAMILL: Can you list them for me.</p> <p>17 A I'm afraid that I might not be comprehensive.</p> <p>18 MS. HAMILL: Sure.</p> <p>19 A But I can do my best. During that period of</p> <p>20 time prior to the maps beings submitted to the</p> <p>21 Legislature, I spoke with, does spoke with mean include</p> <p>22 like sending e-mail, getting an e-mail from.</p> <p>23 Q Yes?</p> <p>24 A So I received some unsolicited e-mails from</p> <p>25 different groups.</p>	<p style="text-align: right;">Page 53</p> <p>1 August 14th the DCCC bought your revision of the</p> <p>2 August 3rd map.</p> <p>3 Does that comport with your recollection of</p> <p>4 what transpired?</p> <p>5 MR. MANOLIUS: Where is that line --</p> <p>6 MS. HAMILL: It's on page 2.</p> <p>7 MR. MANOLIUS: Uh-huh.</p> <p>8 MS. HAMILL: Line 11 to 12.</p> <p>9 MR. MANOLIUS: Okay. On the same day. I have</p> <p>10 got that.</p> <p>11 A That aligns with my understanding.</p> <p>12 MS. HAMILL Q: And how much did they pay for</p> <p>13 it?</p> <p>14 A I think -- I mean, I think I know the answer.</p> <p>15 \$108,000.</p> <p>16 Q Did anyone else pay you for the map?</p> <p>17 A The identifying the structure of the payments</p> <p>18 for the map was only the DCCC, only the DCCC paid me for</p> <p>19 the map.</p> <p>20 MS. HAMILL: I am going to mark as Exhibit 5 a</p> <p>21 document entitled Political Consulting Agreement, begins</p> <p>22 at the bottom with a Bates stamp of DCCC 000183 and goes</p> <p>23 through DCCC 000192.</p> <p>24 (Whereupon Plaintiff's Exhibit 5</p> <p>25 was marked for identification.)</p>

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<p style="text-align: right;">Page 54</p> <p>1 MR. WOODS: This is five?</p> <p>2 MR. MEUSER: This is five.</p> <p>3 MS. HAMILL: Have you seen this document</p> <p>4 before.</p> <p>5 A Yes.</p> <p>6 Q And what is this document?</p> <p>7 A This is a contract for services and to clarify</p> <p>8 my earlier statement, my understanding of clarification</p> <p>9 DCCC paid me for the map, that was the way that they</p> <p>10 chose to clarify it. I believe the other parties to</p> <p>11 this were paying for my services, my consulting</p> <p>12 services, so I don't know how they, you asked me how</p> <p>13 they characterized it so that's how I've seen it, DCCC</p> <p>14 has characterized it as they were paying me for the map</p> <p>15 and I don't know how the other groups would characterize</p> <p>16 the agreement.</p> <p>17 Q And those other groups are the house majority</p> <p>18 pack?</p> <p>19 A And Jeffries for Congress.</p> <p>20 Q Jeffries for Congress. So those two entities</p> <p>21 did not pay you for the map?</p> <p>22 MR. MANOLIUS: Objection, calls for speculation</p> <p>23 as to what they were thinking but you can give your</p> <p>24 understanding.</p> <p>25 A The only entity that is claimed they paid for</p>	<p style="text-align: right;">Page 56</p> <p>1 A What date was that on?</p> <p>2 MR. MANOLIUS: For the instruction</p> <p>3 MS. HAMILL: I am looking at the first</p> <p>4 paragraph of the agreement.</p> <p>5 A Okay. Okay. Then yes, it does say July 15th.</p> <p>6 Q Do you recall doing work have under this</p> <p>7 contract prior to July 15th?</p> <p>8 A No.</p> <p>9 Q Do you know if anyone else submitted maps to</p> <p>10 the legislative portal that was opened on August 14th by</p> <p>11 the State Legislature?</p> <p>12 A I don't have any personal knowledge of, if</p> <p>13 that happened.</p> <p>14 Q Are you aware?</p> <p>15 A I know comments were submitted. I don't know</p> <p>16 that other maps were submitted.</p> <p>17 Q Is it your understanding that the Legislature</p> <p>18 was going to implement your map regardless of whether</p> <p>19 other maps were submitted?</p> <p>20 MR. MANOLIUS: Objection, calls for</p> <p>21 speculation, lacks foundation. You can answer.</p> <p>22 MR. WOODS: Same objection.</p> <p>23 THE WITNESS: I didn't have a written</p> <p>24 agreement from them but I expected that to be the case,</p> <p>25 yeah.</p>
<p style="text-align: right;">Page 55</p> <p>1 the map was the DCCC I had a contract for.</p> <p>2 MS. HAMILL: What was.</p> <p>3 A Services with three different groups included</p> <p>4 on this.</p> <p>5 Q And what was your understanding of your</p> <p>6 obligation under this agreement because I notice it's</p> <p>7 lacking a scope of work?</p> <p>8 MR. MANOLIUS: Objection, calls for a legal</p> <p>9 conclusion. But you can give your understanding.</p> <p>10 A My understanding of the scope of work was in</p> <p>11 two parts. It was early creation of potential maps and</p> <p>12 then a more fulsome creation of a final map.</p> <p>13 Q And how was that scope of work relaid to you?</p> <p>14 MR. MANOLIUS: Objection, lacks foundation,</p> <p>15 calls for speculation. If you know.</p> <p>16 THE WITNESS: Through staff.</p> <p>17 MS. HAMILL: Through telephone calls.</p> <p>18 A Yeah, or -- yeah, probably.</p> <p>19 Q Is it in writing anywhere?</p> <p>20 A I don't think so.</p> <p>21 Q And so this political consultant agreement or</p> <p>22 consulting agreement says that it's entered into</p> <p>23 effective as of July 15th, 2025, so that's 13 days after</p> <p>24 that initial July 2nd conversation you said you had with</p> <p>25 the chief of staff to speaker Rivas; correct?</p>	<p style="text-align: right;">Page 57</p> <p>1 MS. HAMILL Q: Are you aware of the</p> <p>2 Legislature considering any other maps from any other</p> <p>3 people.</p> <p>4 MR. MANOLIUS: Objection, lacks foundation,</p> <p>5 calls for speculation. You can answer, if you know.</p> <p>6 MR. WOODS: Join.</p> <p>7 THE WITNESS: I'm aware that other people</p> <p>8 were -- I'm aware that legislators were looking at other</p> <p>9 maps, whether they were maps on Twitter, maps that other</p> <p>10 people were sending to them, but I wasn't apart of any</p> <p>11 of those discussions.</p> <p>12 Q Are you aware of any groups submitting maps</p> <p>13 like advocacy groups submitting maps to the Legislature?</p> <p>14 A I'm not aware of that.</p> <p>15 Q Do you know if the map that was submitted to</p> <p>16 the portal on August 14th is the same map that went onto</p> <p>17 Proposition 50?</p> <p>18 A 50? You keep saying 14th on accident, you</p> <p>19 mean 15th.</p> <p>20 Q Was it not submitted to the portal on the</p> <p>21 14th?</p> <p>22 A Oh, I think you want to check that.</p> <p>23 Q You're right. Thank you Mr. Mitchell?</p> <p>24 A That's all right.</p> <p>25 Q August 15th.</p>

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<p style="text-align: right;">Page 58</p> <p>1 MR. MANOLIUS: So what's the question again?</p> <p>2 I lost it.</p> <p>3 MS. HAMILL Q: I'll rephrase it. Do you know</p> <p>4 if the map that was submitted on August 15th is the same</p> <p>5 map that went to the voters with Proposition 50? Were</p> <p>6 there any changes made between that map.</p> <p>7 A There were changes made.</p> <p>8 MR. MANOLIUS: Wait, wait, wait. Objection.</p> <p>9 A Calls for speculation, lacks foundation and to</p> <p>10 the extent changes were made in the legislative process</p> <p>11 I'd instruct you not to answer under legislative</p> <p>12 privilege.</p> <p>13 MS. HAMILL Q: If changes were made to the map</p> <p>14 that was submitted on August 15th, wouldn't those have</p> <p>15 been made in a public session.</p> <p>16 MR. MANOLIUS: Objection, calls for</p> <p>17 speculation, lacks foundation. If you know.</p> <p>18 THE WITNESS: There were media reports that a</p> <p>19 map, that the map was changed so I had have to go into</p> <p>20 the legislative process but there were media reports</p> <p>21 there were very minute changes to the map, technical</p> <p>22 changes made to the map before it was put on the ballot.</p> <p>23 Q Do you know what those technical changes were?</p> <p>24 MR. MANOLIUS: Objection, lacks foundation,</p> <p>25 calls for speculation and calls for information that is</p>	<p style="text-align: right;">Page 60</p> <p>1 Paul Mitchell which is being taken at Hansen Bridgett</p> <p>2 LLP 500 Capitol Mall, Suite 1500, Sacramento,</p> <p>3 California. The videographer is Nicholas Coulter on</p> <p>4 behalf of Array Legal Services. The time is, yes, 11:22</p> <p>5 a.m.</p> <p>6 MS. HAMILL Q: All right. I am marking as</p> <p>7 Exhibit 6 a section of the production from the DCCC the</p> <p>8 documents are numbered at the bottom Bates number DCCC</p> <p>9 00005, through DCCC 00009.</p> <p>10 (Whereupon Plaintiff's Exhibit 6</p> <p>11 was marked for identification.)</p> <p>12 A Do you need this one back?</p> <p>13 Q Yeah. Can you take just a minute or two to</p> <p>14 familiarize yourself with this document, please?</p> <p>15 MR. MANOLIUS: Do you have another one.</p> <p>16 MR. MEUSTER: Here, I'll give you this one.</p> <p>17 MR. MANOLIUS: That's okay.</p> <p>18 MR. MEUSER: I have one in here so I'm not</p> <p>19 worried yet.</p> <p>20 THE WITNESS: Okay. That was confusing, I</p> <p>21 thought it was going in the opposite order because it</p> <p>22 was going --</p> <p>23 MS. HAMILL Q: Have you seen the document, on</p> <p>24 the first page, which is marked in the Bates number</p> <p>25 ending in five, have you seen this document before?</p>
<p style="text-align: right;">Page 59</p> <p>1 protected under the legislative privilege.</p> <p>2 A Are you telling me not to answer?</p> <p>3 MR. MANOLIUS: Yes, sorry.</p> <p>4 MS. HAMILL: What did you read about what</p> <p>5 those technical changes were?</p> <p>6 MR. MANOLIUS: You mean public press accounts.</p> <p>7 MS. HAMILL: Yes.</p> <p>8 MR. MANOLIUS: Compound question, calls for</p> <p>9 speculation and lacks foundation but you can answer what</p> <p>10 you saw in the media.</p> <p>11 A In the media generally I don't recall if it</p> <p>12 was in a news article or if it was just something that</p> <p>13 was said on Twitter or something like that, a single</p> <p>14 census block in city of Commerce and then adjustment of</p> <p>15 the boundary in Santa Ana that was, you know, several</p> <p>16 census blocks, minuscule technical changes. At some</p> <p>17 point I want to take a break if I can, just because.</p> <p>18 Q Do you want to take a break right now?</p> <p>19 A Yeah, that would be great.</p> <p>20 THE VIDEOGRAPHER: The time is 11:09 a.m. We</p> <p>21 are going off the record.</p> <p>22 (Whereupon a recess was taken.)</p> <p>23 THE VIDEOGRAPHER: All right. We are back on</p> <p>24 the record. The time is 11:22 a.m. and this marks the</p> <p>25 beginning of videotape number two in the deposition of</p>	<p style="text-align: right;">Page 61</p> <p>1 MR. MANOLIUS: Objection. So is this naturally</p> <p>2 occurring in this --</p> <p>3 A No.</p> <p>4 MR. MANOLIUS: -- packet. This is a question</p> <p>5 for counsel, because I see a cover letter, but then</p> <p>6 there's other things on the back. Are -- is this a</p> <p>7 packet of information or is it just a number of things</p> <p>8 stuck together?</p> <p>9 MS. HAMILL Q: Do you recognize this set of</p> <p>10 documents as an e-mail chain between you and the DCCC</p> <p>11 including a .pdf of the DCCC cover letter that went to</p> <p>12 the State Legislature?</p> <p>13 MR. MANOLIUS: Same objection. It's very hard</p> <p>14 for me to advise and object when I'm not sure if these</p> <p>15 all go together at once or not so if you can make that</p> <p>16 representation it would be helpful. You can answer if</p> <p>17 you understand.</p> <p>18 A Are you saying that this I con here that says</p> <p>19 c A maps submission letters on the cover that this is</p> <p>20 all of the e-mails.</p> <p>21 MS. HAMILL: I would like to avoid testifying</p> <p>22 since I am not under oath here but these are not our</p> <p>23 documents these were produced to us, so I'm wondering if</p> <p>24 you recall this communication what in you're exchanging</p> <p>25 e-mails with the DCCC.</p>

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<p>1 A I recall the communication of these e-mails</p> <p>2 that are behind the letter that they sent to the</p> <p>3 legislature.</p> <p>4 Q And do you recognize this letter that's the</p> <p>5 first page of this set of documents?</p> <p>6 A Yes.</p> <p>7 Q Marked ending in the number five?</p> <p>8 A Yes.</p> <p>9 Q You've seen this letter before?</p> <p>10 A Yes.</p> <p>11 Q And --</p> <p>12 MR. WOODS: Mr. Mitchell if you could wait</p> <p>13 until she finishes her question --</p> <p>14 A Sorry. Thank you.</p> <p>15 MS. HAMILL Q: And what is your understanding</p> <p>16 of this letter that's in the front.</p> <p>17 MR. MANOLIUS: Objection, irrelevant. You can</p> <p>18 answer if you you have an understanding.</p> <p>19 A This is a letter that would be attached to the</p> <p>20 draft maps and sent into the portal as a zipped file of</p> <p>21 some kind.</p> <p>22 MS. HAMILL: Okay. And so it's your</p> <p>23 understanding that this was a letter that the DCCC</p> <p>24 submitted with the maps that you drew into the</p> <p>25 legislative portal on August 15th.</p>	<p>1 of the page ends in the number 6.</p> <p>2 A Uh-huh.</p> <p>3 Q We start on August 15th at 5:42 p.m. Julie</p> <p>4 Merz is saying Paul here is final lawyer approved</p> <p>5 language for the cover letter, will send an updated</p> <p>6 version on DCCC letterhead in a few minutes. Do you</p> <p>7 recall receiving that e-mail?</p> <p>8 A Yes, and I'd like to clarify that's Eastern</p> <p>9 Standard Time.</p> <p>10 Q Okay. And then you respond at 5:56 Eastern</p> <p>11 Standard Time you say thank you, at this point I will</p> <p>12 take it. Thank you. Paul. Were you sort of</p> <p>13 exasperated at that point?</p> <p>14 MR. MANOLIUS: Objection, relevance. Lacks</p> <p>15 foundation. Calls for speculation. You can answer.</p> <p>16 THE WITNESS: I characterize that as being at</p> <p>17 the end of a very long process.</p> <p>18 MS. HAMILL: Were you unhappy with the letter</p> <p>19 that the DCCC submitted to the Legislature.</p> <p>20 MR. MANOLIUS: Objection, relevance.</p> <p>21 A No.</p> <p>22 MR. MANOLIUS: Lacks foundation, calls for</p> <p>23 speculation, you can answer.</p> <p>24 A No, I just was tired.</p> <p>25 MS. HAMILL: So turning to the third page of</p>
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<p>1 MR. MANOLIUS: Objection, lacks foundation.</p> <p>2 Calls for speculation and to the extent you're asking</p> <p>3 for what's transmitted to the Legislature that's covered</p> <p>4 by legislative immunity, legislative privilege and don't</p> <p>5 answer that portion of the question.</p> <p>6 MS. HAMILL: Isn't the legislative portal</p> <p>7 public?</p> <p>8 A Are you asking me that question? Yes, yes, it</p> <p>9 is.</p> <p>10 Q Yes, it is public. Are you still going to</p> <p>11 stand on the privilege?</p> <p>12 MR. MANOLIUS: Again, I just -- what's</p> <p>13 submitted, yes, I'll stand on the privilege. The fact</p> <p>14 that it was submitted is fine for him to answer, that's</p> <p>15 the distinction I was drawing upon.</p> <p>16 THE WITNESS: Yes.</p> <p>17 MS. HAMILL Q: Okay. So let's go through</p> <p>18 these e-mails, and it is an odd e-mails chain that goes.</p> <p>19 A The inverse way I thought it was.</p> <p>20 Q Correct.</p> <p>21 MR. MANOLIUS: Yes.</p> <p>22 A Sorry.</p> <p>23 MS. HAMILL Q: Again, these are not mine. I</p> <p>24 did not produce these. So it looks like we start, I'm</p> <p>25 looking at the second page of this Exhibit 6, the bottom</p>	<p>1 this exhibit the bottom of the page end in the number</p> <p>2 seven, about a little more than halfway down the page</p> <p>3 there's an August 15th e-mail at 5:56 p.m. from Julie</p> <p>4 Merz to you and she said and attached is the .pdf</p> <p>5 version on letterhead with metadata stripped. Please</p> <p>6 attach this version to your zip file with all the goods.</p> <p>7 Send it back to us and we can then give you back your</p> <p>8 freedom. What was she referring to.</p> <p>9 MR. MANOLIUS: Objection, calls for</p> <p>10 speculation, lacks foundation. You can answer.</p> <p>11 MR. WOODS: Join.</p> <p>12 THE WITNESS: There's two things there that</p> <p>13 you're asking. Are you asking about what metadata</p> <p>14 stripped is referring to or what freedom is referring</p> <p>15 to.</p> <p>16 Q Yes. Let's start with metadata stripped?</p> <p>17 A That means that they were taking off the .pdf,</p> <p>18 the properties to show like what computer it was created</p> <p>19 on, who created it, so that would have been their choice</p> <p>20 to do that when they produced the document.</p> <p>21 Q The cover letter?</p> <p>22 A Uh-huh.</p> <p>23 Q And then what did does she mean by give you</p> <p>24 back your freedom?</p> <p>25 MR. MANOLIUS: Same objections.</p>

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<p style="text-align: right;">Page 66</p> <p>1 A Just that it had been a long process.</p> <p>2 Q How long was the process?</p> <p>3 A It was, you know, roughly a month, but most</p> <p>4 condensed into the last two weeks.</p> <p>5 Q How many hours did you put into the process?</p> <p>6 MR. MANOLIUS: You can answer. I mean vague</p> <p>7 as to time as to when but if you're talking about the</p> <p>8 last two weeks or if you're talking about the whole</p> <p>9 process.</p> <p>10 A Last two weeks was probably 15, 16 hours a</p> <p>11 day.</p> <p>12 MS. HAMILL: Do you have an estimate of total</p> <p>13 hours that you put into this project and when I say this</p> <p>14 project I am referring to what became the Prop 50 map.</p> <p>15 MR. MANOLIUS: Say from July 2nd onward. I'll</p> <p>16 object as to vague.</p> <p>17 THE WITNESS: I don't, I don't recall.</p> <p>18 MS. HAMILL Q: 200 hours?</p> <p>19 MR. MANOLIUS: Same objection. Calls for</p> <p>20 speculation.</p> <p>21 A I would have to sit down with a piece of paper</p> <p>22 and physician out what 200 hours is and how much time</p> <p>23 that is per day, so I don't know.</p> <p>24 MS. HAMILL: Okay. But it was your full-time</p> <p>25 job from July 2nd through August 15th.</p>	<p style="text-align: right;">Page 68</p> <p>1 MR. MANOLIUS: Objection, calls for</p> <p>2 speculation, vague as to time, lacks foundation, you can</p> <p>3 answer.</p> <p>4 MR. WOODS: Join.</p> <p>5 THE WITNESS: I don't recall.</p> <p>6 MS. HAMILL Q: Did the DCCC give you talking</p> <p>7 points for the prop a 50 map.</p> <p>8 MR. MANOLIUS: Objection, vague as to time.</p> <p>9 THE WITNESS: I don't recall if it was</p> <p>10 something that I created or they created or they took my</p> <p>11 things and modified them to be their things. I don't</p> <p>12 recall.</p> <p>13 MS. HAMILL Q: Turning to the next page of</p> <p>14 this exhibit, the bottom of the document ends in the</p> <p>15 number 8. The second line says these maps became public</p> <p>16 and now we need to be able to say these are submitted to</p> <p>17 the Legislature. What did you mean by that?</p> <p>18 MR. MANOLIUS: Objection. Calls for</p> <p>19 speculation, vague.</p> <p>20 THE WITNESS: And this might speak to my tone</p> <p>21 in the earlier message, people were tweeting the maps,</p> <p>22 so the maps had become, the maps had been put online,</p> <p>23 reporters had the maps, so it was at that point let's</p> <p>24 hurry up and get these submitted.</p> <p>25 Q How did the maps become public?</p>
<p style="text-align: right;">Page 67</p> <p>1 A No.</p> <p>2 Q What else were you doing then?</p> <p>3 A I work for a Political Data. I'm the</p> <p>4 vice-president.</p> <p>5 Q Were you working full time at PDI during this</p> <p>6 time?</p> <p>7 A I was technically for the last two weeks I was</p> <p>8 on a vacation, because I had planned a vacation as</p> <p>9 people all know famously.</p> <p>10 Q But before that vacation time were you going</p> <p>11 into an office for PDI?</p> <p>12 A I work from home.</p> <p>13 Q Okay. Were you working full time for PDI from</p> <p>14 home during this period of time?</p> <p>15 A I'm a full-time employee but it's not like I</p> <p>16 clock hours so if there are other projects I'm working</p> <p>17 on it is understood by the company that I'm working on</p> <p>18 other projects.</p> <p>19 Q Going back to this e-mail and we're on the</p> <p>20 page that ends in number seven, the second full</p> <p>21 paragraph of the 5:56 p.m. e-mail says the talking</p> <p>22 points will be more expansive and incorporate more of</p> <p>23 your helpful context. Do you know if she is referring</p> <p>24 to talking points in the DCCC letter or is she talking</p> <p>25 to other talking points?</p>	<p style="text-align: right;">Page 69</p> <p>1 MR. MANOLIUS: Objection, calls for</p> <p>2 speculation.</p> <p>3 MR. WOODS: Join.</p> <p>4 MS. HAMILL: Did you --</p> <p>5 A Reporters have their ways of getting maps and</p> <p>6 I have been dealing with reporters for the last several</p> <p>7 days who would call me and say oh, I have a copy of the</p> <p>8 map. (Witness shrugging shoulders.)</p> <p>9 MS. HAMILL Q: Are you aware of anyone from</p> <p>10 your staff leaking the maps to reporters.</p> <p>11 MR. MANOLIUS: Objection, lacks foundation,</p> <p>12 calls for speculation, you can answer.</p> <p>13 THE WITNESS: No. There was no, none of our</p> <p>14 staff woke up saying we're going to, you know, I'll give</p> <p>15 you an example if that helps.</p> <p>16 Q Nodding head.</p> <p>17 A Some, there were points in time where on a</p> <p>18 Zoom map would be shown and then someone would be</p> <p>19 creative and read the URL at the top of the web browser</p> <p>20 and if they typed that into the top of the web browser,</p> <p>21 all of a sudden they have a copy of the map and then</p> <p>22 every reporter will get it, but that was only in like</p> <p>23 the last 12 hours.</p> <p>24 Q So if somebody had a copy of the URL that was</p> <p>25 used for the map drawing they could put it into their</p>

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<p>1 own computer and view it on their own computer?</p> <p>2 MR. MANOLIUS: Objection, lacks foundation,</p> <p>3 calls for speculation, you can answer.</p> <p>4 A The wet map version of the maps, not working,</p> <p>5 that's wet map versions, like a Google map, off of the</p> <p>6 map.</p> <p>7 Q Interesting.</p> <p>8 A So at that point, meaning that they become</p> <p>9 public, it means that like Politico had posted a tweet</p> <p>10 that we think these are the congressional maps. That's</p> <p>11 in public record. You can pull it up.</p> <p>12 Q And so the next e-mail in this same change</p> <p>13 Friday August 15th at 6:02 p.m. Julie Merz says to you,</p> <p>14 DCCC would prefer to hit send, so please just send to us</p> <p>15 in a zip file and we will submit. Why couldn't you just</p> <p>16 submit the map directly?</p> <p>17 MR. MANOLIUS: Objection. Calls for</p> <p>18 speculation, lacks foundation, relevance. Go ahead.</p> <p>19 A They wanted to be the one to submit the map.</p> <p>20 That was their decision, not mine.</p> <p>21 Q Do you have an understanding of why?</p> <p>22 MR. MANOLIUS: Same objections.</p> <p>23 A I do not have an understanding as to why.</p> <p>24 MS. HAMILL Q: So ultimately is it your</p> <p>25 understanding that the DCCC submitted to the Legislature</p>	<p>1 correct?</p> <p>2 A Yes.</p> <p>3 MR. MANOLIUS: Objection, calls for</p> <p>4 speculation. Give me a minute. Lacks foundation. Go</p> <p>5 ahead.</p> <p>6 THE WITNESS: Yes.</p> <p>7 MS. HAMILL Q: And is your e-mail, that's</p> <p>8 shown on the first page of this exhibit August 15th,</p> <p>9 11:33 a.m., is your e-mail to the DCCC, is this what you</p> <p>10 wanted the DCCC to say in their letter that went along</p> <p>11 with the submission of the Prop 50 map.</p> <p>12 A I'd like to amend my prior comment about the</p> <p>13 word term talking points. That's not something I</p> <p>14 normally use but this is the subject line of this e-mail</p> <p>15 is talking points, so in the prior comment I made about</p> <p>16 letter August 15th e-mail and you asked me if I -- asked</p> <p>17 me about talking points then I presume this is what they</p> <p>18 were referring to so I don't want it to be, talking</p> <p>19 points isn't normally how I phrase things, so -- I</p> <p>20 didn't know that I called this talking points, but this,</p> <p>21 go on, ask the question again, I am sorry.</p> <p>22 Q Do you have my question to read back?</p> <p>23 (Whereupon the record was read as</p> <p>24 follows: "Question: ")</p> <p>25 MR. MANOLIUS: Objection. Lacks foundation</p>
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<p>1 on August 15th, the map that you drew.</p> <p>2 MR. MANOLIUS: Objection. Calls for</p> <p>3 speculation, lacks foundation, and as to the specifics</p> <p>4 of the map I instruct you not to answer and I insert the</p> <p>5 legislative privilege.</p> <p>6 MS. HAMILL Q: Is it a full instruction.</p> <p>7 MR. MANOLIUS: Yes.</p> <p>8 MS. HAMILL: Don't answer it all.</p> <p>9 MR. MANOLIUS: Yeah. Thanks. Sorry about</p> <p>10 that.</p> <p>11 MS. HAMILL: Marking as Exhibit 7 another set</p> <p>12 of e-mails between you, Mr. Mitchell, and the DCCC.</p> <p>13 (Whereupon Plaintiff's Exhibit 7</p> <p>14 was marked for identification.)</p> <p>15 MS. HAMILL: And these also came from the DCCC</p> <p>16 production and they are Bates stamped.</p> <p>17 A Oh.</p> <p>18 Q As DCCC 000043 to DCCC 000045.</p> <p>19 A (Reading.) Okay.</p> <p>20 Q Do you remember having this exchange with</p> <p>21 DCCC?</p> <p>22 A Yes, I recall.</p> <p>23 Q And so this appears to be an e-mail exchange</p> <p>24 earlier the same day, August 15th, before the</p> <p>25 communications that we just went over in Exhibit 6;</p>	<p>1 calls for speculation and to the extent this talks about</p> <p>2 how maps were drawn, I instruct you not to answer under</p> <p>3 legislative privilege. So you can again acknowledge</p> <p>4 that this e-mail occurred. But I will instruct you not</p> <p>5 to answer beyond that.</p> <p>6 A So without getting into how maps are drawn, I</p> <p>7 would say that I was not trying to tell them how to draw</p> <p>8 that, write their letter, I was trying to provide things</p> <p>9 that I thought were good messaging points for their</p> <p>10 letter.</p> <p>11 Q And can you tell me what the FAIR MAPS Act is</p> <p>12 that you were referring to on the first page of this</p> <p>13 exhibit?</p> <p>14 MR. MANOLIUS: What it is? You can answer</p> <p>15 that.</p> <p>16 THE WITNESS: So the FAIR MAPS Act is a State</p> <p>17 law that actually applies to municipal like</p> <p>18 supervisorial, city, county, school board, other</p> <p>19 redistricting here in the State. It is a parallel to</p> <p>20 the State commissions criteria, and it's the type of</p> <p>21 criteria we use in all of our municipal redistricting s,</p> <p>22 and so it is a you know absent, it is a good framework</p> <p>23 for redistricting even in other states, I might try to</p> <p>24 apply a lot of the framework as kind of best practices.</p> <p>25 Thinks of it as a best practices in the State law.</p>

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<p style="text-align: right;">Page 74</p> <p>1 Q Okay. And do you know what that criteria is?</p> <p>2 MR. MANOLIUS: Objection, calls for a legal</p> <p>3 conclusion. You can answer your understanding.</p> <p>4 THE WITNESS: I do know what the criteria is</p> <p>5 but I wouldn't want to have to do it like a test like</p> <p>6 line them all outright now but I do know what those</p> <p>7 criteria are generally.</p> <p>8 Q To the best of your recollection at this</p> <p>9 moment can you share with me as much of the criteria as</p> <p>10 you can remember?</p> <p>11 A Well, it's criteria such as, you know,</p> <p>12 preserving communities of interest, following city and</p> <p>13 county boundaries, you know when we do city council</p> <p>14 redistricting we follow neighborhood boundaries, and</p> <p>15 following essentially the same criteria as the State</p> <p>16 redistricting commission obviously those criteria also</p> <p>17 include things like partisanship and incumbency those we</p> <p>18 were allowing ourself to look at when we're drawing</p> <p>19 lines but other than that, kind of the best practices.</p> <p>20 Q Is race one of the criteria?</p> <p>21 A Complying with the Voting Rights Act I believe</p> <p>22 might be one of the criteria s like number two on the</p> <p>23 criteria after equal population.</p> <p>24 Q And how, what's your understanding of how the</p> <p>25 Voting Rights Act inter relates to race?</p>	<p style="text-align: right;">Page 76</p> <p>1 at native Alaskan populations and I think there could be</p> <p>2 arguments for other populations such such as Armenians</p> <p>3 or Caldians or something, but I haven't seen that</p> <p>4 utilized so primarily in California, Black, Asian and</p> <p>5 Latino.</p> <p>6 Q Okay. And when you were drawing the Prop 50</p> <p>7 map you used criteria from the FAIR MAPS Act; correct?</p> <p>8 MR. MANOLIUS: Objection. Calls for</p> <p>9 information that's protected under the legislative</p> <p>10 privilege. I instruct you not to answer.</p> <p>11 MS. HAMILL Q: And when you were drawing the</p> <p>12 Prop 50 map you drew the districts to protect the voting</p> <p>13 power of protected classes in California; correct.</p> <p>14 MR. MANOLIUS: Same objection, and I instruct</p> <p>15 you not to answer.</p> <p>16 MS. HAMILL: And when I say protected classes</p> <p>17 in California, I mean the racial groups that you just</p> <p>18 identified, Black, Asian and Latino.</p> <p>19 MR. MANOLIUS: Same objection, I instruct you</p> <p>20 not to answer. Calls for information that's protected</p> <p>21 by the legislative privilege.</p> <p>22 MS. HAMILL Q: Did the D.C. c can tell you why</p> <p>23 they didn't use your language regarding the FAIR MAPS</p> <p>24 Act in their submission letter to the Legislature.</p> <p>25 MR. MANOLIUS: Objection, lacks foundation,</p>
<p style="text-align: right;">Page 75</p> <p>1 MR. MANOLIUS: Objection, calls for a legal</p> <p>2 conclusion, lacks foundation. I have said it. I'll</p> <p>3 instruct you not to answer.</p> <p>4 Q You're instructing not to answer on a legal</p> <p>5 conclusion?</p> <p>6 MR. MANOLIUS: Yep.</p> <p>7 MS. HAMILL: I am not asking for a legal</p> <p>8 conclusion, I'm asking for your understanding and how</p> <p>9 you use it in your work so when I said race, you said</p> <p>10 Voting Rights Act and I'm wondering in your mind how</p> <p>11 those two relate.</p> <p>12 MR. MANOLIUS: In his work generally?</p> <p>13 MS. HAMILL: In your work generally.</p> <p>14 A So the Voting Rights Act is designed to ensure</p> <p>15 that voting power of protected classes aren't diluted by</p> <p>16 the redistricting maps, generally. That's kind of a</p> <p>17 layperson terminology.</p> <p>18 MS. HAMILL Q: And can you identify the</p> <p>19 protected classes in California.</p> <p>20 MR. WOODS: Objection, calls for a legal</p> <p>21 conclusion. You can answer.</p> <p>22 MR. MANOLIUS: I'll join that.</p> <p>23 A Predominantly in California you'll see</p> <p>24 redistrict goes looking at black Latino populations.</p> <p>25 However, we did redistricting in Alaska, we were looking</p>	<p style="text-align: right;">Page 77</p> <p>1 calls for speculation, you can answer.</p> <p>2 THE WITNESS: No, they didn't describe why,</p> <p>3 they didn't use my language essentially saying that</p> <p>4 these were consistent with the commission criteria and</p> <p>5 the FAIR MAPS Act.</p> <p>6 Q Did the DCCC lawyers express to you any</p> <p>7 concerns about lawsuits along racial lines regarding the</p> <p>8 Prop 50 map?</p> <p>9 MR. MANOLIUS: Objection. Vague as to time.</p> <p>10 Vague as to some of the terminology, but you can report</p> <p>11 that.</p> <p>12 A No.</p> <p>13 MS. HAMILL Q: You mentioned communities of</p> <p>14 interest. How, what are the communities of interest in</p> <p>15 California.</p> <p>16 MR. MANOLIUS: Objection, overbroad, vague and</p> <p>17 again depending on where in the State.</p> <p>18 A To answer that week be.</p> <p>19 MR. MANOLIUS: And also with regard to, I am</p> <p>20 sorry objection and also with regard to his general</p> <p>21 redistricting work. Is that the question?</p> <p>22 MS. HAMILL: Yes.</p> <p>23 MR. MANOLIUS: Yes.</p> <p>24 THE WITNESS: It could -- we could be here</p> <p>25 forever identifying communities of interest, because a</p>

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<p style="text-align: right;">Page 78</p> <p>1 community of interest is a socioeconomic group or other 2 group. The way that I explain it when I do 3 redistricting is that it should generally have three 4 things, it should be something you can identify like a 5 skateboarders, they're a group, it should be something 6 that you can map, skateboarders all live on this part of 7 town and then it should be something that has a concern 8 with the agency being redistricted, the city council is 9 going to get rid of the skate park so the skateboarders 10 are now a community of interest that should be 11 considered. There are other types of communities of 12 interest. A neighborhood is a community of interest. 13 People say I live in boulevard park that's a community 14 of interest. People who go to the senior senior could 15 be a community of interest, young people, old people, 16 LGBTQ community has been a community of interest and 17 that's been one that California considers in a lot of 18 municipal redistricting, and I've used in redistricting 19 had elevation be a community of interest in a water 20 redistricting, because at certain elevations the water 21 district had different rates. 22 I have had almond trees and walnut trees be 23 communities of interest, because walnut trees use water 24 differently than almond trees in a water redistricting. 25 I've had agricultural areas and farms be</p>	<p style="text-align: right;">Page 80</p> <p>1 so it generally is the -- the identified group and their 2 interests in those three things, so they're a group that 3 can be identified a group that can be mapped and a group 4 that has concern before the agency. 5 Those are general ways that I describe it when 6 I do my municipal statewide redistricting, even in New 7 York, that's how we describe communities of interest. 8 Q In what community of interest data did your 9 staff collect for the Prop 50 map? 10 MR. MANOLIUS: Objection, calls for information 11 that is protected by the legislative privilege. I 12 instruct you not to answer. 13 MS. HAMILL Q: And how did they convert that 14 information into geographic formats. 15 MR. MANOLIUS: Same objection. I instruct you 16 not to answer. 17 MS. HAMILL Q: Were any racial communities of 18 interest used in drawing the Proposition 50 maps. 19 MR. MANOLIUS: Same objection. I instruct you 20 not to answer. 21 MS. HAMILL Q: Did you talk to the DCCC about 22 racial considerations you made in your map. 23 MR. MANOLIUS: Same objection. Instruct you 24 not to answer. 25 MS. HAMILL Q: Why didn't you participate in</p>
<p style="text-align: right;">Page 79</p> <p>1 communities of interest. I've had attendance rates, 2 school campuses. 3 There are a plethora of communities of 4 interest and oftentimes they are very subjective and the 5 communities of interest in the State redistricting in 6 the city council redistricting water redistricting they 7 can all be different even in the same footprint so that 8 skateboarding community of interest that impacted lines 9 in Sacramento might have really no interest in the SMUD 10 redistricting or the school board redistricting because 11 they're not really an active community of interest for 12 that agency. 13 Q And people who shop at the same grocery store; 14 right? 15 A Or, yeah, or use Insta-Cart. 16 Q Can racial groups be communities of interest? 17 MR. MANOLIUS: Objection, calls for 18 speculation, vague as to in what context. If you mean 19 in his general redistricting work you can answer the 20 question. 21 THE WITNESS: Generally, if there is a 22 community say with the Armenian grocery stores or there 23 is a community around a Black church, or there is an 24 area where they're concerned about having in language 25 services, then those become the communities of interest,</p>	<p style="text-align: right;">Page 81</p> <p>1 the public legislative hearings for Prop 50? 2 MR. MANOLIUS: Objection, lacks foundation. 3 Calls for speculation. Vague as to time. You can 4 answer. 5 THE WITNESS: 6 MR. WOODS: Join. 7 A I wasn't asked to. 8 MS. HAMILL Q: Is and did you speak to any 9 legislators about how you drew the maps before they 10 voted on what became Prop 50? 11 MR. MANOLIUS: Same objection, calls for 12 information that's protected by the legislative 13 privilege. I instruct you not to answer. 14 MS. HAMILL Q: Well, we identified some 15 staffers earlier that you did speak to about the maps; 16 correct. 17 MR. MANOLIUS: You identified the staffers who 18 were engaged during that time, yes, but the content of 19 those conversations protected by legislative privilege 20 and I am instructing him not to answer. 21 MS. HAMILL Q: I am not asking for the 22 content, I am asking did you speak to any of the 23 legislators on the map before they wrote ed on the map. 24 MR. MANOLIUS: I am sorry. 25 A In the prior question you asked about the</p>

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<p>1 drawing of the maps, so are you saying now just did I 2 talk to them at all before while they were considering 3 it? 4 MS. HAMILL Q: Did you talk to any legislators 5 between August 15th, and the vote on the Proposition 50 6 map. 7 MR. WOODS: Objection. 8 MR. MANOLIUS: Objection vague as to what. 9 MR. WOODS: Join. 10 A Yes. 11 MS. HAMILL Q: Who did you speak to? 12 MR. MANOLIUS: Yeah. 13 THE WITNESS: Um, are you saying as an 14 one-on-one basis who did I speak to? 15 MR. MANOLIUS: Maybe start with that. 16 MS. HAMILL: Why don't we start with 17 one-on-one. 18 A You -- it might be incomplete, so I apologize. 19 I'm just going to think of people that I talked to. 20 Par. 21 MR. MANOLIUS: Keep in mind the time period she 22 had asked about. 23 A It was August 15th through the passage; right. 24 MS. HAMILL: Uh-huh. 25 A Christopher Kamon, Sabrina Cervantes,</p>	<p>1 like, Rick Sabera we can add to the list, he is a 2 legislator and prior to presenting at one point I talked 3 to him prior to me talking, but I wasn't having 4 one-on-one conversations with the members in the group 5 settings. 6 MS. HAMILL Q: And did you talk to any 7 legislators about protecting racial groups with respect 8 to the Proposition 50 map? 9 MR. MANOLIUS: Objection, calls for 10 information that's protected under the legislative 11 privilege. I instruct you not to answer. 12 MS. HAMILL Q: Did any legislator express any 13 sentiment whatsoever about protecting the voting power 14 of any racial group to you with respect to the 15 Proposition 50 map? 16 MR. MANOLIUS: Same objection and I instruct 17 you not to answer, legislative privilege. 18 MS. HAMILL Q: Isn't it true that multiple 19 legislators expressed to you concerns about protecting 20 the voting power of certain racial groups in California 21 with respect to the Proposition 50 map. 22 MR. MANOLIUS: Objection, compound and also 23 calls for information that's protected by the 24 legislative privilege. 25 MS. HAMILL Q: At the time of the vote on the</p>
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<p>1 senators, both of those are senators. Really, if I had 2 like a list of all of the legislators in front of me I 3 might be able the do a better job of this. 4 Angela Gashby, I am just trying to travel 5 around the state in my head, um -- oh, if I had a 6 legislative list I could probably do a better job. 7 Q Can you give me a percentage of how many 8 members of the legislator you spoke with during that 9 time period? 10 A One-on-one, I would say ten. 11 Q 10-percent or ten individuals? 12 A Ten total, which is roughly 10-percent of the 13 legislature. 14 Q And did you also address them in group 15 settings? 16 MR. MANOLIUS: You can answer. 17 A Yes. 18 MS. HAMILL: And in group settings, how many 19 of them did you speak with at a time. 20 MR. MANOLIUS: Objection, compound. If there 21 was more than one meeting you might want to indicate 22 that. 23 THE WITNESS: I believe, to my best of my 24 recollection in group settings, they were speaking with 25 the group and if I was having one-on-one conversation,</p>	<p>1 map, and when we say map it wasn't really a map; right, 2 it was just the legal descriptions of what became the 3 map; is that right. 4 MR. MANOLIUS: Objection, calls for 5 speculation. 6 THE WITNESS: A census block equivalency is a 7 the equivalent of a map so I would still call it a map 8 even if it's not a picture of the map. 9 MS. HAMILL Q: And at the time and that was 10 AB604; correct. 11 A Yes. I believe there were multiple bills. 12 Q And at the time that the legislature voted on 13 AB604 were they presented with any alternative maps? 14 MR. MANOLIUS: Objection, calls for 15 speculation. You can answer, if you know. 16 THE WITNESS: I'm not aware. 17 MS. HAMILL Q: Did you redraw the map based on 18 any input from any legislators. 19 MR. MANOLIUS: Objection calls for information 20 that's protected by the legislative privilege. I 21 instruct you not to answer. 22 MS. HAMILL Q: I want to go back to Exhibit 6, 23 the DCCC cover letter. So the last couple of lines, 24 let's go with the third from the bottom of the first 25 paragraph, it says, "Republican majority states or</p>

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<p style="text-align: right;">Page 86</p> <p>1 republicans -- doing the bidding of their D.C. party 2 bosses -- are considering adopting a clearly racially 3 gerrymandered, partisan map at the expense of their 4 voters." 5 Is it possible to have a clearly racially 6 gerrymandered partisan map? 7 MR. MANOLIUS: Objection. Calls for 8 speculation, lacks foundation and vague as to time and 9 scope. 10 MR. WOODS: Join. Also, calls for a legal 11 conclusion. 12 MR. MANOLIUS: I'll join that one. 13 THE WITNESS: I don't know and I didn't write 14 this, so -- 15 MS. HAMILL Q: Are you familiar with the 16 concept of a racially gerrymandered partisan map? 17 MR. MANOLIUS: Again, vague as to the term and 18 calls for legal conclusion and calls for speculation. 19 You can answer. 20 MR. WOODS: Join. 21 THE WITNESS: To be clear, my work is in 22 municipal and not partisan redistricting. 23 I have never done a partisan redistricting 24 until now, but generally I think in most cases I've 25 heard of maps being a racial gerrymander or a partisan</p>	<p style="text-align: right;">Page 88</p> <p>1 MR. WOODS: Join. Also, calls for a legal 2 conclusion. 3 THE WITNESS: So from my own experience prior 4 to ever working redistricting, prior to ever working in 5 the Legislature, a bill generally has -- remember how a 6 bill becomes a law, the song? 7 But a bill begins as a draft. It routes its 8 way through committees and some of those committees have 9 deadlines and so, oftentimes, when an urgent issue comes 10 up it's not timely to go back to beginning of the 11 process, it's more timely to take a bill that has gone 12 through some steps and then utilize that as the vehicle 13 is what they'll call that as their vehicle for a new 14 bill. 15 MS. HAMILL Q: So it's a quick way to get a 16 bill passed? 17 A I'm not -- 18 MR. MANOLIUS: Objection. Mischaracterizes 19 his testimony. You can answer the question. 20 THE WITNESS: I haven't worked in the 21 Legislature in almost 20 years so, but from a layperson 22 standpoint it is a more efficient way to move an issue 23 along if it's urgent. 24 MS. HAMILL Q: And was the Prop 50 map the 25 product of gut and amend?</p>
<p style="text-align: right;">Page 87</p> <p>1 gerrymander or another gerrymander or amenity 2 gerrymander, but I don't know that they can't be two 3 things at once. That's not my area of expertise. 4 MS. HAMILL Q: When I say "gut and amend," do 5 you have an understanding of what that means? 6 A My ears went up. Sorry. 7 MR. WOODS: Objection. Calls -- 8 MR. MANOLIUS: Objection, vague. Calls for 9 speculation. 10 MR. WOODS: It calls for a legal conclusion. 11 You can answer. 12 THE WITNESS: Of course. I worked in the 13 legislature so I know what a gut and amend is. 14 MS. HAMILL Q: Can you give us a basic 15 explanation from your understanding of what it is? 16 MR. MANOLIUS: Same objection. 17 THE WITNESS: A gut and amend is generally 18 where you take the contents out and you put new contents 19 in and it retains the same bill number, oftentimes the 20 same author, and then it moves forward in the process. 21 MS. HAMILL Q: Do you know why gut and amend 22 is used? 23 MR. MANOLIUS: Objection, calls for 24 speculation, overbroad, vague as to time, subject 25 matter. You can answer.</p>	<p style="text-align: right;">Page 89</p> <p>1 MR. MANOLIUS: Objection. Calls for a legal 2 conclusion, calls for speculation, lacks foundation, and 3 seeks information protected by the privilege, so I 4 instruct you not to answer. 5 MS. HAMILL Q: Based on your understanding of 6 the gut and amend, is Proposition 50 a gut and amend, 7 based on the public process, not on anything that you're 8 familiar with, in your own private capacity? 9 MR. MANOLIUS: Again, same objection. The way 10 you're characterizing it misstates and part of the 11 legislative process, so instruct you not to answer. 12 THE WITNESS: (Witness shrugging shoulders.) 13 MS. HAMILL Q: Okay. I just want to know if 14 you think it was a gut and amend. 15 MR. MANOLIUS: Same objection. 16 MS. HAMILL: Based on public processes? 17 MR. MANOLIUS: Don't answer. 18 MS. HAMILL Q: And there was a clerical error 19 that had to be corrected after the Legislature voted on 20 this map with respect to mislabeled districts; correct? 21 MR. WOODS: Objection, vague. 22 MR. MANOLIUS: Yeah. Same. 23 THE WITNESS: I'm not aware of that. And to 24 be clear, once it was in the Legislature I was paying a 25 lot less attention, but I've never heard that before</p>

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<p>1 until you stated it.</p> <p>2 MS. HAMILL: So you're unaware of any changes</p> <p>3 having to be made to the map after the vote in the</p> <p>4 Legislature?</p> <p>5 MR. MANOLIUS: Objection. Misstates his</p> <p>6 testimony, calls for speculation, vague as to time. You</p> <p>7 can answer.</p> <p>8 MR. WOODS: Join.</p> <p>9 THE WITNESS: No idea.</p> <p>10 MS. HAMILL Q: As a voter.</p> <p>11 A You're not speaking to the ballot guide?</p> <p>12 Q I am sorry?</p> <p>13 A The ballot guide had an error of printing that</p> <p>14 mislabeled a district but not, I am not aware of anything</p> <p>15 with the bill.</p> <p>16 Q The ballot guide had an error, so it wasn't</p> <p>17 the map itself?</p> <p>18 A I don't know what you're speaking to, but I'm</p> <p>19 potentially conflating an issue that happened after the</p> <p>20 ballot guide was mailed and a district was misnumbered</p> <p>21 on a map and they had to send out a supplement.</p> <p>22 Q Can you tell me more about that?</p> <p>23 A I am not, I don't work for the Secretary of</p> <p>24 State so I don't know, I was not a part of this.</p> <p>25 But voters were mailed a ballot guide and in</p>	<p>1 Act's districts in the Proposition 50 map?</p> <p>2 MR. MANOLIUS: Objection. Calls for</p> <p>3 information that's protected legislative privilege. I</p> <p>4 instruct you not to answer.</p> <p>5 MS. HAMILL Q: And when you're drawing maps</p> <p>6 generally, how do you know which district is a Voting</p> <p>7 Rights Act district?</p> <p>8 MR. MANOLIUS: Objection. Overbroad, vague,</p> <p>9 relevance, and vague as to the term voting rights</p> <p>10 district. You can answer your general understanding, as</p> <p>11 long as it's not part of the Prop 50 process.</p> <p>12 THE WITNESS: In other redistricting I don't</p> <p>13 generally call something a voting rights district.</p> <p>14 MS. HAMILL Q: You don't use that phrase.</p> <p>15 A Generally, I try not to use a term like voting</p> <p>16 acts right district, but I do generally want in my</p> <p>17 municipal redistricting or working with the State of New</p> <p>18 York in their redistricting or working in other states,</p> <p>19 I generally do want to be cognizant of VRA and I want to</p> <p>20 lean on legal counsel for interpretations of the VRA.</p> <p>21 Q And so, generally, when you're drawing</p> <p>22 districts and you are trying to protect the voting</p> <p>23 interests of protected classes, how do you identify</p> <p>24 which districts those are?</p> <p>25 MR. MANOLIUS: Objection. Overbroad, lacks</p>
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<p>1 the ballot guide I think it's called a ballot guide,</p> <p>2 there were maps and on one of the maps I believe two</p> <p>3 districts were numbered 22 or two districts were</p> <p>4 numbered 27, and other maps in the ballot guide were</p> <p>5 properly numbered, but even though there was an error on</p> <p>6 one page they ended up mailing out a postcard to all</p> <p>7 voters saying this is the properly numbered statewide</p> <p>8 map.</p> <p>9 Q So they mailed a correction postcard to all</p> <p>10 registered voters in California?</p> <p>11 A (Witness nodding head.)</p> <p>12 MR. MANOLIUS: Objection. Calls for</p> <p>13 speculation, lacks foundation. You can answer, if you</p> <p>14 know.</p> <p>15 MR. WOODS: Same objection. Also, relevance.</p> <p>16 THE WITNESS: My understanding, that's my</p> <p>17 understanding.</p> <p>18 MS. HAMILL Q: Do you have any idea how much</p> <p>19 that cost?</p> <p>20 MR. WOODS: Same objection.</p> <p>21 MR. MANOLIUS: Call for speculation, lacks</p> <p>22 foundation. You can answer.</p> <p>23 THE WITNESS: I do not know.</p> <p>24 MS. HAMILL Q: Have any California legislators</p> <p>25 expressed interest to you in preserving Voting Rights</p>	<p>1 foundation, calls for speculation, and I instruct you</p> <p>2 not to answer as to the Prop 50 project, but you can</p> <p>3 answer to any other things you've done.</p> <p>4 MR. WOODS: Join.</p> <p>5 THE WITNESS: I think the question itself</p> <p>6 might be a little bit missing, because generally what</p> <p>7 happens, say use an example, I have done in a recent</p> <p>8 redistricting a member of the community comes forward</p> <p>9 with a draft map that has the district that's over</p> <p>10 50-percent of one racial group and then I'll generally</p> <p>11 work with attorneys to say is this something that should</p> <p>12 be given a priority because of the Voting Rights Act.</p> <p>13 But the way your question was worded</p> <p>14 insinuated that I go headstrong into a redistricting</p> <p>15 with that, there's with some kind of VRA idea prior to</p> <p>16 any maps being drawn.</p> <p>17 MS. HAMILL Q: What you just explained to me</p> <p>18 where you'll receive something from a group that shows</p> <p>19 you a map with over 50-percent of a particular racial</p> <p>20 group and then you talk to an attorney to see if that</p> <p>21 needs special attention. Did you do that with respect</p> <p>22 to Proposition 50?</p> <p>23 MR. MANOLIUS: Objection. Calls for</p> <p>24 information that's protected by the legislative</p> <p>25 privilege. I instruct you not to answer.</p>

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<p style="text-align: right;">Page 94</p> <p>1 MS. HAMILL Q: What attorneys do you generally 2 or which attorneys do you generally speak to to ask that 3 question? 4 MR. MANOLIUS: Objection, vague as to time, 5 project, state. You can answer. 6 THE WITNESS: Regarding other redistrictings. 7 MS. HAMILL Q: Yes. 8 A It depends if the agency has their own 9 internal legal counsel that's handling that or contract 10 legal counsel or, you know, State of New York had 11 assigned legal counsel and experts, and so it depends 12 based on the agency. 13 Q And when you say agency you mean the 14 government agency? 15 A Governmental agency, yeah. 16 Q And so you'll rely on the legal advice of the 17 governmental agency? 18 A Or their attorneys, contract attorneys. 19 Q Got it. Did you talk to Assembly Member Isaac 20 Bryan while drawing Proposition 50 maps? 21 A Oh, I did. Wait a minute. Hold on a second. 22 Let me revise that. 23 I don't recall. What was the timeframe you 24 asked about? 25 Q While drawing the Proposition 50 maps.</p>	<p style="text-align: right;">Page 96</p> <p>1 was taken at 12:11 p.m. 2 and the deposition was reconvened 3 at 1:04 p.m.) 4 THE VIDEOGRAPHER: We are back on the record. 5 The time s 1:04 p.m. and this marks the beginning of 6 videotape number three in the deposition of Paul 7 Mitchell, which is being taken at Hansen Bridgett, LLP, 8 500 Capitol Mall, Suite 1500, Sacramento, California. 9 The videographer is Nicholas Coulter here on behalf of 10 Array Legal Services. 11 MS. HAMILL Q: All right. I am marking as 12 Exhibit 8 the transcript of the Capitol Weekly Podcast 13 dated August 15th, 2025. 14 (Whereupon Plaintiff's Exhibit 8 15 was marked for identification.) 16 MS. HAMILL Q: And I'll give you a couple of 17 minutes to just sort of skim through this document. 18 A Am I -- 19 Q Have you seen this document before? 20 A This is the one that's attached in one of the 21 filings or something like that? 22 Q It's marked as Exhibit 10 for our preliminary 23 hearing. 24 MR. MEUSER: I believe only an excerpt of it 25 was attached. I don't think the entire document itself</p>
<p style="text-align: right;">Page 95</p> <p>1 A No. 2 Q Did you speak to Mike McGuire while drawing 3 the Proposition 50 maps? 4 A No. 5 MR. MANOLIUS: And just so vague as to time, 6 you mean between July -- 7 THE WITNESS: Since drawn. 8 MR. MANOLIUS: -- July and August timeframe. 9 THE WITNESS: Yeah. So prior to this, the 10 submission of the map, which would be the drawing 11 period, no. 12 MS. HAMILL Q: Did you speak to Speaker Rivas 13 during that same period? 14 A No. 15 Q Did you speak to the staff members of any of 16 those three legislators during that period? 17 A Definitely to the pro tem and the speaker, but 18 not sure about Isaac Bryan's staff. 19 MS. HAMILL: Are you all hungry for lunch or 20 should we push this? 21 THE REPORTER: Off the record? 22 MR. MANOLIUS: Yeah. That would be great. 23 THE VIDEOGRAPHER: The time is 12:11 p.m. We 24 are going off the record. 25 (Whereupon the luncheon recess</p>	<p style="text-align: right;">Page 97</p> <p>1 was attached, so -- 2 THE WITNESS: Let me make sure I know which 3 ones is -- 4 THE REPORTER: When you talk, I must write it 5 down. 6 THE WITNESS: Okay. 7 MR. MEUSER: That exhibit number is exhibit 8 number of our joint exhibit list, so you're not pulling 9 it from a prior file. Oh, yeah. Okay. 10 MR. MANOLIUS: So your question was: Have you 11 seen this document before? 12 THE WITNESS: Have I seen this document 13 before? Then maybe not. 14 MS. HAMILL Q: Do you recall doing an 15 interview with Capitol Weekly Podcast on August 15th, 16 2025? 17 A I recall doing an interview with them. The 18 date it says on here, I don't -- just believe it, but I 19 don't recall what day it was. 20 Q And just flipping through the pages, do you 21 generally recollect having a conversation reflected in 22 this transcript? 23 MR. MANOLIUS: Objection, compound, overbroad. 24 You can answer. 25 THE WITNESS: Yes.</p>

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<p style="text-align: right;">Page 98</p> <p>1 MS. HAMILL Q: So at first this Proposition 50 2 operation was a bluff; correct? 3 MR. MANOLIUS: Objection. Calls for 4 information that's protected by the litigation 5 privilege. Don't answer the question. 6 MS. HAMILL Q: Did someone tell you to draw 7 maps or to talk about maps in a way that might scare 8 Texas out of redistricting? 9 MR. MANOLIUS: Same objections. Instruct you 10 not to answer the question. 11 MS. HAMILL Q: And who told you that? 12 A (Witness smiling.) 13 MR. MANOLIUS: Same objections. Instruct you 14 not to answer the question. 15 MS. HAMILL Q: Did anyone pay you to do that? 16 MR. MANOLIUS: Hold. Same objections. In 17 terms of the specificity of what was discussed and 18 implicates the legislative privilege. 19 MS. HAMILL Q: And then you had people 20 reaching out to you asking you to draw a 52 to zero map; 21 correct? 22 MR. MANOLIUS: Objection. Well, again, vague 23 as to time. Are we talking about during the process, 24 because if so it's protected by the legislative 25 privilege so I instruct you not to answer, if it was</p>	<p style="text-align: right;">Page 100</p> <p>1 MS. HAMILL Q: And what did you mean when you 2 said the VRA, on line ten? 3 A I meant the layperson's understanding of what 4 Texas was doing. 5 Q And so this section that I've asked you to 6 read sounds like you're talking about the democratic 7 eco-stream. 8 Is that what you mean by people on X and 9 Twitter? 10 A I think that's a typo. I think it was 11 ecosystem. 12 Q Oh, that makes more sense, the democratic 13 ecosystem and -- 14 A I may have misstated it but that's what I 15 meant. You know what I mean? This is consistent with 16 what I just said in prior questions, two questions ago. 17 Q So it wasn't like you had a specific request, 18 it was just people on Twitter, people generally were 19 yapping about a 52 to zero democratic advantage 20 congressional map; correct? 21 A It was chatter, yeah. 22 Q But no specific direction? 23 A No. 24 MR. MANOLIUS: Interpose a late objection as 25 to specific direction.</p>
<p style="text-align: right;">Page 99</p> <p>1 during the process we have described from July through 2 August. 3 MS. HAMILL Q: Has anyone ever asked you to 4 draw a 52 to zero Democrat advantage congressional map 5 for California? 6 MR. MANOLIUS: Again, if it's during the map 7 drawing process, I'd caution you to not answer the 8 question, but if it's outside of that process, you can 9 answer the question. 10 THE WITNESS: I'd only characterize maybe 11 people on Twitter saying why doesn't he draw a 52 to 12 zero map, but not somebody actually directing me to do 13 it. 14 MS. HAMILL Q: Can you turn to page 10 of this 15 exhibit that we have marked as Exhibit 8, and I'll 16 direct your attention to lines four through 13? 17 A Uh-huh. 18 MR. MANOLIUS: Through 13, you said? 19 MS. HAMILL: Yes. 20 MR. MANOLIUS: Thanks. 21 MS. HAMILL Q: Do you remember saying these 22 things during this interview? 23 MR. MANOLIUS: The portion between three and 24 14 or three and 13? Do you -- answer the question. 25 THE WITNESS: Yes.</p>	<p style="text-align: right;">Page 101</p> <p>1 THE WITNESS: I should have waited. 2 MR. MANOLIUS: No, that's not bad. Due to 3 legislative privilege. Thanks. 4 MS. HAMILL Q: And they said why can't we just 5 throw out the VRA and create six to eight more Democrat 6 pickups; right? 7 MR. MANOLIUS: Is your question whether he 8 said that? 9 THE WITNESS: I can affirm that that's what is 10 written here. 11 MS. HAMILL Q: And what did you mean by that? 12 MR. MANOLIUS: Objection, lacks foundation. 13 You can answer. 14 THE WITNESS: I meant that there were certain 15 people in the ecosystem maybe that didn't even know a 16 lot about redistricting who were saying why not just 17 throw all the guardrails off and draw something crazy 18 like what you see on Twitter. 19 There were a lot of what I derisively call 20 Twitter maps drawn by serious people. 21 Q They were not drawn by serious people? 22 MR. WOODS: Is that a "yes"? Sorry. 23 MR. MANOLIUS: It's your question. 24 THE WITNESS: They were not drawn by serious 25 people, yes. Sorry. I was -- I didn't see that as an</p>

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<p style="text-align: right;">Page 102</p> <p>1 actual question, I saw that as more of a --</p> <p>2 MR. WOODS: Sure. Just sorry, not trying to</p> <p>3 interject, just want a clear record.</p> <p>4 MS. HAMILL Q: And so throwing out the</p> <p>5 guardrails for the VRA, what does that mean to you?</p> <p>6 A Just throwing out the guardrails for</p> <p>7 everything.</p> <p>8 Q For everything, the VRA?</p> <p>9 A I saw maps that were contiguous. I think Mark</p> <p>10 has seen those maps too.</p> <p>11 Q So what does throwing away the VRA mean to</p> <p>12 you?</p> <p>13 MR. MANOLIUS: In the context of this</p> <p>14 interview? You can answer.</p> <p>15 THE WITNESS: On a podcast, speaking to a lay</p> <p>16 audience of political people it means just abandoning</p> <p>17 all constitutional requirements of any kind. It just</p> <p>18 means doing a map without -- it means, like I stated</p> <p>19 earlier, doing a map just free of any -- it's a</p> <p>20 rule-less map essentially.</p> <p>21 MS. HAMILL Q: Because earlier when I said</p> <p>22 race, you immediately said the Voting Rights Act, so it</p> <p>23 sounded like you equated the two.</p> <p>24 MR. MANOLIUS: Objection, vague. I'm not sure</p> <p>25 what you're referring to. Misstates his testimony.</p>	<p style="text-align: right;">Page 104</p> <p>1 MS. HAMILL Q: While drawing proposition, the</p> <p>2 Proposition 50 map it was important to you to pay</p> <p>3 attention to race and not just focus on partisanship;</p> <p>4 correct?</p> <p>5 MR. MANOLIUS: Objection. Same objection,</p> <p>6 legislative privilege, and I instruct you not to answer.</p> <p>7 MS. HAMILL Q: And you said you were going to</p> <p>8 create a five district pickup follow the Voting Rights</p> <p>9 Act and keep communities of interest together; correct?</p> <p>10 MR. MANOLIUS: Objection. Lacks foundation.</p> <p>11 Are you asking him to affirm what's in the transcript?</p> <p>12 I am not sure I understand the question.</p> <p>13 MS. HAMILL: You can answer.</p> <p>14 THE WITNESS: Oh, this is what I said, if</p> <p>15 that's what you're asking.</p> <p>16 MS. HAMILL: So you're pointing to --</p> <p>17 A There's line 18 to 20 which I think you're</p> <p>18 referencing in the transcript, I won't dispute that that</p> <p>19 is what I said. I trust the transcript.</p> <p>20 Q Did you use race to identify any communities</p> <p>21 of interest in your map drawing for Proposition 50?</p> <p>22 MR. MANOLIUS: Objection, legislative</p> <p>23 privilege, instruct you not to answer.</p> <p>24 MS. HAMILL Q: And what communities of</p> <p>25 interest information did you provide to the California</p>
<p style="text-align: right;">Page 103</p> <p>1 MR. WOODS: Join.</p> <p>2 MR. MANOLIUS: Lacks foundation.</p> <p>3 THE WITNESS: I am unclear about the question</p> <p>4 or the connection between what I said earlier and you</p> <p>5 making this statement here about the VRA so the</p> <p>6 question, I am sorry, doesn't make sense to me.</p> <p>7 MS. HAMILL Q: Do you recall earlier</p> <p>8 discussing race and Voting Rights Act?</p> <p>9 MR. MANOLIUS: Vague.</p> <p>10 THE WITNESS: I know.</p> <p>11 MR. MANOLIUS: Objection, vague.</p> <p>12 THE WITNESS: We had a discussion about it</p> <p>13 with regards to my municipal clients and my deference to</p> <p>14 attorneys on determining Voting Rights Act compliance</p> <p>15 and so on, but that is a much more serious actual</p> <p>16 working for an agency working on a redistricting versus</p> <p>17 talking to a podcast after the maps have been submitted</p> <p>18 when this is part of, you know, just layperson's</p> <p>19 understanding.</p> <p>20 MS. HAMILL Q: For the purposes of the</p> <p>21 Proposition 50 map, complying with the VRA meant</p> <p>22 maintaining Hispanic majority districts to you; correct?</p> <p>23 MR. MANOLIUS: Objection. Calls for</p> <p>24 information that's protected by the legislative</p> <p>25 privilege and I instruct you not to answer.</p>	<p style="text-align: right;">Page 105</p> <p>1 Legislature for Prop 50?</p> <p>2 MR. MANOLIUS: Same objections. I instruct you</p> <p>3 not to answer.</p> <p>4 MS. HAMILL Q: Let's turn to page 12 of this</p> <p>5 transcript. I'll point your attention to lines nine</p> <p>6 through 14.</p> <p>7 A Hmm.</p> <p>8 Q And if you peek back at page 11, line 24,</p> <p>9 you're talking about Sara Sadhwani?</p> <p>10 A Uh-huh.</p> <p>11 Q Who is Sara Sadhwani?</p> <p>12 A She is also on that page on line two.</p> <p>13 Sara Sadhwani is one of the members of the</p> <p>14 independent redistricting commission, the state</p> <p>15 redistricting commission.</p> <p>16 Q Was?</p> <p>17 A Is, ten year terms. They have ten year terms.</p> <p>18 Q So it exists, just doesn't have any power</p> <p>19 anymore?</p> <p>20 MR. WOODS: Objection, calls for a legal</p> <p>21 conclusion.</p> <p>22 MR. MANOLIUS: Objection, calls for legal</p> <p>23 conclusion, lacks foundation. You can answer, if you</p> <p>24 know.</p> <p>25 THE WITNESS: They actually do still meet</p>

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<p style="text-align: right;">Page 106</p> <p>1 infrequently. I don't think they really have a budget 2 or staff right, now but they do have a role in helping 3 with the transition to the next commission in 2031. 4 MS. HAMILL Q: And so you said, "I don't think 5 she'd stand up on that stage and say I support this if 6 what we're going to get was districts that decimated all 7 of the communities, you know, throughout L.A. like some 8 of the public map or some of the map proposals we've 9 seen." 10 Do you remember saying that? 11 A I trust the transcript. I remember saying 12 something -- this is the kind of thing I would have 13 said. 14 Q And who drew those other maps? 15 A People on Twitter, largely. I use the people 16 on Twitter as a broad representation of things in social 17 media. 18 Q But you're not aware of any legitimate 19 organization that drew alternative maps? 20 MR. MANOLIUS: Objection. Vague as to the term 21 "legitimate organization," and vague as to "drew maps," 22 you can draw maps anywhere, so I am not sure I 23 understand the question, but you can answer. 24 MR. WOODS: Join. 25 THE WITNESS: Earlier in the testimony or the</p>	<p style="text-align: right;">Page 108</p> <p>1 Orange County as they drew the maps and that's a no go." 2 Why is that a no go? 3 MR. MANOLIUS: I am sorry. What lines are you 4 on? 5 THE WITNESS: 16 to 20 on page 13. 6 MR. MANOLIUS: Objection, vague as to time, 7 scope, context and foundation whether you said it. 8 THE WITNESS: Um, I think what we're looking 9 at here is there were maps that would take different 10 Orange County communities of interest that have 11 traditionally argued before redistricting commission to 12 be kept together and draw them into districts so that 13 they're going into other counties and they are, you 14 know, drawing a district that, you know, goes from 15 Garden Grove to Rancho Palos Verdes, things like that. 16 Q And that was a no go? 17 A It was a no go, because a lot of groups who 18 would have were organized before the redistricting 19 commission advocating for their communities of interest 20 would find themselves decimated in those plans, and so 21 they would become a vocal opposition to the legislators 22 as they're trying to pass a plan or vocal opposition to 23 the ballot measure if it was to be on the ballot. 24 Q Do you know which specifics groups those would 25 be?</p>
<p style="text-align: right;">Page 107</p> <p>1 discussion, I don't know what you call this, you asked 2 me about if other groups were submitting maps or doing 3 maps. 4 I knew there were other maps around but not 5 any association or a group submitting a map or having a 6 map that was one of these maps. 7 MS. HAMILL Q: Were you aware of any 8 alternative maps floating around leading up to 9 Proposition 50 that would have given Democrats more of 10 an advantage, aside from the ones you've dismissed as 11 just Twitter chatter from Twitter people? 12 MR. MANOLIUS: Objection. To the extent you're 13 calling for things that went into the legislative 14 process, I'll instruct you not to answer. If you're 15 aware of anything else, you can answer. 16 MR. WOODS: I would also object that it's 17 vague. 18 THE WITNESS: I don't think I can answer that 19 based on my attorney's objection. 20 MS. HAMILL Q: And if you could turn to page 21 13, lines 16 to 20. 22 A (Witness complied.) 23 Q So you said, "We worked with some folks in 24 D.C. and saw some maps as an example that went into 25 Orange County and just tore up the Asian community in</p>	<p style="text-align: right;">Page 109</p> <p>1 A I don't know. I can't start to name all of 2 them. I clarify basically saying what I just said in 3 the following remainder of that page too. 4 Q So on page 14, lines nine through 13 -- 5 A (Witness complied.) 6 Q -- you said you wanted to have the final maps 7 be consistent with commission work and be supported with 8 communities of interest testimony; correct? 9 A Let me read this for a second, if that's 10 okay -- 11 Q Sure. 12 A -- because I am not -- I am skimming it and 13 it's not making sense to me. Yes. Okay. Thank you. 14 Could you ask the question? I'm sorry. 15 Q Do you mind reading that back? 16 (Whereupon the record was read as 17 follows: "Question: So on page 18 14, lines nine through 13 -- 19 "Answer: (Witness complied.) 20 "Question: -- you said you 21 wanted to have the final maps be 22 consistent with commission work 23 and be supported with communities 24 of interest testimony; correct? 25 "Answer: Let me read this for a</p>

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<p style="text-align: right;">Page 110</p> <p>1 second, if that's okay --</p> <p>2 "Question: Sure.</p> <p>3 "Answer: -- because I am not --</p> <p>4 I am skimming it and it's not</p> <p>5 making sense to me. Yes. Okay.</p> <p>6 Thank you. Could you ask the</p> <p>7 question? I'm sorry.")</p> <p>8 MR. MANOLIUS: Objection. Calls for</p> <p>9 speculation, lacks foundation, but you can certainly</p> <p>10 answer the question, if you said that.</p> <p>11 THE WITNESS: I said what is here, so if</p> <p>12 that's your characterization I won't dispute it.</p> <p>13 MS. HAMILL Q: Thank you. Was the final map</p> <p>14 for Proposition 50 supported with communities of</p> <p>15 interest testimony?</p> <p>16 MR. MANOLIUS: Objection, vague, lacks</p> <p>17 foundation. And at what time? I don't understand the</p> <p>18 question.</p> <p>19 THE WITNESS: Are you saying that -- are you</p> <p>20 not asking, are you asking about in the map drawing</p> <p>21 process or are you saying, like, what was on the ballot</p> <p>22 after the maps, after my job was over after I was done</p> <p>23 with the contract?</p> <p>24 Q I am asking the question in the context we</p> <p>25 just discussed in your statement here on page 14 from</p>	<p style="text-align: right;">Page 112</p> <p>1 but even the districts that were changed, I don't want</p> <p>2 to get into the privileged portion, but one could look</p> <p>3 at the map today and see a lot of consistency between</p> <p>4 the map today and the map as it was passed by the</p> <p>5 commission in 2021.</p> <p>6 Q And do you have documents reflecting that</p> <p>7 communities of interest testimony of which you're aware?</p> <p>8 MR. MANOLIUS: From 2021? Vague as to time.</p> <p>9 I am not sure I understand.</p> <p>10 THE WITNESS: They're public documents and you</p> <p>11 can grab them right now. The commission website is</p> <p>12 still up and they still have all of their community</p> <p>13 testimony in an air table.</p> <p>14 MS. HAMILL Q: And then you said you asked her</p> <p>15 team to get on the box and start drawing. What is the</p> <p>16 box?</p> <p>17 A Um --</p> <p>18 MR. MANOLIUS: Objection. First, lacks</p> <p>19 foundation as to whether you said that, so --</p> <p>20 THE WITNESS: The box is an internal staff</p> <p>21 term for the computer that houses most of the software.</p> <p>22 MS. HAMILL Q: And that's your proprietary</p> <p>23 system?</p> <p>24 A And Maptitude and other things, it's a remote</p> <p>25 computer.</p>
<p style="text-align: right;">Page 111</p> <p>1 line 9 to 14. You said you wanted the final work to be</p> <p>2 supported with communities of interest testimony.</p> <p>3 A Uh-huh.</p> <p>4 Q I'm asking you was the final map that became</p> <p>5 Prop 50 supported with communities of interest</p> <p>6 testimony?</p> <p>7 MR. MANOLIUS: Again, objection. Vague as to</p> <p>8 and where and what context and when. You can answer.</p> <p>9 MR. WOODS: Join.</p> <p>10 THE WITNESS: I think objectively looking at</p> <p>11 the map you can see that the Prop 50 map that was passed</p> <p>12 by voters was consistent with a lot of what was</p> <p>13 important in the redistricting commission process and a</p> <p>14 lot of what testimony was stated before the commission</p> <p>15 in 2021 and in 2011 as they deliberated.</p> <p>16 MS. HAMILL Q: What specific communities of</p> <p>17 interest do you have in mind when you're telling me</p> <p>18 that?</p> <p>19 A Well, in this document I talk about the LGBTQ</p> <p>20 community. I also talk about environmental community,</p> <p>21 but there could be a hundred different communities of</p> <p>22 interest throughout the State whose communities of</p> <p>23 interest that they advocated for in the prior</p> <p>24 redistricting were retained within the current maps, not</p> <p>25 only the all the districts that weren't changed at all,</p>	<p style="text-align: right;">Page 113</p> <p>1 Q And when you are done with the marked</p> <p>2 exhibits, if you can just hand them to the reporter.</p> <p>3 A That's perfect. That's perfect. I'll do that</p> <p>4 from now.</p> <p>5 MS. HAMILL: I am going to mark as Exhibit 9</p> <p>6 the Hispanas Organized for Political Equality, HOPE</p> <p>7 presentation.</p> <p>8 (Whereupon Plaintiff's Exhibit 9</p> <p>9 was marked for identification.)</p> <p>10 MS. HAMILL Q: You're familiar with Hispanas</p> <p>11 Organized For Political Equity; correct?</p> <p>12 A (Witness nodding head.)</p> <p>13 Q HOPE?</p> <p>14 A HOPE, yes.</p> <p>15 Q So we can call them HOPE?</p> <p>16 A Please.</p> <p>17 Q It's much easier.</p> <p>18 A Uh-huh.</p> <p>19 Q Great. When did you first become acquainted</p> <p>20 with HOPE?</p> <p>21 A I first became acquainted with HOPE more than</p> <p>22 a dozen years ago, maybe 15 years ago.</p> <p>23 Q 2010-ish?</p> <p>24 A I think that probably sounds about right.</p> <p>25 Q And you gave a presentation to HOPE in October</p>

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<p style="text-align: right;">Page 114</p> <p>1 of 2025; correct?</p> <p>2 A Yes.</p> <p>3 Q October 17th?</p> <p>4 A That's the date on the transcript and I don't</p> <p>5 dispute it. I don't recollect it exactly.</p> <p>6 Q And was that to encourage the Latino community</p> <p>7 to support Prop 50?</p> <p>8 A This was to inform the HOPE participants, the</p> <p>9 organization as to what was on the ballot, Prop 50, and</p> <p>10 yes, but it was -- I don't know that they would want to</p> <p>11 characterize it as campaigning. It was more of an</p> <p>12 informational thing. It was myself and a demographer</p> <p>13 for the no vote.</p> <p>14 Q For the no site?</p> <p>15 A Uh-huh.</p> <p>16 Q And so you were informing HOPE about what the</p> <p>17 maps did?</p> <p>18 MR. MANOLIUS: Objection. Lacks foundation,</p> <p>19 calls for speculation. If you might want him to look at</p> <p>20 a specific place in the transcript, that would probably</p> <p>21 be better, but you can answer, if you know.</p> <p>22 MS. HAMILL: You can stop with the speaking</p> <p>23 objections.</p> <p>24 MR. MANOLIUS: Sorry. I am done.</p> <p>25 THE WITNESS: I don't know that that was my</p>	<p style="text-align: right;">Page 116</p> <p>1 conversation reflected in this transcript?</p> <p>2 MR. MANOLIUS: Objection, vague, compound,</p> <p>3 overbroad. Quite a number of pages. You can look</p> <p>4 through them too.</p> <p>5 THE WITNESS: Yes, I recognize them.</p> <p>6 MS. HAMILL: I am going to ask counsel to</p> <p>7 please stop with the speaking objections.</p> <p>8 MR. MANOLIUS: I'll make my objections.</p> <p>9 Thanks.</p> <p>10 MS. HAMILL: You're welcome.</p> <p>11 Q So the Zoom, the video from from this Zoom</p> <p>12 discussion is no longer publicly available. Do you have</p> <p>13 any idea why that is?</p> <p>14 MR. MANOLIUS: Objection, lacks foundation.</p> <p>15 You can answer.</p> <p>16 THE WITNESS: I didn't know that it was</p> <p>17 publicly available, so I don't have any response. I</p> <p>18 don't have any interaction with -- no.</p> <p>19 MS. HAMILL Q: At any time did you personally</p> <p>20 take any action to get the video taken off of the public</p> <p>21 domain?</p> <p>22 A No.</p> <p>23 Q Do you recall telling HOPE that Prop 50 would</p> <p>24 increase Latino voting power?</p> <p>25 A No.</p>
<p style="text-align: right;">Page 115</p> <p>1 charge exactly. I speak to HOPE on a regular basis,</p> <p>2 maybe every six months, maybe every year, and so they</p> <p>3 were having me back to talk about what was going on with</p> <p>4 Prop 50.</p> <p>5 And they don't think they gave me, like, a</p> <p>6 charge to speak about what specific part of it like</p> <p>7 that. They told me not to talk about partisanship but</p> <p>8 they told me to talk about Prop 50.</p> <p>9 Q And were you paid for this --</p> <p>10 A No.</p> <p>11 Q -- appearance? And just for everyone's</p> <p>12 reference, this transcript is included as Exhibit B in</p> <p>13 the U.S. Complaint Intervention and it's also marked as</p> <p>14 Exhibit 11 for the preliminary injunction hearing.</p> <p>15 So have you seen this transcript before?</p> <p>16 A I've seen that it exists. I haven't read</p> <p>17 through it.</p> <p>18 Q I want to give you a few minutes to just look</p> <p>19 through it, generally.</p> <p>20 A Okay.</p> <p>21 MR. MEUSER: And for your information, your</p> <p>22 testimony or your presentation starts on page 20.</p> <p>23 THE WITNESS: Thank you. Oh, yes. Okay. All</p> <p>24 right.</p> <p>25 MS. HAMILL Q: Do you recognize generally the</p>	<p style="text-align: right;">Page 117</p> <p>1 Q I'm going to turn your attention to page 23,</p> <p>2 line 24 through page 24 line one.</p> <p>3 A Uh-huh.</p> <p>4 Q Can you read that out loud for me, please,</p> <p>5 starting at line 24 on page 23?</p> <p>6 A I'll trust that this is the right transcript,</p> <p>7 but -- and I started listing out this concept of drawing</p> <p>8 a replacement majority/minority Latino in the middle of</p> <p>9 Los Angeles, that was the number one thing that I first</p> <p>10 started thinking about because of something that I</p> <p>11 worked with HOPE on in the last redistricting process.</p> <p>12 Q Do you remember saying that?</p> <p>13 A I recall speaking to it. I don't remember</p> <p>14 saying those exact words.</p> <p>15 Q Were you being truthful when you said that?</p> <p>16 A I was being --</p> <p>17 MR. MANOLIUS: Objection. Calls for legal</p> <p>18 conclusion, argumentative. You can answer.</p> <p>19 THE WITNESS: I was being truthful in that</p> <p>20 when we first started working on this this was a map</p> <p>21 that was already drawn.</p> <p>22 MS. HAMILL Q: When you say this, are you</p> <p>23 referring to the Proposition 50 map?</p> <p>24 A This map that's, this map, this map, I mean a</p> <p>25 map that puts -- when I say I first started thinking</p>

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<p style="text-align: right;">Page 118</p> <p>1 about it because of something that I worked with HOPE on</p> <p>2 in the last redistricting process, there was a map</p> <p>3 associated with that work in 2021, so I knew that that</p> <p>4 map existed and I knew that that map creates an</p> <p>5 additional democratic seat in the middle of Los Angeles.</p> <p>6 Q Are you saying you drew a map with HOPE in</p> <p>7 2021?</p> <p>8 A No, I just knew there was one that existed.</p> <p>9 Q Okay.</p> <p>10 A And that had been advocated by Equality</p> <p>11 California, environmental protection groups and HOPE, so</p> <p>12 I knew that there was already a map on the shelf.</p> <p>13 And so on the first thing I can think of is,</p> <p>14 hey, I know one thing that's easy to do, that's why I</p> <p>15 was expressing to them there was a, hey, I know</p> <p>16 something that will pick up a democratic seat.</p> <p>17 Q Did you work with HOPE at all in 2021 on that</p> <p>18 map?</p> <p>19 A I don't recall. I know it existed.</p> <p>20 Q How often has HOPE sent you map proposals?</p> <p>21 A Never any. Potentially, I mean, I don't want</p> <p>22 to, I don't want to say -- let me para -- let me</p> <p>23 rephrase that.</p> <p>24 I don't recall them ever sending me a map</p> <p>25 proposal. That isn't the core of what they do as an</p>	<p style="text-align: right;">Page 120</p> <p>1 And so HOPE was advocating for putting that</p> <p>2 district back in L.A.</p> <p>3 Q And that was your starting point for</p> <p>4 Proposition 50?</p> <p>5 A I guess.</p> <p>6 MR. MANOLIUS: Objection. I instruct you not</p> <p>7 to answer based on legislative privilege what was done</p> <p>8 during Prop 50.</p> <p>9 THE WITNESS: Speaking here after the map was</p> <p>10 done I was articulating this lines two through five that</p> <p>11 I knew that a proposal had been done in 2021 that they</p> <p>12 were advocating for.</p> <p>13 MS. HAMILL Q: Going down to line six on page</p> <p>14 24, it looks like you say you're going to read for a</p> <p>15 second, so you start reading something at the HOPE</p> <p>16 presentation; is that correct?</p> <p>17 A Uh-huh.</p> <p>18 Q What were you reading?</p> <p>19 MR. MEUSER: Can that be a verbal answer?</p> <p>20 MR. MANOLIUS: You said, "Uh-huh."</p> <p>21 MR. MEUSER: You said, "Uh-huh."</p> <p>22 THE WITNESS: Oh, yes. I was -- I was saying</p> <p>23 yes only to characterize that I was following along with</p> <p>24 what your question was.</p> <p>25 That line six was, I was reading a letter from</p>
<p style="text-align: right;">Page 119</p> <p>1 organization.</p> <p>2 Q So how does your relationship work? Would</p> <p>3 they express a desire for something and you would</p> <p>4 provide them with a draft map --</p> <p>5 MR. MANOLIUS: Objection.</p> <p>6 THE WITNESS: In 2021?</p> <p>7 MR. MANOLIUS: Wait. Objection, vague as to</p> <p>8 time. I am not sure during what process you mean.</p> <p>9 MS. HAMILL: At any time.</p> <p>10 THE WITNESS: So in 2021?</p> <p>11 MR. MANOLIUS: At any time except, excuse</p> <p>12 me -- objection -- the Prop 50 map drawing process,</p> <p>13 which I instruct you not to answer about.</p> <p>14 THE WITNESS: Yes. Very readily available to</p> <p>15 anybody who wanted to look is in 2021. HOPE and a</p> <p>16 number of groups were advocating for a map that would</p> <p>17 not remove a district from Los Angeles, because that's</p> <p>18 what the commission chose to do in 2021.</p> <p>19 They went from 53 to 52 districts and they had</p> <p>20 a question, how are we going to do this? Are we going</p> <p>21 to do this by starting from a scratch map and just</p> <p>22 letting everything fall where it is or are we going to</p> <p>23 just take a map out of L.A. where they're the slower</p> <p>24 growing portion of the state and it makes our job easier</p> <p>25 just to take a district out of L.A.</p>	<p style="text-align: right;">Page 121</p> <p>1 2021.</p> <p>2 MS. HAMILL Q: The letter from HOPE.</p> <p>3 A Yes. Oh, you've got it.</p> <p>4 MR. MEUSER: We're prepared.</p> <p>5 (Whereupon Plaintiff's Exhibit 10</p> <p>6 was marked for identification.)</p> <p>7 MS. HAMILL Q: I have marked as Exhibit 10 a</p> <p>8 November 24th, 2021, letter from HOPE to the Citizens</p> <p>9 Redistricting Commission. It is also marked as Exhibit</p> <p>10 12 for the preliminary injunction hearing.</p> <p>11 Is this the letter that you were referring to</p> <p>12 on page 24 of this transcript?</p> <p>13 MR. MANOLIUS: Just objection, vague. Is it</p> <p>14 just the first two pages, because there seem to be some</p> <p>15 other things after it?</p> <p>16 MS. HAMILL: It's the complete document.</p> <p>17 THE WITNESS: Um, I was referring to the first</p> <p>18 two pages of this. I haven't seen the attachment in</p> <p>19 years.</p> <p>20 MS. HAMILL Q: So is it your testimony that</p> <p>21 there is a version of this letter that doesn't have the</p> <p>22 attachment to it?</p> <p>23 MR. MANOLIUS: Objection, calls for</p> <p>24 speculation.</p> <p>25 THE WITNESS: Oh, um --</p>

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<p style="text-align: right;">Page 122</p> <p>1 MR. MANOLIUS: Misstates his testimony.</p> <p>2 THE WITNESS: I'm only saying that I have only</p> <p>3 seen the first two pages recently when I was presenting.</p> <p>4 I had forgotten that this other attachment was even</p> <p>5 here.</p> <p>6 MS. HAMILL Q: But you had seen that before,</p> <p>7 the attachment?</p> <p>8 A Ions ago, yeah, in 2021.</p> <p>9 Q So I want to walk you through -- I'm going</p> <p>10 back to --</p> <p>11 A Uh-huh.</p> <p>12 Q -- Exhibit 9. You can set aside the letter</p> <p>13 for a minute.</p> <p>14 A Okay.</p> <p>15 Q Just going through the transcript here, so</p> <p>16 line six, page 24, you say you're going to read for a</p> <p>17 second, and you just testified that you were reading</p> <p>18 from what has been marked as Exhibit 10, and you read</p> <p>19 from the HOPE letter.</p> <p>20 And then I think you're quoting it on line</p> <p>21 nine, you say, "HOPE is concerned about the elimination</p> <p>22 of the majority/minority Latino district within the area</p> <p>23 of Los Angeles Gateway cities."</p> <p>24 Do you remember saying that?</p> <p>25 A I remember reading this letter.</p>	<p style="text-align: right;">Page 124</p> <p>1 to the commission.</p> <p>2 MS. HAMILL: Are you able to go back to my</p> <p>3 last question? And before we do that, I am going to ask</p> <p>4 one more time politely, please, stop with the improper</p> <p>5 speaking objections.</p> <p>6 MR. MANOLIUS: They are not improper, but</p> <p>7 everybody is entitled to their opinion.</p> <p>8 If there's lack of clarity in the question, I</p> <p>9 am going to object.</p> <p>10 MS. HAMILL: You may object, but don't start</p> <p>11 testifying or advising your client while on the record.</p> <p>12 MR. MANOLIUS: I am not doing any of that.</p> <p>13 (Whereupon the record was read as</p> <p>14 follows: "Question: And do you</p> <p>15 believe that to be true?")</p> <p>16 MR. WOODS: Objection. Vague.</p> <p>17 MR. MANOLIUS: Calls for speculation, vague.</p> <p>18 MS. HAMILL Q: You just explained before we</p> <p>19 got into this transcript, you explained what happened</p> <p>20 where the commission had to move the map from 53 to 52</p> <p>21 districts; right?</p> <p>22 A Uh-huh.</p> <p>23 Q And they did take away that district; correct?</p> <p>24 MR. MANOLIUS: Objection, misstates his</p> <p>25 testimony. You can answer.</p>
<p style="text-align: right;">Page 123</p> <p>1 Q Okay. And then it continues on line 13.</p> <p>2 "The seat, which is called by the L.A. Times</p> <p>3 the most Latino district in the country, disappeared off</p> <p>4 the map despite the growing Latino population throughout</p> <p>5 the state."</p> <p>6 Do you remember saying that?</p> <p>7 A Yes.</p> <p>8 Q And do you believe that to be true?</p> <p>9 A I can't speak --</p> <p>10 MR. MANOLIUS: Just a second. Let me</p> <p>11 interpose a late objection. Do you remember saying</p> <p>12 that? Vague, misstates the testimony, if he remembers</p> <p>13 reading that, adopting it.</p> <p>14 THE WITNESS: And then I can tell you that I</p> <p>15 read this. There are statements in here that, it's</p> <p>16 their letter that says HOPE is concerned about the</p> <p>17 elimination.</p> <p>18 I don't have firsthand knowledge of their</p> <p>19 concern, but I am reading their letter that says they</p> <p>20 were concerned, and their citing of L.A. Times article</p> <p>21 that I'm reading their letter, so I don't have</p> <p>22 independent knowledge of that either.</p> <p>23 So this isn't my, I didn't write this letter</p> <p>24 so I am not able to speak to the veracity of the letter,</p> <p>25 I am just reading back to them what they had submitted</p>	<p style="text-align: right;">Page 125</p> <p>1 THE WITNESS: I stated objectively that the</p> <p>2 commission had to make a choice of where to remove a</p> <p>3 district in the district, but they, the district that</p> <p>4 most people believed was, quote unquote, removed was an</p> <p>5 L.A. district from the move from 53 to 52.</p> <p>6 They're characterizing it they are messaging</p> <p>7 about it in a way that is their own choice of how to</p> <p>8 message about it. They are not making objective</p> <p>9 statements here, they are making persuasive statements</p> <p>10 that I can't speak to.</p> <p>11 MS. HAMILL Q: Okay. And moving on down page</p> <p>12 24, starting at line 17, I don't think you're quoting</p> <p>13 anymore.</p> <p>14 A Uh-huh.</p> <p>15 Q I think this is your own speech. "And that</p> <p>16 letter on page two illustrated what HOPE wanted to see</p> <p>17 done in a coalition with a lot of other partners in Los</p> <p>18 Angeles."</p> <p>19 Do you remember saying that?</p> <p>20 A That portion of it is my words, it looks like,</p> <p>21 and then the next sentence is quoting.</p> <p>22 Q Okay. So the second sentence on line 19, you</p> <p>23 go back to quoting the HOPE letter that's marked as</p> <p>24 Exhibit 10?</p> <p>25 A With number one is the beginning of where I'm</p>

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<p style="text-align: right;">Page 126</p> <p>1 quoting again.</p> <p>2 Q Okay. So line 20, it says, "Number one,</p> <p>3 create a gateway cities district centered around Downey</p> <p>4 as described in the analysis, allowing for the creation</p> <p>5 of five Latino majority/minority districts in an area</p> <p>6 where there are currently four."</p> <p>7 So are you reciting --</p> <p>8 A I want to, yeah, I want to amend one of my</p> <p>9 earlier statements, because I might have been reading</p> <p>10 from a different version of the letter.</p> <p>11 As you notice, I have two words in here that</p> <p>12 aren't on the letter that you're providing.</p> <p>13 You have minority districts in an area, in an</p> <p>14 area where there are currently four and the letter that</p> <p>15 you provided me says minority districts where there are</p> <p>16 currently four, so just slightly different. I might</p> <p>17 have been reading from a slightly different version of</p> <p>18 the letter.</p> <p>19 Q Do you think there is a different version of</p> <p>20 this letter floating around?</p> <p>21 MR. MANOLIUS: Objection, speculation.</p> <p>22 MR. WOODS: Join.</p> <p>23 THE WITNESS: Potentially.</p> <p>24 MS. HAMILL Q: And you said that this letter</p> <p>25 is available on the redistricting commission website;</p>	<p style="text-align: right;">Page 128</p> <p>1 Q -- is that correct?</p> <p>2 A Yeah.</p> <p>3 Q Is that a fair thing to say?</p> <p>4 A Yeah.</p> <p>5 Q Okay. Now we're going back to the transcript,</p> <p>6 page 24, line 25. You say, "Secondly, take the district</p> <p>7 that was called LB north, which is now the Robert Garcia</p> <p>8 district, take that district to the south through Seal</p> <p>9 Beach into Huntington Beach, making a Latino-influenced</p> <p>10 district at 35 percent Latino by voting age population."</p> <p>11 Do you remember saying that?</p> <p>12 A I remember saying something like that.</p> <p>13 Q And that doesn't perfectly reflect point two</p> <p>14 on the second page of the letter that's marked as</p> <p>15 Exhibit 10, does it?</p> <p>16 MR. MANOLIUS: Objection, lacks foundation,</p> <p>17 vague. You can answer.</p> <p>18 THE WITNESS: It is off by a few words here</p> <p>19 and there.</p> <p>20 MS. HAMILL Q: Do you think perhaps when you</p> <p>21 were speaking at this HOPE presentation you were</p> <p>22 ad-libbing a bit from the letter?</p> <p>23 A Potentially.</p> <p>24 MR. MANOLIUS: Objection, calls for</p> <p>25 speculation.</p>
<p style="text-align: right;">Page 127</p> <p>1 correct?</p> <p>2 MR. MANOLIUS: Objection, calls for</p> <p>3 speculation, lacks foundation.</p> <p>4 THE WITNESS: I don't recall where I got it</p> <p>5 from. I just know that when I got it it was two pages,</p> <p>6 it didn't have these things, and so potentially where</p> <p>7 we're getting these from different sources or I had a</p> <p>8 different version of it or something.</p> <p>9 MS. HAMILL Q: Would you please go back and</p> <p>10 obtain the copy of the letter from which you were</p> <p>11 reading at this October 17th, 2025 presentation and</p> <p>12 provide it to your counsel who will then provide it to</p> <p>13 me?</p> <p>14 A You -- I understand your question. I'll look</p> <p>15 to see if I can do that.</p> <p>16 Q Thank you.</p> <p>17 A And maybe I'm wrong, but --</p> <p>18 Q Thank you. All right. So I believe we're on</p> <p>19 page 24 of this HOPE transcript, line 17 --</p> <p>20 A Uh-huh.</p> <p>21 Q -- down to line 24, and to me that looks like</p> <p>22 the second page of what we marked as Exhibit 10.</p> <p>23 A Uh-huh.</p> <p>24 Q It looks like the first bold bullet point --</p> <p>25 A Yeah.</p>	<p style="text-align: right;">Page 129</p> <p>1 THE WITNESS: Potentially. I was reading as</p> <p>2 I'm talking and so there was a little bit, and that</p> <p>3 might be why there was two words in the first bullet</p> <p>4 point. I don't know.</p> <p>5 MS. HAMILL Q: Okay. And so that was your</p> <p>6 starting point what we just went over you've testified,</p> <p>7 that that was the start point that you had for</p> <p>8 Proposition 50; correct?</p> <p>9 MR. MANOLIUS: Objection, don't answer it.</p> <p>10 Calls for information protected by the legislative</p> <p>11 privilege.</p> <p>12 MS. HAMILL Q: That's what you told HOPE, at</p> <p>13 least?</p> <p>14 MR. MANOLIUS: Um, objection. Misstates the</p> <p>15 testimony, vague. You can answer.</p> <p>16 MR. WOODS: Join.</p> <p>17 THE WITNESS: What I told HOPE was that the</p> <p>18 off the shelf, the first thing available to us in trying</p> <p>19 to create an additional democratic seat was to utilize a</p> <p>20 map that had already been drawn that was being advocated</p> <p>21 for them before the commission, that's what I articulate</p> <p>22 here.</p> <p>23 MS. HAMILL Q: Did you tell HOPE that this</p> <p>24 creating a Latino majority district and putting back in</p> <p>25 this district was the starting point, because you were</p>

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<p style="text-align: right;">Page 130</p> <p>1 trying to convince them to vote for Proposition 50?</p> <p>2 MR. MANOLIUS: Objection. I instruct you not</p> <p>3 to answer, to the extent that it implicates your Prop 50</p> <p>4 work, legislative privilege, so I instruct you not to</p> <p>5 answer.</p> <p>6 MS. HAMILL Q: Did you tell HOPE that this</p> <p>7 letter we've marked as Exhibit 10 was your starting</p> <p>8 point, because that was the truth and that's how you</p> <p>9 started drawing the Proposition 50 map?</p> <p>10 MR. MANOLIUS: Same objection. Legislative</p> <p>11 privilege.</p> <p>12 MS. HAMILL Q: Going back to the transcript,</p> <p>13 which is marked as Exhibit 9, page 25, line six, you</p> <p>14 say, "That two bullet points was the first thing we did</p> <p>15 in drawing the new map. We essentially reversed the</p> <p>16 Redistricting Commission's decision to eliminate the</p> <p>17 Latino district from L.A., the old Ed Roybal district,</p> <p>18 Lucille Roybal-Allard district, the first Latino</p> <p>19 majority/minority district in the country, the first</p> <p>20 Latino member of Congress in the country."</p> <p>21 Do you remember saying that?</p> <p>22 A I remember saying something like that, yeah.</p> <p>23 Q Is it true?</p> <p>24 MR. MANOLIUS: Objection. To the extent it</p> <p>25 calls for legislative privilege and information, I</p>	<p style="text-align: right;">Page 132</p> <p>1 covered by the legislative privilege. You can certainly</p> <p>2 answer as to what you told HOPE.</p> <p>3 MR. WOODS: Also, mischaracterizes testimony.</p> <p>4 THE WITNESS: It definitely mischaracterizes</p> <p>5 my testimony, I believe. The, I think the point of this</p> <p>6 was to give a path on the back of the HOPE leadership</p> <p>7 that advocated really hard for the membership in 2021</p> <p>8 and to let them know that, that roughly, because if you</p> <p>9 actually look at the map it is different than their</p> <p>10 bullet points, but that roughly that they, that what</p> <p>11 they had advocated for in 2021 was valuable.</p> <p>12 MS. HAMILL Q: How is it different from their</p> <p>13 bullet points?</p> <p>14 MR. MANOLIUS: Objection, vague, lacks</p> <p>15 foundation. And vague as to how is what different? I</p> <p>16 am not sure.</p> <p>17 MS. HAMILL Q: Just quoting your words. You</p> <p>18 said the Prop 50 map is different from these bullet</p> <p>19 points; correct?</p> <p>20 MR. MANOLIUS: I instruct you not to answer</p> <p>21 the question as to due to legislative privilege with</p> <p>22 regard to the Prop 50 map.</p> <p>23 MS. HAMILL Q: I'm asking about the map is</p> <p>24 drawn, we can all see it. It's not private.</p> <p>25 Looking at the map, can you tell if it's the</p>
<p style="text-align: right;">Page 131</p> <p>1 instruct you not to answer.</p> <p>2 MR. MEUSER: Is there an answer?</p> <p>3 MR. MANOLIUS: I said not to answer.</p> <p>4 MR. MEUSER: You said to the extent.</p> <p>5 MR. MANOLIUS: I instruct you not to answer</p> <p>6 the question.</p> <p>7 MS. HAMILL Q: Was the point of this exercise</p> <p>8 that you described between lines six and 13, was the</p> <p>9 point of that exercise to eliminate Ken Calvert's</p> <p>10 district or to create a fifth Latino majority district?</p> <p>11 MR. MANOLIUS: I instruct you not to answer.</p> <p>12 That's covered by legislative privilege.</p> <p>13 MS. HAMILL Q: The point of that exercise was</p> <p>14 to create a fifth Latino majority district, wasn't it?</p> <p>15 MR. MANOLIUS: Same objection and I instruct</p> <p>16 you not to answer the question.</p> <p>17 MS. HAMILL Q: Was it just a fortuitous bonus</p> <p>18 that eliminating Ken Calvert's district gave you a fifth</p> <p>19 Latino majority district?</p> <p>20 MR. MANOLIUS: Same objection. I instruct you</p> <p>21 not to answer the question.</p> <p>22 MS. HAMILL Q: If that's the case, if it was a</p> <p>23 fortuitous bonus, then why did you tell HOPE that you</p> <p>24 set out to create a majority district?</p> <p>25 MR. MANOLIUS: Objection. Seeks information</p>	<p style="text-align: right;">Page 133</p> <p>1 same or different from what's in these proposed bullet</p> <p>2 points, which were written in 2021 are not relevant to</p> <p>3 the Prop 50 legislative privilege?</p> <p>4 A You can see the maps that they submitted and</p> <p>5 they are similar, but not the same.</p> <p>6 Q In what ways?</p> <p>7 A In that there is a Long Beach to Orange County</p> <p>8 district and there is a north of Long Beach to gateway</p> <p>9 cities district.</p> <p>10 Q And how are they different?</p> <p>11 (Sneezing.)</p> <p>12 A Because bullet point one says as described in</p> <p>13 the analysis, which it's not going to match what's in</p> <p>14 the analysis, and it describes the percentage Latino</p> <p>15 CVAP in Huntington Beach, because the LB north district</p> <p>16 is not exactly what we created. Ours goes further into</p> <p>17 Newport Beach and is not 35 to 40 percent Latino citizen</p> <p>18 voting population.</p> <p>19 Q What is it?</p> <p>20 A Less than that, something less than that.</p> <p>21 Q And so point one on the second page of</p> <p>22 Exhibit 10 refers to an analysis. Is that referring to</p> <p>23 the analysis that's attached to the letter?</p> <p>24 MR. MANOLIUS: Objection, calls for</p> <p>25 speculation.</p>

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<p style="text-align: right;">Page 134</p> <p>1 THE WITNESS: When I was doing the</p> <p>2 presentation I didn't know exactly which analysis they</p> <p>3 were speaking to, but given these together it was</p> <p>4 speaking to this, and there's probably even a picture of</p> <p>5 a map in here. I don't know. And I don't -- and the</p> <p>6 Prop 50 map did not create an additional Latino</p> <p>7 majority/minority district.</p> <p>8 MS. HAMILL Q: What do you mean?</p> <p>9 A It objectively did not create another Latino</p> <p>10 district that is was over 50-percent CVAP Latino.</p> <p>11 The existing map has district 40, the</p> <p>12 commissioned mapped had a district number 42, it was</p> <p>13 over 50-percent CVAP Latino, and the new district, that</p> <p>14 district is now moved up, is renumbered 41 and now</p> <p>15 there's a new district that goes from Huntington Beach</p> <p>16 down, from Long Beach down to Huntington Beach, Newport</p> <p>17 Beach, which is not Latino majority/minority, so there's</p> <p>18 not an additional Latino majority/minority district</p> <p>19 created through that.</p> <p>20 Q So I want to turn your attention to page 25 of</p> <p>21 what's marked as Exhibit 9, lines 19 through 25.</p> <p>22 A Yes.</p> <p>23 Q And so, basically, this is saying you went</p> <p>24 back to proposals from HOPE, Equality California, groups</p> <p>25 that were trying to advocate for changes during the last</p>	<p style="text-align: right;">Page 136</p> <p>1 majority/minority districts, just one more district in</p> <p>2 L.A.</p> <p>3 Q What is your understanding of why Equality</p> <p>4 California would propose a Latino majority district?</p> <p>5 A They weren't --</p> <p>6 MR. MANOLIUS: Objection, calls for</p> <p>7 speculation.</p> <p>8 MR. WOODS: Join.</p> <p>9 MR. MANOLIUS: Lacks foundation. You can</p> <p>10 answer.</p> <p>11 THE WITNESS: They were advocating for their</p> <p>12 LGBT community. They had maps showing there was a</p> <p>13 strong LGBT community in Long Beach and they believed</p> <p>14 that that LGBT community could be more effective in</p> <p>15 advocating and helping to elect a candidate of choice</p> <p>16 from that group if it was paired with more coastal</p> <p>17 communities down Huntington Beach, Long Beach.</p> <p>18 And so their interests and HOPE's interests</p> <p>19 might have aligned, but that's why Equality California</p> <p>20 was advocating, and they have a lot of documentation and</p> <p>21 a lot of public testimony about that.</p> <p>22 MS. HAMILL Q: I am going to take you back to</p> <p>23 what I marked as exhibit --</p> <p>24 A Do you want me to give you those, please?</p> <p>25 Eight, she had it already. Okay.</p>
<p style="text-align: right;">Page 135</p> <p>1 redistricting process; right?</p> <p>2 MR. MANOLIUS: Objection, legislative</p> <p>3 privilege, instruct you not to answer.</p> <p>4 MS. HAMILL: You said it publicly, so wouldn't</p> <p>5 that be a waiver of the privilege.</p> <p>6 MR. MANOLIUS: Again, you can ask him if he</p> <p>7 said it.</p> <p>8 MS. HAMILL Q: Did you say this, Mr. Mitchell?</p> <p>9 A Yes, I said that. And the second portion of</p> <p>10 that what they were doing in 2021 is true.</p> <p>11 Q Is any part of this statement not true?</p> <p>12 A No. I am just saying it's definitely</p> <p>13 something I can confirm without getting into what</p> <p>14 happened during the Prop 50 mapping process.</p> <p>15 Q Was Equality California proposing a Latino</p> <p>16 majority district?</p> <p>17 MR. MANOLIUS: Vague as to time. Objection.</p> <p>18 Vague as to time. And if it's during the Prop 50 time,</p> <p>19 I instruct you not to answer based on legislative</p> <p>20 privilege.</p> <p>21 THE WITNESS: In 2021, Equality California was</p> <p>22 advocating for the same structure of maps that HOPE was</p> <p>23 advocating for, which would have replaced an L.A.</p> <p>24 district.</p> <p>25 But, again, same set, same number of Latino</p>	<p style="text-align: right;">Page 137</p> <p>1 Q So I want to go to page 27, line 17 down to</p> <p>2 25, and then going to page 28, lines one to two.</p> <p>3 A Okay.</p> <p>4 Q Do you remember saying this?</p> <p>5 A Yes.</p> <p>6 MR. MANOLIUS: Objection, compound. Out of</p> <p>7 text. You can answer.</p> <p>8 THE WITNESS: Yes, I recall saying that second</p> <p>9 portion of a statement you're reading. You're selecting</p> <p>10 only a second portion of a statement.</p> <p>11 MS. HAMILL Q: So I am referring to line 17.</p> <p>12 A You have to go to line six. You have to start</p> <p>13 on line six.</p> <p>14 Q Okay. But you do recall saying those things?</p> <p>15 A Uh-huh. Yes.</p> <p>16 Q Okay. And so on line 18 you say, "And so why</p> <p>17 would you remove districts from an area that's, you</p> <p>18 know, from a Latino community where this Roybal-Allard</p> <p>19 district has been historically and there's a lot of</p> <p>20 community interest arguments about that district. Why</p> <p>21 take that out when you could just leave it there and let</p> <p>22 all the districts in L.A. kind of push out over the</p> <p>23 area, over the county into other areas."</p> <p>24 And that was a true statement when you said</p> <p>25 it; correct?</p>

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<p style="text-align: right;">Page 138</p> <p>1 MR. MANOLIUS: Objection, lacks foundation, 2 calls for speculation, and vague as to what the time 3 period. 4 THE WITNESS: For this statement to make sense 5 you have to go back to line six -- 6 MS. HAMILL Q: Okay. 7 A -- because to back up a second, the last 8 commission had to go from 52 to -- 53 to 52 seats. 9 There were two arguments. You've skipped to the second 10 argument. 11 Q Uh-huh. 12 A The first argument, and so I am paraphrasing 13 what other people were saying. 14 Matt Rexroad was saying, hey, L.A. is where 15 you're losing population. Matt Rexroad was saying, hey, 16 L.A. is where you're losing the population, so you 17 should take that, you know, district out of L.A. 18 And, honestly, like, it's easier just to take 19 one district out and let the rest of the districts 20 collapse in on itself than to do what we were saying, 21 which was no, no, no, keep all the districts in L.A., so 22 that's the first argument that people were making. 23 And then the second statement, starting line 24 17, going through the end of that is me characterizing 25 the alternate statement, groups like HOPE and others</p>	<p style="text-align: right;">Page 140</p> <p>1 districts spill over into other counties, rather than 2 having a district get pulled out of the middle of L.A. 3 which would have invariably reduced a democratic member 4 of Congress. 5 So all I'm doing in this is explaining both 6 takes. Matt Rexroad is a republican consultant. 7 MS. HAMILL Q: You didn't use any partisan 8 language when you said this to Capitol Weekly, you only 9 spoke about the Latino population; correct? 10 MR. MANOLIUS: Objection, misstates testimony, 11 calls for speculation. Vague as to time. 12 MR. WOODS: The document speaks for itself. 13 THE WITNESS: Line two mentioned Ken Calvert. 14 MS. HAMILL Q: Okay. So you mentioned Ken 15 Calvert on line two, but where you're talking you just 16 explained to me, it sounds like you replaced what you 17 said on page 27, you replaced Latino with democratic and 18 progressive causes, but, anyway, we'll move on. 19 So then going to page 28, lines three through 20 seven, do you remember saying that? 21 MR. MANOLIUS: I am sorry. Can you repeat 22 your lines? 23 MS. HAMILL Q: Lines three through seven on 24 page 28. 25 MR. MANOLIUS: Thank you.</p>
<p style="text-align: right;">Page 139</p> <p>1 were saying. 2 So in both cases, I'm channelling Matt Rexroad 3 in the first statement and I'm channelling advocacy 4 groups in the second statement. 5 These aren't, I am not stating my viewpoint, I 6 am stating what was kind of the public testimony at the 7 time. 8 MS. HAMILL Q: And you ultimately went with 9 the second argument; correct? You did not take the Matt 10 Rexroad approach to the map? 11 MR. MANOLIUS: Objection, we're talking about 12 Prop 50. 13 THE WITNESS: From 2021 -- 14 MR. MANOLIUS: Objection. Calls for 15 information that's from, protected by the legislative 16 privilege, because it deals with the map drawing in 17 2025. 18 MS. HAMILL Q: Were you referring to 2021 or 19 to Prop 50 when you made these statements? 20 A Referring to 2021. 21 Q Okay. 22 A So in 2021, these were the two arguments, and 23 organizations advocating for Democrats and for 24 progressive causes were advocating for the latter of 25 maintaining as many seats in L.A. and having the</p>	<p style="text-align: right;">Page 141</p> <p>1 THE WITNESS: I don't recall saying it, but I 2 don't dispute that it's in the transcript. 3 MS. HAMILL Q: You're saying, "The first thing 4 we did was we used that community of interest testimony 5 and kind of undid what the commission did last time in 6 putting that district back in L.A. and kind of 7 eliminating that Calvert seat." 8 MR. MANOLIUS: Objection. 9 MS. HAMILL Q: That's the first thing you 10 did; correct? 11 MR. MANOLIUS: Objection, legislative 12 privilege. Instruct you not to answer. 13 MS. HAMILL: And, again, we're talking about 14 something that you have already discussed publicly on a 15 podcast and you've said this out loud and now you're 16 asserting the privilege in a deposition? 17 MR. MANOLIUS: Yes. You can ask him if he 18 said it, but to the extent that it implicates the 19 legislative privilege, he's instructed not to answer. 20 MS. HAMILL Q: So you said this, yes? You 21 said this; correct? 22 A Presuming this transcript is right, that's 23 what I said, this does -- 24 Q Is there anything in this transcript that 25 you -- that sticks out to you that's not representing</p>

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<p style="text-align: right;">Page 142</p> <p>1 what you actually said?</p> <p>2 A I haven't found anything yet, but I believe in</p> <p>3 the other transcripts I have seen things that weren't</p> <p>4 exactly right so I -- but I do -- I don't dispute it,</p> <p>5 put it that way.</p> <p>6 Q As we go through this deposition I'd</p> <p>7 appreciate it if you point out to me every time you see</p> <p>8 something in one of these transcripts that doesn't</p> <p>9 accurately reflect what you've said.</p> <p>10 A I have.</p> <p>11 Q Thank you. All right. So you're telling</p> <p>12 Capitol Weekly the first thing you did was use community</p> <p>13 of interest testimony and undid what the commission did</p> <p>14 last time in putting that district back in L.A. and kind</p> <p>15 of eliminating that Calvert seat, so that tracks with</p> <p>16 what you told HOPE you did, as well; correct?</p> <p>17 MR. MANOLIUS: Objection. Compound. Lacks</p> <p>18 foundation. You can answer.</p> <p>19 THE WITNESS: The two statements are</p> <p>20 consistent with each other, if that's what you're asking</p> <p>21 me. I don't want to characterize what I did.</p> <p>22 Otherwise, the two statements are consistent with each</p> <p>23 other.</p> <p>24 Q Okay. And we're talking about district 41;</p> <p>25 correct?</p>	<p style="text-align: right;">Page 144</p> <p>1 context and timing and overbroad and compound. You can</p> <p>2 answer.</p> <p>3 MR. WOODS: Join.</p> <p>4 THE WITNESS: We're talking about 2021;</p> <p>5 correct?</p> <p>6 MS. HAMILL Q: I'm asking you if you agree</p> <p>7 with that statement.</p> <p>8 MR. MANOLIUS: And also vague as to the</p> <p>9 context of whatever project it might be.</p> <p>10 THE WITNESS: I don't know that the</p> <p>11 terminology is exactly right or how I would -- this is,</p> <p>12 this is for clarity. This is something that somebody</p> <p>13 else wrote and that HOPE attached to their letter, which</p> <p>14 also somebody else wrote, and you're asking me to</p> <p>15 answer, it's almost like three, three steps down.</p> <p>16 But I would say that the second portion of</p> <p>17 that sentence is clearly true, that there are a lot of</p> <p>18 things that county boundaries or other lower criterias</p> <p>19 are subservient to the State's redistricting law and the</p> <p>20 question would be how you characterize Voting Rights Act</p> <p>21 and protection of voters of color.</p> <p>22 Communities of interest might be a better way</p> <p>23 of saying that, because communities of interest is a</p> <p>24 higher priority than county boundaries or other lower</p> <p>25 criteria, but this is written by a demographer that's</p>
<p style="text-align: right;">Page 143</p> <p>1 A Yes, the Ken Calvert district. In 2021 it</p> <p>2 would have been something else.</p> <p>3 Q So you relied on the HOPE letter marked as</p> <p>4 Exhibit 10 when you were drawing the Proposition 50 map;</p> <p>5 correct?</p> <p>6 MR. MANOLIUS: Objection. Calls for</p> <p>7 information protected by the legislative privilege. I</p> <p>8 instruct you not to answer.</p> <p>9 MS. HAMILL Q: I want you to turn to the fifth</p> <p>10 page of what I've marked as Exhibit 10, which looks like</p> <p>11 this (Indicating).</p> <p>12 A Okay. They don't have numbers.</p> <p>13 Q My apologies.</p> <p>14 A Footnote three at the bottom of it.</p> <p>15 MR. MEUSER: HOPE letter, so should be the</p> <p>16 third page of that.</p> <p>17 MR. WOODS: Got it.</p> <p>18 THE WITNESS: The bottom of footnote three.</p> <p>19 MS. HAMILL Q: The third full paragraph down,</p> <p>20 it starts with, "It is important to remember that voting</p> <p>21 rights and the protection of voters of color is a higher</p> <p>22 priority than preserving county boundaries or other</p> <p>23 lower order criteria."</p> <p>24 Do you agree with that statement?</p> <p>25 MR. MANOLIUS: Objection, content, vague as to</p>	<p style="text-align: right;">Page 145</p> <p>1 focused on racially polarized voting, not a demographer</p> <p>2 who draws districts, so I don't know.</p> <p>3 Q Continuing to the next sentence, it says,</p> <p>4 "Further, it is also acceptable for commissioners to</p> <p>5 value providing influence to voters of color in its</p> <p>6 districting plans, so long as it is not the sole</p> <p>7 criterion used, even beyond the minimal requirements for</p> <p>8 voting rights guidance provided by the commission --</p> <p>9 sorry -- provided to the commission by its voting rights</p> <p>10 staff."</p> <p>11 Do you agree with that statement?</p> <p>12 A Well, if I can --</p> <p>13 MR. MANOLIUS: Objection, calls for</p> <p>14 speculation, vague as to context, written by somebody</p> <p>15 else. You can.</p> <p>16 THE WITNESS: If I can dissect this, because</p> <p>17 this is a word salad a little bit.</p> <p>18 So where he says is acceptable for</p> <p>19 commissioners to value providing influence to voters of</p> <p>20 color in its districting plans, that can take a lot of</p> <p>21 forms.</p> <p>22 That could mean that it's okay if as an</p> <p>23 incidental byproduct of preserving communities of</p> <p>24 interest that a racial minority of voters of color are</p> <p>25 empowered, as long as their ethnicity is not the sole</p>

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<p style="text-align: right;">Page 146</p> <p>1 criteria, or race is not the sole criteria. And that is</p> <p>2 true even where you're not dealing with a requirement</p> <p>3 from attorneys telling you that you have a section two</p> <p>4 Voting Rights Act requirement.</p> <p>5 So as an example, if you were to use arguments</p> <p>6 from the Armenian grocers who said that we want to be</p> <p>7 together in a community because we have concerns before</p> <p>8 the city council or we have issues, literally in</p> <p>9 Glendale they were trying to ban Armenian BBQ, outdoor</p> <p>10 barbecues, so they got together and organized to try to</p> <p>11 take on the city council.</p> <p>12 Would it be okay for you as the redistricting</p> <p>13 commissioner to say we're going to keep you within a</p> <p>14 district as a community of interest even though the</p> <p>15 byproduct of that is that you are creating a better</p> <p>16 voting power for that minority community? That's what</p> <p>17 this is characterizing.</p> <p>18 That legitimate purpose, legitimate goals in</p> <p>19 redistricting, like maintaining communities of interest,</p> <p>20 could have the effect of providing greater influence to</p> <p>21 voters of color, even in areas where we're not talking</p> <p>22 about the Voting Rights Act at all, and that's not</p> <p>23 inherently bad or wrong for a redistricting to do that</p> <p>24 as long as it's not using race as its sole criteria.</p> <p>25 That's what that is reading to me as.</p>	<p style="text-align: right;">Page 148</p> <p>1 MR. MANOLIUS: Objection, vague as to time.</p> <p>2 If you're talking about the Prop 50 process, I instruct</p> <p>3 you not to answer due to legislative privilege.</p> <p>4 MS. HAMILL: I'm talking about Prop 50.</p> <p>5 MR. MANOLIUS: My objection and instruction</p> <p>6 stands.</p> <p>7 MS. HAMILL Q: Would it be illegal in your</p> <p>8 mind, in your approaching your work in your</p> <p>9 understanding, I am not asking for a legal conclusion</p> <p>10 here -- let me just rephrase that.</p> <p>11 Would it be improper to meld together two</p> <p>12 white majority districts in order to increase the voting</p> <p>13 power of a protected class generally?</p> <p>14 MR. MANOLIUS: Objection, calls for</p> <p>15 speculation, incomplete hypothetical, and it sounds like</p> <p>16 you're asking as a general matter. Depends on the</p> <p>17 process. And don't answer anything about Prop 50.</p> <p>18 MR. WOODS: Also, calls for a legal</p> <p>19 conclusion.</p> <p>20 THE WITNESS: What I think this is discussing</p> <p>21 is that there was a district going to be eliminated and</p> <p>22 I don't know why the analysis reads like this or what he</p> <p>23 was trying to say, but what he's talking about in 2021</p> <p>24 was the elimination to have a district, if we -- if the</p> <p>25 state had created this gateway cities district, it would</p>
<p style="text-align: right;">Page 147</p> <p>1 Q Well, if all that's true then why wouldn't you</p> <p>2 just testify and explain to us exactly what the criteria</p> <p>3 were that you used to draw the Prop 50 map?</p> <p>4 MR. MANOLIUS: Objection, because it's</p> <p>5 protected by legislative privilege.</p> <p>6 Objection, also, that it's a distinct,</p> <p>7 different process.</p> <p>8 THE WITNESS: Sorry if that was fast.</p> <p>9 THE REPORTER: I'll jump in.</p> <p>10 MS. HAMILL Q: I want you to go to the second</p> <p>11 to last page of what I have marked as Exhibit 10,</p> <p>12 please.</p> <p>13 A Uh-huh. You mean, the next to the last page,</p> <p>14 the one with the map at the top?</p> <p>15 Q Looks like this (Indicating).</p> <p>16 A Yeah.</p> <p>17 Q Yes. And that middle paragraph, the bold line</p> <p>18 says, "To create a new gateway cities district to</p> <p>19 enhance Latino voting influence, the commission would</p> <p>20 need to meld together two white majority districts</p> <p>21 elsewhere, so as to cause an aggregate increase in the</p> <p>22 number of districts providing voting power for voters of</p> <p>23 color across the region and the state."</p> <p>24 Did you meld together two white majority</p> <p>25 districts like the HOPE letter suggested?</p>	<p style="text-align: right;">Page 149</p> <p>1 have required somewhere else in the state two districts</p> <p>2 to be collapsed.</p> <p>3 Whether or not those two districts would be, I</p> <p>4 don't know what the composition of those two district</p> <p>5 would be, but mathematically two districts somewhere</p> <p>6 else would have to be collapsed.</p> <p>7 MS. HAMILL Q: Would that trigger Voting</p> <p>8 Rights Act concerns that would make you go and speak to</p> <p>9 an attorney if you were melding two white majority</p> <p>10 districts together?</p> <p>11 MR. MANOLIUS: Objection, calls for</p> <p>12 speculation, incomplete hypothetical. Depends on the</p> <p>13 process. Ultimately, attorney-client privilege, but you</p> <p>14 can answer.</p> <p>15 MR. WOODS: Calls for legal conclusion. You</p> <p>16 can answer.</p> <p>17 THE WITNESS: In other jurisdictions where I'm</p> <p>18 working and I'm working with legal counsel about</p> <p>19 particular VRA districts, they seem to be rather</p> <p>20 agnostic about what happens in the others.</p> <p>21 They're concerned about a particular district</p> <p>22 that they might argue, the lawyers might think is</p> <p>23 required by the Voting Rights Act, but the impact that</p> <p>24 seems to have on other districts, they seem to not have</p> <p>25 a significant concern about.</p>

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<p style="text-align: right;">Page 150</p> <p>1 MS. HAMILL Q: I'm going to go back to page 2 five of Exhibit 10, which has that footnote three at the 3 bottom. In the middle of the paragraph that we were 4 looking at before, the paragraph starts with, "It is 5 important." 6 If you go down, the third sentence starts 7 with, "Thus, it may be important that some of these very 8 high Latino districts in L.A. County expand somewhat 9 into neighboring counties, such as Orange County or 10 Riverside County." 11 Do you see that? 12 A Uh-huh. 13 MR. MEUSER: Is that a "yes"? 14 THE WITNESS: Yes. 15 MS. HAMILL Q: And then it says, "Crossing 16 into Orange County will make some of these districts 17 less overpacked but will still allow for very high 18 levels of Latino ability to elect, and Latino CVAP 19 majorities, that end seem errant," but do you see where 20 I'm reading from? 21 A Uh-huh. 22 Q Do you have an understanding of this 23 statement? 24 MR. MANOLIUS: Objection, calls for 25 speculation. You can answer.</p>	<p style="text-align: right;">Page 152</p> <p>1 A Uh-huh. 2 Q Okay. Is that what they're talking about 3 here? 4 MR. MANOLIUS: Objection, calls for 5 speculation. 6 THE WITNESS: Yes. 7 MS. HAMILL Q: Is this something that you 8 implemented when you were drawing the maps for 9 Proposition 50? 10 MR. MANOLIUS: Objection. Instruct you not to 11 answer, legislative privilege. 12 MS. HAMILL Q: So moving onto the next 13 sentence, "For instance, district SP710 is 63 percent 14 Latino CVAP. Such a district is likely overpacked 15 beyond what is required." 16 A I am sorry. I lost track of where you are. 17 Can you tell me again? For instance? 18 Q Yes. 19 A Sorry. I was off. Thank you. 20 Q "For instance, district SP710 is 63 percent 21 Latino CVAP. Such a district is likely overpacked 22 beyond what is required to definitively allow for the 23 election of a Latino candidate of choice." 24 Do you see that? 25 A Uh-huh. Yes.</p>
<p style="text-align: right;">Page 151</p> <p>1 THE WITNESS: Generally, I understand the 2 words and I think the and is in place, because Latinos' 3 ability to elect and Latino CVAP majorities are 4 different constructs. 5 MS. HAMILL Q: Got it. That's a helpful 6 explanation. And so it sounds like what this document 7 is saying is that when there are overpacked districts 8 with high levels of Latino voters, that they need to be 9 unpacked. Is that what they're saying? 10 MR. MANOLIUS: Objection, misstates the 11 contents of the letter. Calls for speculation. You can 12 answer. 13 MR. WOODS: Join. 14 THE WITNESS: Um, this is kind of like high 15 level VRA -- 16 MS. HAMILL Q: Uh-huh. 17 A -- and I really feel like this level of this 18 discussion, you'd be best served talking to the author 19 of this document, so I have to -- I understand what he 20 is saying, but I don't understand whether or not it's 21 true or not. 22 Q Do you have an understanding of the concept of 23 overpacking districts and then moving populations around 24 to maintain the ability to elect of a protected 25 population? Do you understand that concept?</p>	<p style="text-align: right;">Page 153</p> <p>1 Q Do you have an understanding of that 2 statement? 3 MR. MANOLIUS: Objection, calls for 4 speculation. He didn't write it but he can answer. 5 THE WITNESS: I understand the words. I 6 understand what he's characterizing. 7 MS. HAMILL Q: Generally, when you were 8 drawing maps, what do you consider, what percentage of 9 CVAP do you consider a district is overpacked? 10 MR. MANOLIUS: Objection. Lacks context, 11 vague, depends on the process. And I instruct you not 12 to answer anything about the Prop 50 map drawings for 13 legislative privilege. 14 THE WITNESS: I 100 percent in cases like this 15 default to legal counsel to tell me. 16 And I have been in other instances in Kern 17 County, as an example, where legal counsel asked us to 18 have districts that were 63, 65 percent Latino. 19 So in the situation, there was a lawsuit in 20 Kern County, very well-known one where they were looking 21 at creating kind of CVAP districts like this, so I can't 22 characterize, there's no magic overpacking number. 23 Q All right. And moving onto the next sentence, 24 it says, "Similarly, STH60 and CDNELA are 56 percent and 25 57 percent Latino CVAP respectively. If these districts</p>

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<p style="text-align: right;">Page 154</p> <p>1 were between 52 percent and 54 percent Latino CVAP, for 2 instance, they would still be very likely to elect 3 Latino candidates of choice." 4 Do you see that? 5 A Uh-huh. Yes. 6 Q Do you have an understanding of what that 7 means? 8 A Yes. 9 MR. MANOLIUS: Objection, calls for 10 speculation, incomplete hypothetical, context. You can 11 answer. 12 MR. WOODS: Join. 13 THE WITNESS: Yes. 14 MS. HAMILL Q: What is your understanding of 15 that statement? 16 A The understanding of that statement, and again 17 these letter number things, these are districts that 18 were draft maps from the commission STH60 CDNELA, that 19 was a methodology they used to maintain districts. So I 20 don't have real clear memory as to what exactly those 21 districts were at the time, but what he's essentially 22 saying is that idea of majority/minority being 23 bifurcated from the idea of ability to elect, and in 24 some parts of the state or country a 52 percent or 25 54 percent Latino CVAP district is sufficient, given an</p> <p style="text-align: right;">Page 155</p> <p>1 ability to elect analysis, which is what this 2 demographer does to elect a candidate of choice from 3 this Latino community and other jurisdictions that might 4 not be enough. 5 Q Do you agree that moving Hispanic populations 6 out of overpacked districts into other areas helps to 7 maintain a likelihood that Hispanics will still elect 8 candidates of their choice, and I am asking generally, 9 not specifically, to this scenario? 10 MR. MANOLIUS: Objection, speculation, 11 incomplete hypothetical. You can answer. 12 THE WITNESS: There is no general answer. 13 MS. HAMILL Q: When you were drawing the Prop 14 50 maps, did you have a specific CVAP target in mind? 15 MR. MANOLIUS: Objection, and I instruct you 16 not to answer. It calls for legislatively privileged 17 information. 18 MS. HAMILL Q: When you were drawing the Prop 19 50 maps you had a specific target, Hispanic CVAP in mind 20 for a set number of districts; correct? 21 MR. MANOLIUS: Objection. I instruct you not 22 to answer, legislative privilege. 23 MS. HAMILL Q: And you agree that the sweet 24 spot Hispanic CVAP to maintain electing candidates of 25 their choice is somewhere between 52 and 55 percent;</p>	<p style="text-align: right;">Page 156</p> <p>1 correct? 2 MR. MANOLIUS: Objection, misstates his 3 testimony, lacks context, incomplete hypothetical. You 4 can answer. 5 MR. WOODS: Same objections. 6 THE WITNESS: I cannot answer or I can? 7 MR. MANOLIUS: You can. 8 THE WITNESS: I can? No, I don't agree with 9 that. 10 MS. HAMILL Q: Can you explain? 11 A I already did explain earlier that it's very 12 situational. 13 In some areas in Kern County, well-documented 14 lawsuit, needs a much higher Latino CVAP based on what 15 the legal counsel told me in that case, and legal 16 counsel in other cases have instructed that a 50 percent 17 CVAP Latino is sufficient for based on ability to elect 18 a candidate of choice, so there is not a doctrine in 19 California about some magical number. 20 Q Would you agree that that sweet spot of 52 to 21 55 percent that's expressed in this letter marked as 22 Exhibit 10 applies to the areas that HOPE was 23 referencing their map, with their map proposal? 24 MR. WOODS: Objection. Calls for speculation. 25 Also, mischaracterizes the document.</p> <p style="text-align: right;">Page 157</p> <p>1 MR. MANOLIUS: Lacks foundation, incomplete 2 hypothetical. 3 THE WITNESS: I don't want to sound combative, 4 but your statement of sweet spot is the first time I 5 have ever heard anybody say sweet spot with regards to 6 CVAP target, so this isn't the way that I communicate in 7 any of my redistrictings. 8 I don't mean that to be pejorative. I am just 9 saying that is not any language that I have ever used in 10 redistricting. 11 MS. HAMILL Q: What phrasing would you use? 12 A There wouldn't be a phrasing. 13 Q So there's no target? 14 A No. 15 MR. MANOLIUS: Objection, speculation, 16 incomplete hypothetical. Depends on the context. You 17 can answer. 18 THE WITNESS: I characterized in Kern County 19 there was guidance from legal counsel to get, I don't 20 recall exactly what it was, but it was relatively 21 higher, over 50 percent, but those kind of targets like 22 in Kern County are extremely rare, almost never seen, 23 and it's in a case where there was a legal requirement 24 based on a lawsuit to have a district that was a certain 25 percentage.</p>
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<p style="text-align: right;">Page 158</p> <p>1 That is not how, you go to any of my</p> <p>2 redistrictings that I have ever done, over 100, that's</p> <p>3 not how we communicate about these issues.</p> <p>4 MS. HAMILL Q: Well, I wish I could get your</p> <p>5 communications regarding Prop 50, but we're getting,</p> <p>6 we're catching objections on everything, so I have to go</p> <p>7 through this process here.</p> <p>8 Moving onto the last sentence in that</p> <p>9 paragraph, "The commission may want to consider the</p> <p>10 optimal allocation of Latino CVAP in L.A. County so as</p> <p>11 to create one additional very high Latino CVAP majority</p> <p>12 or plurality district in this area while maintaining</p> <p>13 these four Latino CVAP majority districts."</p> <p>14 Do you see that.</p> <p>15 A Yes.</p> <p>16 Q And that's exactly what you drew up in Prop</p> <p>17 50?</p> <p>18 MR. MANOLIUS: Objection, legislative</p> <p>19 privilege. I instruct you not to answer, privilege.</p> <p>20 Sorry.</p> <p>21 MS. HAMILL: Can we take a 10-minute break?</p> <p>22 THE WITNESS: Sure.</p> <p>23 THE VIDEOGRAPHER: The time is 2:27 p.m. We</p> <p>24 are going off the record.</p> <p>25 (Whereupon a recess was taken.)</p>	<p style="text-align: right;">Page 160</p> <p>1 A During that time?</p> <p>2 Q Yes.</p> <p>3 A Yes.</p> <p>4 Q What did you speak with her about?</p> <p>5 MR. MANOLIUS: Same objection, based on</p> <p>6 legislative privilege.</p> <p>7 MS. HAMILL Q: Did you speak with Cecilia</p> <p>8 Aguilar Curry during that period of time of July 2nd to</p> <p>9 August 15th, did you speak with anyone involved in the</p> <p>10 assembly committee on elections?</p> <p>11 A I would need to know the members of the</p> <p>12 committee. I'm not trying to be combative. I just</p> <p>13 don't honestly know the members of the committee and I</p> <p>14 didn't speak with any staff.</p> <p>15 Q I'll pull that list on the next break for you.</p> <p>16 A Thank you.</p> <p>17 Q During that time period of July 2nd to</p> <p>18 August 15th, did you speak with anyone on the senate</p> <p>19 committee on elections?</p> <p>20 A Same.</p> <p>21 Q You need a list?</p> <p>22 A I wouldn't know who is on the committee. I</p> <p>23 don't do legislative work.</p> <p>24 Q Did you just say you don't do legislative</p> <p>25 work?</p>
<p style="text-align: right;">Page 159</p> <p>1 THE VIDEOGRAPHER: We are back on the record.</p> <p>2 The time is 2:41 p.m. and this marks the beginning of</p> <p>3 videotape number four in the deposition of Paul</p> <p>4 Mitchell, which is being taken at Hansen Bridgett, LLP,</p> <p>5 500 Capitol Mall, Suite 1500, Sacramento, California.</p> <p>6 The videographer is Nicholas Coulter here on behalf of</p> <p>7 Array Legal Services.</p> <p>8 MS. HAMILL Q: Mr. Mitchell, at any point</p> <p>9 between July 2nd and August 15th, did you speak with any</p> <p>10 of the bill sponsors for any of the three Prop 50 bills?</p> <p>11 A Can you tell me their names? I don't know</p> <p>12 which ones.</p> <p>13 MS. HAMILL Q: You would know better than I</p> <p>14 would. You don't know who sponsored the bills?</p> <p>15 A No.</p> <p>16 MR. MANOLIUS: Objection, calls for</p> <p>17 speculation.</p> <p>18 MS. HAMILL Q: Did you speak with Sabrina</p> <p>19 Cervantes in that period of time?</p> <p>20 A Yes.</p> <p>21 Q What did you speak with her about?</p> <p>22 MR. MANOLIUS: Objection, legislative</p> <p>23 privilege. Don't answer the question.</p> <p>24 MS. HAMILL Q: Did you speak with Gail</p> <p>25 Pellerin Mark.</p>	<p style="text-align: right;">Page 161</p> <p>1 A No, I don't mean like that, I mean</p> <p>2 historically, like, in Sacramento I'm not a lobbyist.</p> <p>3 I don't -- I work more in politics than I do</p> <p>4 in committee staffs and who works where. I don't keep</p> <p>5 track of whose on what committees.</p> <p>6 Q I am going to turn back to the HOPE</p> <p>7 transcript, Exhibit 9, page 26.</p> <p>8 A Oh. Okay.</p> <p>9 Q I'll direct your attention to line 14 on page</p> <p>10 26, going down to line 21. Do you remember making that</p> <p>11 statement?</p> <p>12 MR. MANOLIUS: I apologize. Can you give me</p> <p>13 the line numbers again?</p> <p>14 MS. HAMILL: 14 to 21.</p> <p>15 MR. MANOLIUS: Okay. Thanks.</p> <p>16 THE WITNESS: Yes.</p> <p>17 MS. HAMILL Q: Was it true at the time that</p> <p>18 you said it?</p> <p>19 MR. MANOLIUS: Objection. Legislative</p> <p>20 privilege. Don't answer the question.</p> <p>21 MS. HAMILL Q: You're referring to a Voting</p> <p>22 Rights Act analysis that you got back. Are you</p> <p>23 referring to a voting rights analysis for Prop 50?</p> <p>24 And this is a clarifying question because I</p> <p>25 don't know if you're talking about Prop 50 or something</p>

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<p style="text-align: right;">Page 162</p> <p>1 else.</p> <p>2 MR. MANOLIUS: Objection, as to Prop 50, calls</p> <p>3 for information that's privileged by legislative</p> <p>4 privilege. Don't answer the question.</p> <p>5 MS. HAMILL Q: Did someone do a Voting Rights</p> <p>6 Act analysis for your Proposition 50 maps?</p> <p>7 MR. MANOLIUS: Instruct you not to answer the</p> <p>8 question. That's protected by legislative privilege.</p> <p>9 MS. HAMILL Q: Who did the voting rights</p> <p>10 analysis for the Prop 50 maps?</p> <p>11 MR. MANOLIUS: Same objection. Instruct you</p> <p>12 not to answer the question.</p> <p>13 MS. HAMILL Q: Is that Voting Rights Act</p> <p>14 analysis published publicly anywhere?</p> <p>15 MR. MANOLIUS: Same objection.</p> <p>16 MS. HAMILL: You're going to object on</p> <p>17 legislative privilege for a publicly published document?</p> <p>18 MR. MANOLIUS: Lacks foundation. Yes. I</p> <p>19 instruct you not to answer.</p> <p>20 MS. HAMILL Q: And do you have a document in</p> <p>21 your possession that would reflect the Voting Rights Act</p> <p>22 analysis that was done for this map?</p> <p>23 MR. MANOLIUS: Same objection and instruct you</p> <p>24 not to answer. Legislative privilege.</p> <p>25 MS. HAMILL Q: And so according to your</p>	<p style="text-align: right;">Page 164</p> <p>1 I instruct you not to answer as it implicates</p> <p>2 legislative privileged information.</p> <p>3 MS. HAMILL Q: Can you tell by looking at the</p> <p>4 public map that that's what happened?</p> <p>5 MR. MANOLIUS: Calls for speculation. You can</p> <p>6 answer.</p> <p>7 THE WITNESS: I can only state that that's</p> <p>8 what the PPIC study found. I haven't done the PPIC</p> <p>9 study myself, like, I haven't gone into their data.</p> <p>10 MS. HAMILL Q: Is the PPIC a reliable entity,</p> <p>11 in your mind?</p> <p>12 A (Witness nodding head.)</p> <p>13 MR. MANOLIUS: Objection. Vague as to</p> <p>14 reliable.</p> <p>15 THE WITNESS: One among many; absolutely, PPIC</p> <p>16 is reliable.</p> <p>17 MS. HAMILL Q: I have a list for you.</p> <p>18 A Please.</p> <p>19 Q Did you between the time period of July 2nd</p> <p>20 and August 15th, did you discuss the Proposition 50 maps</p> <p>21 with Alexandra Macedo?</p> <p>22 A I don't believe so.</p> <p>23 Q Did you discuss the Proposition 50 maps with</p> <p>24 Steve Bennett during that time period?</p> <p>25 A I don't believe so. And let me clarify. They</p>
<p style="text-align: right;">Page 163</p> <p>1 statement that's reflected in lines 14 to 21, page 26 of</p> <p>2 this exhibit, the analysis you had done said that the</p> <p>3 existing commission map and your new Prop 50 map were</p> <p>4 both compliant with section two but that empirical</p> <p>5 evidence shows Prop 50 map improves the opportunity for</p> <p>6 Latino voters to elect candidates of choice in two more</p> <p>7 districts than the existing plan; is that right?</p> <p>8 MR. MANOLIUS: Is the question did he say it?</p> <p>9 MS. HAMILL: No.</p> <p>10 MR. MANOLIUS: Then objection. I instruct you</p> <p>11 not to answer the question based on legislative</p> <p>12 privilege.</p> <p>13 MS. HAMILL Q: Which two districts have</p> <p>14 improved opportunity for Latino voters to elect</p> <p>15 candidates of their choice?</p> <p>16 MR. MANOLIUS: Same objection. I instruct you</p> <p>17 not to answer.</p> <p>18 MS. HAMILL Q: And going down to the next line</p> <p>19 on page 26, line 22, it says, "Then PPIC just put out an</p> <p>20 analysis last week that said our plan maintained the</p> <p>21 status quote in terms of the Voting Rights Act and added</p> <p>22 one more Latino-influenced district."</p> <p>23 Is that your understanding of what you did</p> <p>24 with your Prop 50 map?</p> <p>25 MR. MANOLIUS: Objection, lacks foundation and</p>	<p style="text-align: right;">Page 165</p> <p>1 might have been on a group, but as an individual</p> <p>2 one-on-one which we discussed earlier the distinction</p> <p>3 between the two, no, not one-on-one.</p> <p>4 Q And within that time period, did you discuss</p> <p>5 the Proposition 50 maps with Marc Berman?</p> <p>6 A I do not believe so.</p> <p>7 Q During that time period did you discuss the</p> <p>8 Proposition 50 maps with Jose Luis Solachi, Jr.?</p> <p>9 A I do not believe so.</p> <p>10 Q During that time period did you discuss the</p> <p>11 Proposition 50 maps with Catherine Stefani?</p> <p>12 A No.</p> <p>13 Q During that time period, did you discuss the</p> <p>14 Proposition 50 maps with David Tangpia?</p> <p>15 A No.</p> <p>16 Q Were you involved with Catherine Stefani's</p> <p>17 efforts to get out the vote on election day for</p> <p>18 Proposition 50?</p> <p>19 A No.</p> <p>20 Q During the time period of July 2nd through</p> <p>21 August 15th, did you discuss the Proposition 50 maps</p> <p>22 with Steven Choy?</p> <p>23 A No.</p> <p>24 Q Did you discuss the Proposition 50 maps with</p> <p>25 Ben Allen during that time period?</p>

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<p>1 A No.</p> <p>2 Q Did you discuss the Proposition 50 maps with</p> <p>3 Monique Limon during that time period?</p> <p>4 A I do not believe so.</p> <p>5 Q And did you discuss the Proposition 50 maps</p> <p>6 with Thomas Umberg during that period of time?</p> <p>7 A No.</p> <p>8 Q And when you said no, it is possible that you</p> <p>9 spoke with these people in a group setting?</p> <p>10 A Yes.</p> <p>11 Q Okay.</p> <p>12 A And if I can remember a conversation with any</p> <p>13 of them I'll come back to you, but I don't recall</p> <p>14 anything during that time.</p> <p>15 Q Do you have any documents in your possession</p> <p>16 that would show who you met with and who you spoke to?</p> <p>17 A Not that --</p> <p>18 MR. MANOLIUS: Objection, compound, calls for</p> <p>19 speculation. You can answer.</p> <p>20 THE WITNESS: Not as an in total.</p> <p>21 MS. HAMILL Q: But if you went back, let's say</p> <p>22 that there weren't objections, would you be able to go</p> <p>23 back into your e-mail account and look for meetings or</p> <p>24 schedules or calls that you might have had with these</p> <p>25 people?</p>	<p>1 will be great for the Latino community in two critical</p> <p>2 ways. One is that they ensure that the Latino districts</p> <p>3 that are the VRA seats are bolstered in order to make</p> <p>4 them most effective, particularly in the Central</p> <p>5 Valley."</p> <p>6 Do you recall saying that?</p> <p>7 A I presume that's exactly what I said since</p> <p>8 that's what's written here so --</p> <p>9 Q Did you mean it?</p> <p>10 MR. MANOLIUS: Objection. Legislative</p> <p>11 privilege. Instruct you not to answer.</p> <p>12 MS. HAMILL Q: I assume you were being</p> <p>13 truthful when you said it?</p> <p>14 MR. MANOLIUS: Same objection. You're</p> <p>15 instructed not to answer.</p> <p>16 MS. HAMILL Q: And what did you mean here when</p> <p>17 you said that the Latino districts that are the VRA</p> <p>18 seats?</p> <p>19 MR. MANOLIUS: Same objection. Instruct you</p> <p>20 not to answer.</p> <p>21 MS. HAMILL Q: So you're not, you're going to</p> <p>22 instruct him not to answer in terms of explaining what</p> <p>23 it means to say Latino districts that are VRA seats?</p> <p>24 MR. MANOLIUS: To the extent that it goes to</p> <p>25 the process in the Legislature, yes, so I am instructing</p>
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<p>1 A Just to, as an example, we talked about side</p> <p>2 to the window that we're talking about --</p> <p>3 Q Uh-huh.</p> <p>4 A -- you know, I'll run into a legislator around</p> <p>5 the capitol, I talk to them whenever we are at a thing</p> <p>6 together, they might call me, but all those kind of</p> <p>7 interactions which are probably the majority of the</p> <p>8 interactions I would have with the legislators would not</p> <p>9 be in any kind of documentation.</p> <p>10 Did you say Macedo on that list?</p> <p>11 Q Uh-huh.</p> <p>12 A Then I did talk to Macedo.</p> <p>13 Q You did talk to Assembly Member Macedo?</p> <p>14 A During that period, yes. Sorry.</p> <p>15 It was outside the period, it was between the</p> <p>16 15th and the 19th, so I'm sorry, so it wasn't during the</p> <p>17 July 15th to August 15th, it was after, during the</p> <p>18 legislative session.</p> <p>19 Q What did you talk to her about?</p> <p>20 MR. MANOLIUS: Objection. Legislative</p> <p>21 immunity, privilege, instruct you not to answer.</p> <p>22 MS. HAMILL Q: I want to turn your attention</p> <p>23 to page 30 of the HOPE transcript, lines six through 11.</p> <p>24 A (Witness complied.)</p> <p>25 Q So here you say, "The Prop 50 maps I think</p>	<p>1 him not to answer.</p> <p>2 MS. HAMILL Q: What did you mean when you say</p> <p>3 you want to bolster the VRA seats?</p> <p>4 MR. MANOLIUS: Same objection, instruct you</p> <p>5 not to answer.</p> <p>6 MS. HAMILL Q: Do you use race as an input</p> <p>7 when you're, quote, on the box?</p> <p>8 MR. MANOLIUS: Vague as to time. Instruct you</p> <p>9 not to answer it as to Prop 50 process.</p> <p>10 MS. HAMILL Q: Ever.</p> <p>11 A In redistricting when we're drawing lines?</p> <p>12 Q Yes.</p> <p>13 A You have to be cognizant of all of the factors</p> <p>14 when you're drawing lines, so of course.</p> <p>15 Q So including race?</p> <p>16 A Uh-huh.</p> <p>17 MR. MEUSER: Is that a "yes"?</p> <p>18 THE WITNESS: Yes.</p> <p>19 MS. HAMILL Q: Did you use race as an input</p> <p>20 when you were drawing on the box drawing the Prop 50</p> <p>21 map?</p> <p>22 MR. MANOLIUS: Objection, instruct you not to</p> <p>23 answer, legislative privilege.</p> <p>24 MS. HAMILL Q: In one of these podcasts you</p> <p>25 spoke about SCOTUS dismantling the VRA. What did you</p>

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<p style="text-align: right;">Page 170</p> <p>1 mean by that?</p> <p>2 MR. MANOLIUS: Objection, vague. Calls for</p> <p>3 speculation. One of these podcasts, question mark?</p> <p>4 THE WITNESS: I think there's two ways in</p> <p>5 which I generally would speak about SCOTUS dismantling</p> <p>6 VRA.</p> <p>7 The first is that California used to be bound</p> <p>8 by section five of the Voting Rights Act, but they</p> <p>9 invalidated section four, which was the conditions upon</p> <p>10 which section five was operative and in doing so they</p> <p>11 eliminated a VRA protection nationally that also does</p> <p>12 affect California redistricting.</p> <p>13 And then, secondly, there are cases before the</p> <p>14 court right now where pundits and analysts believe that</p> <p>15 they might erode the Voting Rights Act in a general way,</p> <p>16 but I am not an attorney so I can't really speak to what</p> <p>17 are the possible outcomes.</p> <p>18 But when you say dismantling, those were the</p> <p>19 things I think colloquial saying in the redistricting</p> <p>20 space around the Voting Rights Act. That's what that</p> <p>21 would mean.</p> <p>22 Q Does the voting power of any racial group</p> <p>23 decrease with your Proposition 50 map?</p> <p>24 MR. MANOLIUS: Objection, vague, compound</p> <p>25 incomplete hypothetical. You can answer.</p>	<p style="text-align: right;">Page 172</p> <p>1 speculation, incomplete hypothetical. You can answer.</p> <p>2 THE WITNESS: I don't believe so.</p> <p>3 MS. HAMILL Q: We're making progress.</p> <p>4 A I know. I am just running out of cough drops.</p> <p>5 MR. MEUSER: I may be a Boy Scout, but I don't</p> <p>6 have any cough drops.</p> <p>7 MS. HAMILL Q: If you want to hand those</p> <p>8 exhibits to the court reporter --</p> <p>9 A 8, 9, 10; I can do that.</p> <p>10 Q How many Black influenced districts are there</p> <p>11 in the Prop 50 map?</p> <p>12 A That would be open to interpretation.</p> <p>13 Q Enlighten me.</p> <p>14 A There are --</p> <p>15 MR. MANOLIUS: Objection, calls for a</p> <p>16 narrative, vague. You can answer.</p> <p>17 MR. WOODS: Join.</p> <p>18 THE WITNESS: There are advocacy groups that</p> <p>19 would argue that there are multiple districts wherein</p> <p>20 the Black population has electoral opportunity and</p> <p>21 greater influence and that the creation of the lings by</p> <p>22 the last commission and their advocacy was helpful in</p> <p>23 sustaining that, and that ranges from districts in L.A.</p> <p>24 to Oakland to Contra Costa, Fairfield, Vacaville, Solano</p> <p>25 County, Sacramento, Stockton.</p>
<p style="text-align: right;">Page 171</p> <p>1 MR. WOODS: Join.</p> <p>2 THE WITNESS: Sure. There's the voting group</p> <p>3 potentially that, you know, is in a current district</p> <p>4 where they have an elected representative, the lines</p> <p>5 have changed, there's going to be winners and losers in</p> <p>6 every district, so there are voting groups that might</p> <p>7 have wanted to vote for Kevin Kiley and Kevin Kiley is</p> <p>8 now going to be in a district that is more now heavily</p> <p>9 democratic, but that is what happens in redistricting.</p> <p>10 Q So my question asked about the voting power of</p> <p>11 any racial group.</p> <p>12 A Oh, you didn't say, I didn't hear you say</p> <p>13 racial group, so I am sorry. Let me adjust that then,</p> <p>14 because I thought you just said group, voting group.</p> <p>15 So, no, I can't speak to -- could you please</p> <p>16 repeat the question she asked? I am really genuinely</p> <p>17 sorry. I thought you said voting group.</p> <p>18 (Whereupon the record was read as</p> <p>19 follows: "Question: Does the</p> <p>20 voting power of any racial group</p> <p>21 decrease with your Proposition 50</p> <p>22 map?")</p> <p>23 THE WITNESS: So I retract my former</p> <p>24 statement. That was not what I intended to say.</p> <p>25 MR. MANOLIUS: Objection. Calls for</p>	<p style="text-align: right;">Page 173</p> <p>1 There's a lot of places where the Black, the</p> <p>2 organizations that advocate for the Black community</p> <p>3 might consider that their community of interest has, you</p> <p>4 know, a significant ability to elect it somehow.</p> <p>5 Q Did you deliberately preserve any</p> <p>6 Black-influenced district in the Proposition 50 map?</p> <p>7 MR. MANOLIUS: Objection, legislative</p> <p>8 privilege. Instruct you not to answer.</p> <p>9 MS. HAMILL Q: Did you do an interview with</p> <p>10 the Sacramento Observer about Proposition 50?</p> <p>11 A Yes.</p> <p>12 Q I'm going to mark as Exhibit 11 -- a note for</p> <p>13 the record that I am done with the stickers.</p> <p>14 I am marking as Exhibit 11 an article in the</p> <p>15 Sacramento Observer entitled, "Untangling Prop 50: How</p> <p>16 California's Redistricting Fight Impacts Black</p> <p>17 Communities."</p> <p>18 (Whereupon Plaintiff's Exhibit 11</p> <p>19 was marked for identification.)</p> <p>20 MS. HAMILL Q: So it looks like this article</p> <p>21 was dated October 20th, 2025.</p> <p>22 Did you provide the Sacramento Observer with</p> <p>23 an interview for this particular article?</p> <p>24 MR. MANOLIUS: Objection, calls for</p> <p>25 speculation.</p>

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<p style="text-align: right;">Page 174</p> <p>1 THE WITNESS: Yeah, but you said a date. I</p> <p>2 don't know if the date makes sense.</p> <p>3 MS. HAMILL Q: On the top of the second page</p> <p>4 of this exhibit.</p> <p>5 A So October 2025.</p> <p>6 Q Yes.</p> <p>7 A Okay. Okay. Before the election, but after</p> <p>8 the lines were drawn, after the ballot measure, it was</p> <p>9 near the end of the ballot measure. Okay.</p> <p>10 MS. HAMILL Q: And I want to turn to page five</p> <p>11 of this exhibit and it looks like this is where you come</p> <p>12 into the article. The second paragraph says, "He,</p> <p>13 meaning Paul Mitchell, "said his team prioritized</p> <p>14 protecting the core interests of Black communities,</p> <p>15 which were for the most part, he said, 'kept intact from</p> <p>16 the commission process.'"</p> <p>17 Do you remember saying that to the Sacramento</p> <p>18 Observer?</p> <p>19 MR. MANOLIUS: Objection. There's, there's --</p> <p>20 it's a description of what he said by somebody else, so</p> <p>21 calls for speculation. You can, you can answer.</p> <p>22 THE WITNESS: Yeah, I think that that author</p> <p>23 of this article is characterizing this in a way that I</p> <p>24 wouldn't have characterized it.</p> <p>25 But the second part, my stand alone statement,</p>	<p style="text-align: right;">Page 176</p> <p>1 maintaining the districts that we ended up not even</p> <p>2 actually touching.</p> <p>3 These districts are so far away from where the</p> <p>4 republicans are that it wasn't important in our line</p> <p>5 drawing to try to go into those districts, and so it was</p> <p>6 advantageous to the Black organizations that the three</p> <p>7 districts that they were most focused on weren't</p> <p>8 touched, so that's me characterizing the organizations.</p> <p>9 Goal number one was preserving those three districts</p> <p>10 and, incidentally, our maps did that because there</p> <p>11 wouldn't have been a partisan advantage to do that.</p> <p>12 And that's 90 percent of what was important</p> <p>13 for the Black community, was preserving those districts.</p> <p>14 So I'm characterizing the importance of those to the</p> <p>15 organizations that were advocating before the commission</p> <p>16 in 2021.</p> <p>17 Q Were you referring to districts 37, 43 and 12?</p> <p>18 A When I just said three districts?</p> <p>19 Q Yes.</p> <p>20 A I believe those would be the three districts</p> <p>21 I'd be talking about, yeah.</p> <p>22 Q And so the Proposition 50 map was drawn to</p> <p>23 keep 37, 43 and 12 to be Black influence districts;</p> <p>24 correct?</p> <p>25 MR. MANOLIUS: Objection, calls for</p>
<p style="text-align: right;">Page 175</p> <p>1 kept in tact from the commission process, could be me</p> <p>2 advocating for the Prop 50 maps in that the large areas</p> <p>3 that the Black community identifies as communities of</p> <p>4 interest were kept intact. So it was an objective</p> <p>5 statement about when you look at what the community of</p> <p>6 interest the Black advocacy organizations were</p> <p>7 advocating for, that those were intact, but whether this</p> <p>8 first sentence about us prioritizing the core of Black</p> <p>9 communities is the reporter's interpretation.</p> <p>10 Q Did you prioritize protecting the core</p> <p>11 interests of Black communities?</p> <p>12 MR. MANOLIUS: Instruct you not to answer,</p> <p>13 legislative privilege.</p> <p>14 MS. HAMILL Q: And the next paragraph says,</p> <p>15 "Mitchell said preserving three Black districts, two in</p> <p>16 L.A. and one in Oakland, was foremost."</p> <p>17 Is that true?</p> <p>18 MR. MANOLIUS: Objection, calls for</p> <p>19 speculation written by somebody else. And was it true?</p> <p>20 Lacks foundation.</p> <p>21 THE WITNESS: What this paragraph is speaking</p> <p>22 to is what the organizations that I mentioned in the</p> <p>23 earlier question, you said white groups have reached out</p> <p>24 to Black Power Network was one of them, met the Black</p> <p>25 Power Network, their top priority was, first off,</p>	<p style="text-align: right;">Page 177</p> <p>1 speculation.</p> <p>2 MR. WOODS: Join.</p> <p>3 MR. MANOLIUS: Do not answer.</p> <p>4 MS. HAMILL Q: Did you intentionally give</p> <p>5 Young Kim a district?</p> <p>6 MR. MANOLIUS: I said objection, legislative</p> <p>7 privilege, I instruct you not to answer.</p> <p>8 MS. HAMILL Q: Young Kim is a republican;</p> <p>9 right?</p> <p>10 A Yes. Good republican member of Congress.</p> <p>11 Q A good republican?</p> <p>12 A I'm just joking.</p> <p>13 Q So why did your map give her a great district,</p> <p>14 in your words?</p> <p>15 MR. MANOLIUS: Objection, legislative</p> <p>16 privilege and instruct you not to answer.</p> <p>17 MS. HAMILL Q: Was there no way to draw a</p> <p>18 district that would give a democrat a greater chance of</p> <p>19 being elected in that area where Young Kim's district</p> <p>20 is?</p> <p>21 MR. MANOLIUS: Same objection. I instruct you</p> <p>22 not to answer, legislative privilege.</p> <p>23 MS. HAMILL Q: Do you have evidence that</p> <p>24 Hispanics have been unable to elect candidates of choice</p> <p>25 in California?</p>

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<p style="text-align: right;">Page 178</p> <p>1 MR. MANOLIUS: Objection.</p> <p>2 MS. HAMILL Q: Generally.</p> <p>3 MR. MANOLIUS: Vague as to time, calls for</p> <p>4 speculation, incomplete hypothetical. You can answer.</p> <p>5 MR. WOODS: Also, calls for a legal</p> <p>6 conclusion.</p> <p>7 THE WITNESS: I can answer?</p> <p>8 MR. MANOLIUS: Yes, please.</p> <p>9 THE WITNESS: Can you please repeat the</p> <p>10 question that she asked to me exactly? I got it wrong</p> <p>11 last time so I want to make sure I get it right.</p> <p>12 (Whereupon the record was read as</p> <p>13 follows: "Question by MS.</p> <p>14 HAMILL: Do you have evidence</p> <p>15 that Hispanics have been unable</p> <p>16 to elect candidates of choice in</p> <p>17 California?</p> <p>18 "MR. MANOLIUS: Objection.</p> <p>19 "MS. HAMILL: Generally.")</p> <p>20 MR. WOODS: Join.</p> <p>21 THE WITNESS: At the statewide level, I don't</p> <p>22 have evidence of that at the statewide level.</p> <p>23 MS. HAMILL Q: If you had more time to work on</p> <p>24 the Proposition 50 map, is there anything that you would</p> <p>25 have done differently?</p>	<p style="text-align: right;">Page 180</p> <p>1 EXAMINATION</p> <p>2 By: MARK MEUSER, Attorney at Law, counsel on behalf of</p> <p>3 the Plaintiffs:</p> <p>4 Q Good afternoon, Paul.</p> <p>5 A Hi.</p> <p>6 Q As you know, I am Mark Meuser for the</p> <p>7 plaintiffs and I am going to take an opportunity to try</p> <p>8 to ask you some more questions.</p> <p>9 I'll try not to duplicate, but there might be</p> <p>10 a few duplications here, so -- you understand you're</p> <p>11 still under oath?</p> <p>12 A Yes.</p> <p>13 (Whereupon Plaintiff's Exhibit 12</p> <p>14 was marked for identification.)</p> <p>15 MR. MEUSER Q: Okay. In front of you right</p> <p>16 now is a document that's been marked as document number</p> <p>17 12. Have you seen this document before?</p> <p>18 A No.</p> <p>19 Q Not until I sat down?</p> <p>20 Q I am going to represent to you that this was a</p> <p>21 document that was served on your counsel at about</p> <p>22 1:00 a.m. this morning, so your counsel had a very late</p> <p>23 night last night.</p> <p>24 Would you take a minute and just review the</p> <p>25 response to Request for Production number one?</p>
<p style="text-align: right;">Page 179</p> <p>1 MR. MANOLIUS: Objection, legislative</p> <p>2 privilege and I instruct you not to answer.</p> <p>3 MS. HAMILL Q: Do you have any regrets about</p> <p>4 how this transpired?</p> <p>5 MR. MANOLIUS: Same objection.</p> <p>6 THE WITNESS: I wish I had eaten more.</p> <p>7 MR. MEUSER: That is actually in his report in</p> <p>8 the Capitol Weekly Podcast, so --</p> <p>9 MS. HAMILL: I believe I am finished with my</p> <p>10 questions, but I do reserve the right to come back if</p> <p>11 there's time at the end. Thank you.</p> <p>12 And I am going to pass this off to my</p> <p>13 colleague, Mr. Mark Meuser.</p> <p>14 MR. MEUSER: Let's go off the record for a</p> <p>15 minute.</p> <p>16 THE VIDEOGRAPHER: The time is 3:09 p.m. We</p> <p>17 are going off the record.</p> <p>18 (Whereupon a recess was taken.)</p> <p>19 THE VIDEOGRAPHER: We are back on the record.</p> <p>20 The time is 3:22 p.m. and this marks the beginning of</p> <p>21 videotape number five in the deposition of Paul</p> <p>22 Mitchell, which is being taken at Hansen Bridgett, LLP,</p> <p>23 500 Capitol Mall, Suite 1500, Sacramento, California.</p> <p>24 The videographer is Nicholas Coulter here on</p> <p>25 behalf of Array Legal Services.</p>	<p style="text-align: right;">Page 181</p> <p>1 A Okay.</p> <p>2 Q Okay. Now, go read the Request for Production</p> <p>3 number one.</p> <p>4 A (Witness complied.) The first line? Yes.</p> <p>5 Q You were served with the notice of your</p> <p>6 deposition on Monday, December 1st; is that correct?</p> <p>7 A If that's what the records are -- I don't</p> <p>8 remember exactly what day it was.</p> <p>9 Q Okay. And in that deposition notice there was</p> <p>10 a request to bring documents; is that correct? Do you</p> <p>11 remember Julie going through that list of questions</p> <p>12 where it said documents?</p> <p>13 A Yes.</p> <p>14 Q And did you bring any documents with you</p> <p>15 today?</p> <p>16 MR. MANOLIUS: Objection. I have already</p> <p>17 stated our position on the documents. We are happy to</p> <p>18 work with you going forward, but there was not</p> <p>19 sufficient time to prepare for this deposition and to</p> <p>20 gather everything that we'd have to gather and review,</p> <p>21 so the answer to your question is no.</p> <p>22 MR. MEUSER Q: So in 10 days you have not been</p> <p>23 able to produce a single document; is that correct?</p> <p>24 MR. MANOLIUS: I would more characterize it as</p> <p>25 we are not producing any documents today given the</p>

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<p style="text-align: right;">Page 182</p> <p>1 burdensome nature of what you've requested and the need 2 to review everything, gather everything, review 3 everything for privilege and the like. 4 And, again, as I noted in my e-mail to you, we 5 are very happy to establish a schedule for that 6 production. 7 MR. MEUSER Q: But as of today at the time of 8 this deposition you have not brought any documents to 9 this deposition? 10 A No. 11 Q Okay. And there is no privilege log that has 12 been delivered as of today; correct? 13 MR. MANOLIUS: Correct. As I also stated in 14 my e-mail to you, we would be providing that as we went 15 through the documents and helped develop the documents. 16 It's a very voluminous and tedious process and we've 17 also been busily preparing for this deposition. 18 MR. MEUSER Q: Did you know approximately how 19 many documents that you gave to counsel to review in 20 response to this document production? 21 A I do not. 22 Q Was this produced to counsel in the form of an 23 electronic drive? 24 MR. MANOLIUS: Objection, attorney-client 25 privilege. I instruct you not to answer the question.</p>	<p style="text-align: right;">Page 184</p> <p>1 counsel? 2 A Dropbox. 3 Q Dropbox. Do you recall what the size of the 4 Dropbox file was you transferred? 5 A It wasn't a file, it was access to the 6 folders, so I don't know what it was. 7 Q On what date did you give counsel access to 8 your computers? 9 A I don't recall. 10 MR. MANOLIUS: Objection, attorney-client 11 privilege. Don't answer the question. 12 MR. MEUSER: Next I am handing you which is 13 called Exhibit 13, which is a subpoena to appear and 14 testify at a hearing in Los Angeles. 15 (Whereupon Plaintiff's Exhibit 13 16 was marked for identification.) 17 MR. MEUSER Q: Earlier when we started this 18 deposition you were asked a few questions about being in 19 Los Angeles. At that time you were not under subpoena. 20 This is an official subpoena to appear at trial on 21 Monday, the 15th. 22 Will you be appearing on Monday, the 15th? 23 MR. MANOLIUS: Objection. He's not compelled 24 by this piece of paper to appear in Los Angeles. It's 25 beyond the 100-mile limit for a preliminary injunction</p>
<p style="text-align: right;">Page 183</p> <p>1 MR. MEUSER Q: Right now all I am trying to do 2 is figure out the size of the file that you're trying to 3 review, because you have not produced anything here. 4 MR. MANOLIUS: Uh-huh. 5 MR. MEUSER: So if it was 10 boxes of paper, 6 is it, you know, a zip drive that was 100 megabytes? 7 All I am trying to figure out is the volume of 8 documents that you are reviewing, so because it's been 9 10 days here and there's not a single document. 10 MR. MANOLIUS: Uh-huh. 11 MR. MEUSER: There's not a single document, 12 there's not a privilege log, so I'm just trying to, in 13 case we have to go to the court, I am trying to make 14 sure that we have a record here, Counsel. 15 MR. MANOLIUS: And I can tell you that I don't 16 know the size of it. It's voluminous. I am not very 17 good on the technical end of things, I rely on other 18 people in my firm to deal with that, which is in the 19 process and happening, so I don't know the size. 20 I mean, I don't know if you know the size. 21 THE WITNESS: I have no idea. Every time we 22 create a map there are files created, put in folders and 23 they have been given access to all of that. 24 MR. MEUSER Q: Did you send some sort of zip 25 file to counsel when you delivered the documents to</p>	<p style="text-align: right;">Page 185</p> <p>1 hearing. That's noted in rule 45(c). He's already been 2 burdened by coming to this deposition on short notice 3 and preparing. 4 The Supreme Court recently said that this is 5 not going to be an action that gets very far and the 6 burden on him has been enough, so he will not be 7 appearing in Los Angeles. 8 MR. MEUSER: I need to be able to explain to 9 the judge -- 10 MR. MANOLIUS: Yes. 11 MR. MEUSER: -- so I appreciate that answer. 12 MR. MANOLIUS: Of course. 13 MR. MEUSER: Okay. 14 (Whereupon Plaintiff's Exhibit 14 15 was marked for identification.) 16 MR. MEUSER: I have just handed you what is 17 called Exhibit D -- sorry, Exhibit 14, which is a DCCC 18 letter, "To whom it may concern," from Julie Merz. 19 And then it proceeds to be a 59 page document 20 that seems to have Redistricting Partners' logo on every 21 single page after the first page; is that correct? 22 A Seems excessive, seems like a lot, but yes, 23 that is. 24 Q Is this a document that you prepared and gave 25 to DCCC?</p>

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<p style="text-align: right;">Page 186</p> <p>1 MR. MANOLIUS: You can answer.</p> <p>2 THE WITNESS: Yes.</p> <p>3 MR. WOODS: Counsel, before you get too far,</p> <p>4 do you have a paper copy?</p> <p>5 MR. MEUSER: It's called August 15th draft</p> <p>6 map.</p> <p>7 MR. WOODS: I understand my special access has</p> <p>8 been spotted, so it's gone.</p> <p>9 MR. MEUSER: I didn't, because I thought</p> <p>10 everybody would be on the computer file. I am sorry.</p> <p>11 MR. WOODS: Okay.</p> <p>12 MS. MADDURI: Counsel, did you say this was a</p> <p>13 document DCCC produced?</p> <p>14 MR. MEUSER: It is actually a document that</p> <p>15 you produced. It was in a zip file that was attached to</p> <p>16 the e-mail that you, that we've already discussed</p> <p>17 earlier today.</p> <p>18 In one of the e-mails that we were discussing</p> <p>19 there was a Dropbox link and this letter appears in that</p> <p>20 Dropbox link.</p> <p>21 MS. MADDURI: Can you identify the documents</p> <p>22 by Bates numbers?</p> <p>23 MR. MEUSER: No. This particular document</p> <p>24 that is looking at has not been Bates stamped or are you</p> <p>25 talking about the letter where this zip drive is?</p>	<p style="text-align: right;">Page 188</p> <p>1 Q You didn't create the letter but you created</p> <p>2 the .pdf document that's with the letter; correct?</p> <p>3 A Uh-huh.</p> <p>4 MR. MANOLIUS: Yeah?</p> <p>5 THE WITNESS: Yes.</p> <p>6 MR. MEUSER Q: Can you tell me what these 59</p> <p>7 pages are?</p> <p>8 A This is a redistricting packet. Sometimes we</p> <p>9 call it an atlas is what we called it internally.</p> <p>10 It is of the cover map of the agency, it is</p> <p>11 data tables for each of the districts and then inside of</p> <p>12 it are individual maps of each district with data</p> <p>13 regarding the populations, and then an inset map that</p> <p>14 shows where that district lies within the State of</p> <p>15 California.</p> <p>16 Q So beginning on page nine you have</p> <p>17 congressional district one; correct?</p> <p>18 A I don't have them numbered, but I trust you</p> <p>19 that that's page nine.</p> <p>20 Q So prior to page nine, these are just going to</p> <p>21 be data generally about the entire redistricting</p> <p>22 process, all the districts; is that correct?</p> <p>23 A The summary data table using the U.C. Berkeley</p> <p>24 statewide database census and CVAP data.</p> <p>25 Q Did you send this atlas to anybody else?</p>
<p style="text-align: right;">Page 187</p> <p>1 MS. MADDURI: I am sorry. I thought you said</p> <p>2 this was a document that DCCC produced. Is that not</p> <p>3 right? If they produced it there would be Bates stamps</p> <p>4 on it.</p> <p>5 MR. MEUSER: DCCC had an e-mail that is Bates</p> <p>6 stamped. In that e-mail is a Dropbox link. When you</p> <p>7 typed in the Dropbox link this document was still in it,</p> <p>8 so it was --</p> <p>9 MS. MADDURI: I see. Okay.</p> <p>10 MR. MEUSER: And this is something that was in</p> <p>11 an August 15th e-mail from Paul Mitchell to Julie that</p> <p>12 we have discussed earlier when Julie Hamill was asking</p> <p>13 questions.</p> <p>14 And if you look at the text in there, there</p> <p>15 was a Dropbox link and that this document that he's</p> <p>16 looking at right now came from that Dropbox link.</p> <p>17 Have you seen that document before?</p> <p>18 A Yes.</p> <p>19 Q And you created that document?</p> <p>20 MR. MANOLIUS: Objection. The entirety of it,</p> <p>21 compound. You can answer.</p> <p>22 THE WITNESS: Yes.</p> <p>23 MR. MEUSER Q: Redistricting.</p> <p>24 A To be clear, I put these two documents</p> <p>25 together. I did not create this letter.</p>	<p style="text-align: right;">Page 189</p> <p>1 MR. MANOLIUS: Objection, vague as to time.</p> <p>2 MR. MEUSER Q: Between August 10th and</p> <p>3 August 20th, did you send an atlas package to anybody</p> <p>4 else?</p> <p>5 A Between August 10th and August 20th, yes,</p> <p>6 sure.</p> <p>7 MR. MEUSER Q: Who else did you send the atlas</p> <p>8 packets to?</p> <p>9 A I don't recall.</p> <p>10 Q I am going to hand you what we're going to</p> <p>11 mark as Exhibit 15.</p> <p>12 (Whereupon Plaintiff's Exhibit 15</p> <p>13 was marked for identification.)</p> <p>14 MR. MEUSER Q: Which is on the legislature's</p> <p>15 Prop 50 website and it's actually titled "atlas."</p> <p>16 A Oh.</p> <p>17 MR. MANOLIUS: Thank you.</p> <p>18 MR. MEUSER Q: And for those following along</p> <p>19 at home, this would be titled DCCC map atlas (AB 604),</p> <p>20 that's a document that has just been marked as</p> <p>21 Exhibit 15.</p> <p>22 MR. MANOLIUS: Did you have a question, Mark?</p> <p>23 I am sorry.</p> <p>24 THE WITNESS: I have it.</p> <p>25 MR. MEUSER Q: Okay. Do you believe that</p>

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<p style="text-align: right;">Page 190</p> <p>1 these two documents were both generated by your in-house 2 software? 3 MR. MANOLIUS: Hmm? 4 THE WITNESS: Yes, these are what SYZYGY 5 creates. 6 MR. MEUSER: Do you recall sending to the 7 State Legislature this particular legislative atlas to 8 the Legislature so that they could publish it on line so 9 anybody could view it? 10 MR. MANOLIUS: Objection. Speculation as to 11 the purpose the Legislature would have, but you can 12 answer the first part of the question. 13 THE WITNESS: This legislative map, this map 14 was run by us in order for the Legislature to place 15 something as a .pdf on the website. 16 MR. MEUSER Q: Okay. I noticed that the one 17 that I handed you that we got from the DCCC e-mail, that 18 has your logo Redistricting Partners; correct? 19 A Yes. 20 Q And the one that's marked 15 has the 21 California Legislature seal; is that correct? 22 A Yep. 23 Q Do you know if you put on the images of seals 24 or do you know if the Legislature did that? Do you have 25 any knowledge of how the logo was changed?</p>	<p style="text-align: right;">Page 192</p> <p>1 Q What is different? 2 MR. MANOLIUS: Objection. Legislative 3 privilege. I instruct you not to answer. 4 MR. MEUSER: You're going to instruct him not 5 to answer something that is a public document that's on 6 a State Legislature website? 7 MR. MANOLIUS: Oh. 8 THE WITNESS: The difference is that the one 9 provided to the DCCC has voter registration in the upper 10 right-hand corner and the one provided by the 11 Legislature has the same box, but the 2020 census field 12 in that. 13 MR. MEUSER Q: When you were preparing the 14 atlas for the Legislature, did anyone ask you to put in 15 the different box and not put in party registration, in 16 your atlas? 17 MR. MANOLIUS: Objection. I will object, 18 legislative privilege. I instruct you not to answer the 19 question. 20 MR. MEUSER Q: Mr. Mitchell, you're not 21 answering that question at the instruction of your 22 counsel; is that correct? 23 A Exactly. 24 Q And let's just go to the second page of either 25 one of these, of both of these documents, so it will be</p>
<p style="text-align: right;">Page 191</p> <p>1 A Yeah. We have a file, they provided us the 2 logos. 3 Q So the State Legislature provided you the 4 logos, you put those on and you mail it to the 5 appropriate person at the State Legislature; is that 6 correct? 7 A Yes. 8 Q Are you aware if there's any difference in 9 these two documents? 10 MR. MANOLIUS: Objection. 11 MR. MEUSER: Other than the logo. 12 MR. MANOLIUS: Other than the logo? 13 Objection. Information that's privileged under 14 legislative privilege. I instruct you not to answer the 15 question. 16 MR. MEUSER Q: Okay. Can you turn to page -- 17 the section of the page that is district one? 18 MR. WOODS: On which document? 19 MR. MANOLIUS: On which one. 20 MR. MEUSER: Both sets. 21 THE WITNESS: Yes. 22 MR. MEUSER Q: Is the content on, regarding 23 district one, other than the logo, the same on these two 24 documents? 25 A No.</p>	<p style="text-align: right;">Page 193</p> <p>1 the page that starts with 2020 census. 2 A Oh, second page. Okay. 3 Q Other than the logo at the top of the page, 4 are you aware of any numbers on this page that are 5 different? 6 A No. 7 Q For the series of questions I am about ready 8 to ask, I don't care which one of these you use, you can 9 put whichever one in front of you that you want because 10 I am going to ask about some numbers on the tables, so 11 whichever one you prefer. I'm just make sure everybody 12 knows. 13 So you are going to use the official 14 legislative atlas here real quick. Okay. 15 First question I am going to ask you before we 16 actually turn to the numbers on this page is how many 17 Hispanic majority districts were drawn by the 18 commission? 19 MR. MANOLIUS: In 2021? 20 MR. MEUSER: In 2021. 21 MR. MANOLIUS: If you know. 22 THE WITNESS: 16. 23 MR. MEUSER Q: Okay. Do you know how many of 24 them were designated by the commission as a Voting 25 Rights Act district?</p>

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<p style="text-align: right;">Page 194</p> <p>1 A 14.</p> <p>2 Q How many Hispanic majority districts did you</p> <p>3 create as a part of this legislative package that became</p> <p>4 known as Prop 50?</p> <p>5 MR. MANOLIUS: Objection, legislative</p> <p>6 privilege, I instruct you not to answer.</p> <p>7 MR. MEUSER Q: Looking at the official atlas</p> <p>8 that is a public document, is congressional district one</p> <p>9 a Hispanic majority district?</p> <p>10 A No.</p> <p>11 Q Is congressional district two a Hispanic</p> <p>12 majority district?</p> <p>13 A No.</p> <p>14 Q Is congressional district three a Hispanic</p> <p>15 majority district?</p> <p>16 A No.</p> <p>17 Q Is congressional district four a Hispanic</p> <p>18 majority district?</p> <p>19 A No.</p> <p>20 Q Is congressional district five a Hispanic</p> <p>21 majority district?</p> <p>22 A No.</p> <p>23 Q Is congressional district six a Hispanic</p> <p>24 majority district?</p> <p>25 A No.</p>	<p style="text-align: right;">Page 196</p> <p>1 go all the way back to that question, but I think the</p> <p>2 term might have been different than calling it a</p> <p>3 minority opportunity district.</p> <p>4 I don't think that was the terminology that</p> <p>5 was used in the earlier question, but I've seen people</p> <p>6 use the term minority opportunity district in different</p> <p>7 ways and I don't have, like, a favorite terminology for</p> <p>8 that.</p> <p>9 Q Have you ever drawn what you would classify as</p> <p>10 a minority opportunity district?</p> <p>11 MR. MANOLIUS: Objection. To the extent</p> <p>12 you're asking about Prop 50, instruct you not to answer</p> <p>13 based on legislative privilege. You can answer that</p> <p>14 outside of that context.</p> <p>15 MR. WOODS: Also, vague.</p> <p>16 THE WITNESS: I don't use that terminology, I</p> <p>17 don't think. So if I had ever said something was a</p> <p>18 minority opportunity, that might surprise me. That's</p> <p>19 something that is -- that does -- that's generally not</p> <p>20 something that I use as terminology.</p> <p>21 Q And when I say a Hispanic majority district</p> <p>22 are you considering that as a CVAP majority district or</p> <p>23 would you just see it or are you answering that as just</p> <p>24 a population being the majority?</p> <p>25 MR. MANOLIUS: Yeah, funny objection. I</p>
<p style="text-align: right;">Page 195</p> <p>1 Q Is congressional district seven a Hispanic</p> <p>2 majority district?</p> <p>3 A No.</p> <p>4 Q Is congressional district eight a Hispanic</p> <p>5 majority district?</p> <p>6 A No.</p> <p>7 Q Is congressional district nine a Hispanic</p> <p>8 majority district?</p> <p>9 A No.</p> <p>10 Q Before I go to the next page I am going to ask</p> <p>11 you a question.</p> <p>12 Earlier today, Julie was asking you questions</p> <p>13 about Hispanic opportunity districts or minority</p> <p>14 opportunity districts and I believe you said something</p> <p>15 along the lines, and correct me if I'm wrong, but</p> <p>16 something that different people have a different matrix</p> <p>17 of what is a Hispanic opportunity district or minority</p> <p>18 opportunity district.</p> <p>19 Not talking about the maps of Prop 50, but</p> <p>20 generally speaking, in the redistricting world what is</p> <p>21 your definition of a minority opportunity district?</p> <p>22 MR. MANOLIUS: Objection, asked and answered,</p> <p>23 misstates his testimony. He already said that. You</p> <p>24 have got it, Paul.</p> <p>25 THE WITNESS: I don't know that it's right to</p>	<p style="text-align: right;">Page 197</p> <p>1 should have clarified that before, so what's your --</p> <p>2 THE WITNESS: When we're talking in a</p> <p>3 redistricting construct, the shorthand would be that</p> <p>4 when you say what is the Latino share of the district,</p> <p>5 you're talking about it within a voting rights context</p> <p>6 and so we're using the citizen voting age population.</p> <p>7 Q So that's the CVAP number and CVAP percentage;</p> <p>8 correct?</p> <p>9 A Yes.</p> <p>10 Q So when I've been asking you the questions</p> <p>11 about the Hispanic majority, you're looking at the lines</p> <p>12 on this chart that are Latino CVAP and Latino CVAP</p> <p>13 percentage; correct?</p> <p>14 A Yes.</p> <p>15 Q Okay. We are going to start asking those</p> <p>16 questions again and we are going to start on</p> <p>17 congressional district 10. Is congressional district 10</p> <p>18 a Hispanic minority/majority district?</p> <p>19 A It's not a majority/minority district.</p> <p>20 Q Is congressional district 11 a</p> <p>21 minority/majority district?</p> <p>22 A I then -- generally, we say majority/minority,</p> <p>23 but, no.</p> <p>24 Q Yes, sorry. Is congressional district 12 a</p> <p>25 Hispanic majority/minority district?</p>

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<p style="text-align: right;">Page 198</p> <p>1 A No.</p> <p>2 Q Is congressional district 13 a Hispanic</p> <p>3 majority/minority district?</p> <p>4 A Yes.</p> <p>5 Q Is congressional district 14 a Hispanic</p> <p>6 majority/minority district?</p> <p>7 A No.</p> <p>8 Q Is congressional district 15 a Hispanic</p> <p>9 majority/minority district?</p> <p>10 A No.</p> <p>11 Q Is congressional 16 a Hispanic</p> <p>12 majority/minority district?</p> <p>13 A No.</p> <p>14 Q Is congressional district 17 a Hispanic</p> <p>15 majority/minority district?</p> <p>16 A No.</p> <p>17 Q Is congressional district 18 a Hispanic</p> <p>18 majority/minority district?</p> <p>19 A Yes.</p> <p>20 Q So two on this page; correct?</p> <p>21 A Yes.</p> <p>22 Q Going to the next page, we are going to be</p> <p>23 looking at congressional district 19.</p> <p>24 Is congressional district 19 a Hispanic</p> <p>25 majority/minority district?</p>	<p style="text-align: right;">Page 200</p> <p>1 Q Thank you. Now, earlier we were asking some</p> <p>2 questions about the HOPE letter; correct?</p> <p>3 A Yes.</p> <p>4 Q And do you recall seeing in the transcript</p> <p>5 where you stated to HOPE that you were helping HOPE with</p> <p>6 that process of the HOPE letter?</p> <p>7 MR. WOODS: Objection, mischaracterizes</p> <p>8 testimony.</p> <p>9 MR. MANOLIUS: Yeah, misstates his testimony.</p> <p>10 MR. MEUSER Q: Well, let's go to the HOPE</p> <p>11 presentation real quick. You probably have it in the</p> <p>12 stack right over there.</p> <p>13 A What number is it?</p> <p>14 MR. MANOLIUS: 10?</p> <p>15 THE WITNESS: Okay. Eleven? Nine?</p> <p>16 MR. MEUSER Q: I'd like you to go to page 23</p> <p>17 and 24, so page 23, line 24, through page 24 line five.</p> <p>18 A Yes, in the last redistricting process. That</p> <p>19 wasn't your question, so yes.</p> <p>20 Q Yes. So I am going to just read this out loud</p> <p>21 and you tell me if I read it correctly. "And I started</p> <p>22 listing out this concept of drawing a replacement Latino</p> <p>23 majority/minority district in the middle of Los Angeles,</p> <p>24 that was the number one thing that I first started</p> <p>25 thinking about, because it was something that I worked</p>
<p style="text-align: right;">Page 199</p> <p>1 A No.</p> <p>2 MR. MANOLIUS: Counsel, just wondering, I</p> <p>3 mean, the document speaks for itself.</p> <p>4 MR. MEUSER Q: Well, I asked him and you</p> <p>5 objected, so I am having to do this one at a time, so if</p> <p>6 you want to ask -- if you want to allow him to answer</p> <p>7 how many Hispanic majority/minority districts, and I</p> <p>8 know he knows what that number is, so if you want to</p> <p>9 allow him to do it we don't have to do this one by one,</p> <p>10 but I am more than willing to do this one at a time.</p> <p>11 Okay?</p> <p>12 MR. MANOLIUS: Maybe he can check it out and</p> <p>13 add them up off the document. Would that be okay?</p> <p>14 MR. MEUSER Q: All I was looking for was a</p> <p>15 number.</p> <p>16 A There are 16.</p> <p>17 Q Thank you. Which 16 congressional districts</p> <p>18 are Hispanic majority/minority districts?</p> <p>19 A Which are the 16? You want me to name them</p> <p>20 all?</p> <p>21 Q Yes.</p> <p>22 A I mean, I'd have to go back and do it the way</p> <p>23 we did it then, so you're talking about district numbers</p> <p>24 13, 18, 21, 22, 25, 29, 31, 33, 34, 35, 38, 39, 41, 46,</p> <p>25 and 52.</p>	<p style="text-align: right;">Page 201</p> <p>1 with HOPE on in the last redistricting process."</p> <p>2 Did I read that correctly?</p> <p>3 A Yes.</p> <p>4 Q What did you do with HOPE during 2021 during</p> <p>5 the redistricting process?</p> <p>6 A They had an interest in keeping a district for</p> <p>7 an incumbent member of Congress and that aligned with</p> <p>8 our client's interest in drawing an LGBT community of</p> <p>9 interest district that would go from Long Beach down to</p> <p>10 Orange County, and so there was a synergy between those</p> <p>11 groups and others.</p> <p>12 And so we worked with HOPE on it. As it was</p> <p>13 said earlier, I have had, like, a 15 year relationship</p> <p>14 with HOPE and never been, I don't charge them, but</p> <p>15 they --</p> <p>16 Q Did you draw a map for HOPE that they were</p> <p>17 using in 2021?</p> <p>18 A We drew maps. I don't know, their</p> <p>19 presentation actually didn't present a map that I drew.</p> <p>20 Q Okay.</p> <p>21 A Their letter didn't present a map that I drew,</p> <p>22 so they were advocating for maps though.</p> <p>23 Q And you were working with a different</p> <p>24 organization that was joined with HOPE at that time?</p> <p>25 A Yes.</p>

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<p style="text-align: right;">Page 202</p> <p>1 Q Yes? Were you a part of that expert report 2 that was attached to the HOPE letter? 3 A That was something that was kind of a 4 byproduct of another contract that I had, so I was aware 5 that it was being done. I was aware that that was done, 6 but I didn't write it. 7 Q You didn't write the report. Did you consult 8 with the people who wrote that report? 9 A Consulted with Christian Grose, yes. 10 Q And this would have been at or around the time 11 of November of 2021? 12 A Oh, probably earlier than that, but yes, in 13 2021. 14 Q You understand that the HOPE letter is dated 15 November 24th, 2021; correct? 16 A Yes. 17 Q And you understand that the report by 18 Christian Grose is dated November 23rd, 2021; correct? 19 A Sure. 20 Q So prior to November 23, 2021, what 21 interactions did you have with Christian Grose that was 22 related to the report that is contained in the 23 November 24th, 2021, letter? 24 A In the 2021 redistricting we worked with 25 clients who contracted with Christian Grose to do a</p>	<p style="text-align: right;">Page 204</p> <p>1 A I don't think so, not in that bullet point 2 number one. Sorry. Does it say it somewhere else? 3 Q I think you're right, it actually says it in 4 the -- 5 A Second bullet point. 6 Q No. It's actually in the expert report here. 7 Sorry. 8 A I don't know. 9 Q Is Downey in congressional district 41? 10 A Yes. 11 Q In your presentation to HOPE you said that you 12 created a new congressional district taking Ken 13 Calvert's 41 and insert it in the gateway cities. Is 14 congressional district 41 the district you were 15 referring to in your HOPE presentation? 16 MR. MANOLIUS: Objection. Instruct you not to 17 answer, legislative privilege. 18 MR. MEUSER Q: And you're not answering that 19 question at the instruction of your attorney? 20 A Correct. 21 Q Turning to page 24 of the transcript regarding 22 HOPE, starting line 20 -- 23 MR. WOODS: I am sorry, page 24, Counsel. 24 MR. MEUSER: 24, line 20. 25 MR. WOODS: Thank you.</p>
<p style="text-align: right;">Page 203</p> <p>1 variety of analyses in several parts of the state, so 2 that's the time when this organization was looking for 3 something to advocate, they would have something to use. 4 Q Turn to congressional district 41 in that 5 atlas. 6 A (Witness complied.) 7 Q And I am sorry, you probably won't appreciate 8 this, but I called this particular district the Yoga 9 Genie, because a thousand years in a lamp, you have a 10 pretty bad back. But that's my imagination. 11 Do you see the word "Downey" -- 12 A Yes. 13 Q -- in this particular district? 14 A Yes. 15 Q And looking at the HOPE letter, what was the 16 number one city that they mentioned for this new gateway 17 district? 18 MR. MANOLIUS: And you're referring to 2021? 19 MR. MEUSER: Yes, 2021. 20 MR. MANOLIUS: Okay. 21 THE WITNESS: Downey. 22 MR. MEUSER Q: Okay. And does that 23 description, say, go down to Orange County? 24 A No, not for this district. 25 Q In the HOPE letter --</p>	<p style="text-align: right;">Page 205</p> <p>1 MR. MEUSER Q: "Number one created a gateway 2 cities district centered around Downey as described in 3 the analysis allowing for a creation of five Latino 4 majority/minority districts in an area where there are 5 currently four?" 6 Did I read that correctly? 7 A Yes. 8 Q My question is this: The City of Downey in 9 congressional district 41 according to the legislative 10 atlas that we have marked as Exhibit 15 -- 11 A Yes. 12 Q -- the very next paragraph, starting on line 13 25 into page 25, "Secondly, take a district that was 14 called LB north which is now the Robert Garcia district, 15 take that district to the south through Seal Beach into 16 Huntington Beach making a Latino-influenced district at 17 35 percent Latino by voting age population." 18 Did I read that correctly? 19 A Yes. 20 Q Okay. Looking at congressional district 42 in 21 the atlas legislative atlas, does congressional district 22 42 include the cities of Long Beach, Seal Beach and 23 Newport -- and Huntington Beach? 24 A Yes. 25 Q I am going to ask a question that's been</p>

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<p style="text-align: right;">Page 206</p> <p>1 bugging me since day one since I have seen this.</p> <p>2 You were aware that in the California</p> <p>3 Constitution we are supposed to number congressional</p> <p>4 districts one at the top of the state down to 52 at the</p> <p>5 bottom.</p> <p>6 Do you know why these districts got numbered</p> <p>7 contrary to what the California Constitution says?</p> <p>8 MR. MANOLIUS: Objection, calls for a legal</p> <p>9 conclusion, calls for speculation.</p> <p>10 MR. WOODS: Objection. Same objections.</p> <p>11 Also, relevance.</p> <p>12 MR. MEUSER Q: You can answer.</p> <p>13 A The decision on numbering was based, I think,</p> <p>14 primarily on reducing the amount of change as opposed to</p> <p>15 the Constitution's previous requirement before Prop 50</p> <p>16 of numbering one to 52.</p> <p>17 In the ballot measure Prop 50 allowed for that</p> <p>18 to be bypassed for this one redistricting. It was just</p> <p>19 to reduce the number of the amount of letters that would</p> <p>20 have to be reprinted.</p> <p>21 MR. MEUSER Q: I appreciate that answer. I</p> <p>22 believe I've heard public statements by you that nine</p> <p>23 congressional districts did not change a single</p> <p>24 boundary; is that correct?</p> <p>25 MR. MANOLIUS: Objection. Vague as to where</p>	<p style="text-align: right;">Page 208</p> <p>1 Lieu district didn't change and I don't have the zoom to</p> <p>2 know what Ted Lieu district is.</p> <p>3 Q Well, you're looking at a document that has</p> <p>4 maps of every single --</p> <p>5 A It doesn't say the numbers on the map.</p> <p>6 Q I know that, but you could flip through and</p> <p>7 find the individual districts, couldn't you?</p> <p>8 A Oh, yeah, yeah, yeah. Sorry.</p> <p>9 MR. MANOLIUS: Just throw in an objection that</p> <p>10 it's compound and burdensome that he has to go through</p> <p>11 the entire packet, but that's okay.</p> <p>12 THE WITNESS: Why am I not finding the Ted</p> <p>13 Lieu district? I am unsure if district 19 changed. The</p> <p>14 Ted Lieu, district whatever number that is --</p> <p>15 MR. MEUSER Q: Okay.</p> <p>16 A -- there it is, 36. Sorry. It was just</p> <p>17 taking me awhile to get to it.</p> <p>18 Q And that's the coastal Los Angeles County?</p> <p>19 A Santa Monica, yeah. 37 did not change, 43 did</p> <p>20 not change. I know I've missed some, so it's hard for</p> <p>21 me --</p> <p>22 Q If I do my math right, I have heard you name</p> <p>23 five districts right now; correct?</p> <p>24 A Yeah. So I'd have to go back and look, but I</p> <p>25 thought it was, like, nine districts that didn't change</p>
<p style="text-align: right;">Page 207</p> <p>1 you've heard that and where that comes from, calls for</p> <p>2 speculation. You can answer.</p> <p>3 THE WITNESS: I believe it's nine or ten. I</p> <p>4 always forget exactly the number, but there were a large</p> <p>5 number of districts that were too far away from areas</p> <p>6 where we were trying to flip districts.</p> <p>7 MR. MEUSER Q: As you sit here today could you</p> <p>8 name the nine or ten congressional districts that did</p> <p>9 not change a single boundary?</p> <p>10 MR. MANOLIUS: Between 2021 redistricting?</p> <p>11 MR. MEUSER: And the commission.</p> <p>12 THE WITNESS: I could attempt to.</p> <p>13 MR. MANOLIUS: Don't speculate.</p> <p>14 THE WITNESS: Okay.</p> <p>15 MR. MEUSER: I am entitled to your best</p> <p>16 recollection and if you can name six you name six, if</p> <p>17 you -- just the best of your ability.</p> <p>18 THE WITNESS: There's one technical thing that</p> <p>19 I believe that potentially the census block layer</p> <p>20 changed a little bit, so there might be some changes</p> <p>21 like a census block is unpopulated kind of thing, but</p> <p>22 districts 11 and 12, which are unchanged.</p> <p>23 MR. MEUSER Q: Those are in the Bay Area?</p> <p>24 A Yep. District -- I don't deal with these</p> <p>25 districts as much, I don't know as much, is it -- Ted</p>	<p style="text-align: right;">Page 209</p> <p>1 at all. I would just have to go look at it more</p> <p>2 closely, because there are districts where, there are</p> <p>3 some districts where we made a small change like</p> <p>4 unifying Ventura and in a district that wasn't otherwise</p> <p>5 changed or something like that, so I'd have to go</p> <p>6 through again and look, but I believe it added up to</p> <p>7 nine. Sorry.</p> <p>8 Q Okay. If you want to turn to your Capitol</p> <p>9 Weekly Podcast transcript, and I am reading from page 11</p> <p>10 starting at lines four through eight. Page 11, four</p> <p>11 through eight.</p> <p>12 And this particular conversation was made</p> <p>13 public on August 15th, 2025. Do you recall if you made</p> <p>14 the podcast the same day that it aired?</p> <p>15 A I don't recall.</p> <p>16 Q And this sentence reads, "And, you know, the</p> <p>17 fact that we can do these things in terms of like</p> <p>18 drawing maps, that is -- you know, it's not touching</p> <p>19 nine entire congressional districts."</p> <p>20 Did I read that correctly?</p> <p>21 A Yes.</p> <p>22 Q When you said that, was -- were you saying</p> <p>23 that you did not change the lines in nine congressional</p> <p>24 districts?</p> <p>25 MR. MANOLIUS: Objection, legislative</p>

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<p style="text-align: right;">Page 210</p> <p>1 privilege and instruct you not to answer the question.</p> <p>2 MR. MEUSER: This is a public statement that</p> <p>3 he has made saying that he did not touch nine entire</p> <p>4 congressional districts and I am just making sure that</p> <p>5 at the time he made the statement publicly for the world</p> <p>6 to see --</p> <p>7 MR. MANOLIUS: Uh-huh.</p> <p>8 MR. MEUSER: -- that it was his understanding</p> <p>9 that he did not touch, that the Prop 50 maps did not</p> <p>10 touch nine entire congressional districts.</p> <p>11 MR. MANOLIUS: Again, you can ask him if he</p> <p>12 said it, but I'm going to object to anything going</p> <p>13 further than that.</p> <p>14 MR. MEUSER Q: Did you say that?</p> <p>15 A Yes.</p> <p>16 Q Okay. And is it your understanding that when</p> <p>17 you said you know it's not touching nine entire</p> <p>18 congressional districts, is it your understanding that</p> <p>19 that meant nine congressional districts had zero line</p> <p>20 changes?</p> <p>21 MR. MANOLIUS: Same objection, instruct you not</p> <p>22 to answer, legislative privilege.</p> <p>23 MR. MEUSER Q: And are you refusing to answer</p> <p>24 that question at your attorney's request?</p> <p>25 A Correct.</p>	<p style="text-align: right;">Page 212</p> <p>1 MR. WOODS: Mark, do you have another copy for</p> <p>2 me?</p> <p>3 MR. MEUSER: I do not. Sorry. I didn't want</p> <p>4 to kill trees, but I thought everybody else would have</p> <p>5 that file. Sorry.</p> <p>6 Q Have you seen this particular report before</p> <p>7 that's just been handed to you as Exhibit 16?</p> <p>8 A Not that I -- not that I recall. I am</p> <p>9 presuming I would have, I just don't remember, exactly.</p> <p>10 Q If you could turn to page, what's been marked</p> <p>11 as page 10 in that, this exhibit?</p> <p>12 A They have page numbers?</p> <p>13 Q Yes, should be in the bottom right,</p> <p>14 A Uh-huh.</p> <p>15 Q And I am just, top two lines after the</p> <p>16 statement of voting rights compliance, I am going to</p> <p>17 just read these.</p> <p>18 A Uh-huh.</p> <p>19 Q "After the rule of equal population the first</p> <p>20 rule of redistricting is construct -- is constructing</p> <p>21 districts to comply with section two of the Federal</p> <p>22 Voting Rights Act. The MALDEF U.S. Congressional</p> <p>23 Redistricting Plan presents 16 Latino majority citizen</p> <p>24 voting age population districts that are largely</p> <p>25 protectable under section two of the Voting Rights Act."</p>
<p style="text-align: right;">Page 211</p> <p>1 Q Are you familiar with the organization MALDEF,</p> <p>2 M-A-L-D-E-F?</p> <p>3 A Yes.</p> <p>4 Q Have you worked with MALDEF.</p> <p>5 MR. MANOLIUS: Vague as to "work with." Hired</p> <p>6 by?</p> <p>7 MR. MEUSER Q: Have you ever been hired by</p> <p>8 MALDEF?</p> <p>9 A No.</p> <p>10 Q During the 2021 redistricting, did you ever</p> <p>11 see any of the reports presented by MALDEF?</p> <p>12 A Yes.</p> <p>13 Q Okay. And do you recall as you sit here today</p> <p>14 how many Hispanic majority/minority districts MALDEF was</p> <p>15 asking the commission to draw?</p> <p>16 A No.</p> <p>17 MR. MEUSER: Okay. We are going to go ahead</p> <p>18 and mark this as Exhibit 16.</p> <p>19 (Whereupon Plaintiff's Exhibit 16</p> <p>20 was marked for identification.)</p> <p>21 MR. MEUSER Q: And for those following along</p> <p>22 at home, this is going to be the document in the file</p> <p>23 that is called, "MALDEF report 2021."</p> <p>24 MR. MEUSER: And I have got a copy for you</p> <p>25 too, Counsel.</p>	<p style="text-align: right;">Page 213</p> <p>1 Did I read that correct?</p> <p>2 A Yes.</p> <p>3 Q Are you aware that in the 2021-cycle MALDEF</p> <p>4 was asking the commission to draw 16 districts where</p> <p>5 Hispanics were the majority, according to CVAP?</p> <p>6 MR. MANOLIUS: Objection, calls for</p> <p>7 speculation. He's already said he doesn't recall seeing</p> <p>8 this document before.</p> <p>9 THE WITNESS: I don't recall specifically, but</p> <p>10 looking at it, it looks like one of the documents, so --</p> <p>11 MR. MEUSER Q: If you could turn to the next</p> <p>12 page, 11.</p> <p>13 A (Witness complied.)</p> <p>14 Q And before I ask you this, before I ask you</p> <p>15 questions, you're kind of thumbing through the images of</p> <p>16 all the maps that are with this report?</p> <p>17 A Uh-huh.</p> <p>18 Q Do you recall ever seeing any of these maps</p> <p>19 before?</p> <p>20 A I can't speak to any of these individuals</p> <p>21 maps.</p> <p>22 Q Okay.</p> <p>23 A This is five years ago.</p> <p>24 Q I understand. But it doesn't refresh your</p> <p>25 recollection at all as to having seen it?</p>

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<p style="text-align: right;">Page 214</p> <p>1 MR. MANOLIUS: Okay. Just compound because</p> <p>2 there are many maps in here so --</p> <p>3 MR. MEUSER Q: Yeah.</p> <p>4 A I have looked at MALDEF maps for a long time.</p> <p>5 They look the same in every road.</p> <p>6 Q Who wrote those?</p> <p>7 A Steven Ochoa looks like, most likely.</p> <p>8 Q And when was the last time you talked to</p> <p>9 Steven Ochoa?</p> <p>10 A Several weeks or a month ago or a couple of</p> <p>11 months ago or something.</p> <p>12 Q Did you speak with Steven Ochoa at any time</p> <p>13 between July 2nd and February 15th?</p> <p>14 A You said February. August?</p> <p>15 Q August 15th.</p> <p>16 A No.</p> <p>17 Q Did you speak with anybody at MALDEF between</p> <p>18 July 2nd and August 15th?</p> <p>19 A No. Let me amend that to say I don't recall.</p> <p>20 Q You can go ahead and set that aside. I have</p> <p>21 got a couple fun exhibits here.</p> <p>22 A That's it?</p> <p>23 MR. MANOLIUS: Finally.</p> <p>24 MR. MEUSER: I am handing you Exhibit 17.</p> <p>25 (Whereupon Plaintiff's Exhibit 17</p>	<p style="text-align: right;">Page 216</p> <p>1 maps.</p> <p>2 Q And I remember the conversation we had which</p> <p>3 is why we got this into the record here.</p> <p>4 This is an example of one of the 52 old maps</p> <p>5 that you criticized throughout the, from July 2nd all</p> <p>6 the way to November 3rd; is that correct?</p> <p>7 A Yes.</p> <p>8 Q Regarding your atlas, the CVAP numbers --</p> <p>9 A Uh-huh.</p> <p>10 Q -- what, where did you get the CVAP numbers?</p> <p>11 A You're required to use the statewide</p> <p>12 databases' CVAP data and population data in California.</p> <p>13 Q Okay. And what year of database was the state</p> <p>14 redistricting database using?</p> <p>15 A In the terminology in redistricting we don't</p> <p>16 refer to the year that it was produced, we refer to the</p> <p>17 year that it represents. And so the data is the '19</p> <p>18 dash '23 CVAP, so a five-year average from 2019 to 2023.</p> <p>19 Q And when you're talking about the five-year</p> <p>20 average you're talking about the American community</p> <p>21 survey put on by the census?</p> <p>22 A It's a product, it's a special product put on,</p> <p>23 put together after the American community survey as a</p> <p>24 special kind of addendum.</p> <p>25 Q Okay. And so the statewide database is taking</p>
<p style="text-align: right;">Page 215</p> <p>1 was marked for identification.)</p> <p>2 MR. MEUSER: And for those following along at</p> <p>3 home, this Exhibit 17 is Paul Mitchell X post dash 52</p> <p>4 Democrat map.</p> <p>5 Can you please identify for the record what</p> <p>6 Exhibit 17 is?</p> <p>7 A Exhibit 17 is a Tweet of mine and it was</p> <p>8 posted on November 3rd.</p> <p>9 Q Day before election?</p> <p>10 A There you go.</p> <p>11 Q And what does this particular X post of yours</p> <p>12 show?</p> <p>13 MR. MANOLIUS: Objection, compound.</p> <p>14 Objection, also, to the word "show."</p> <p>15 MR. MEUSER: Okay. I'll re-ask.</p> <p>16 Q What is the significance of this particular X</p> <p>17 post that you were trying to convey to the world when</p> <p>18 you sent it out?</p> <p>19 A Well, I was trying to convey to the limited</p> <p>20 number of people who follow me that I, as was done in</p> <p>21 the other testimony, rather derisively referred to</p> <p>22 Twitter maps and I felt as though Twitter maps showing</p> <p>23 crazy lines drawn by somebody in their basement weren't</p> <p>24 necessarily productive into the conversation, and so I</p> <p>25 was expressing my frustration with the silly Twitter</p>	<p style="text-align: right;">Page 217</p> <p>1 the data from the census and then as you were talking to</p> <p>2 Julie earlier today, they remove the prisoners from</p> <p>3 that; is that correct?</p> <p>4 A Reallocate.</p> <p>5 Q Reallocate. And that was the data that you</p> <p>6 were using in this particular report?</p> <p>7 A Yes.</p> <p>8 Q Okay. Not 2022?</p> <p>9 A You mean, not 1822.</p> <p>10 Q Not the 2022 ACS data, you were using 2023 ACS</p> <p>11 data; correct?</p> <p>12 A In 2022, they were using the, like, no, it's</p> <p>13 not the same CU update as they were using in the 2021</p> <p>14 redistricting process, if that's what you're asking.</p> <p>15 Q Well, I understand that the redistricting</p> <p>16 commission could not have used the 2023 data, because it</p> <p>17 did not exist at that time; correct?</p> <p>18 A They couldn't have used the '19 to '23, of</p> <p>19 course.</p> <p>20 Q And what you're saying is that in these</p> <p>21 atlases, the numbers that you were using was the '19 to</p> <p>22 '23 five year ACS data; correct?</p> <p>23 A (Witness nodding head.)</p> <p>24 Q Is that a "yes"?</p> <p>25 A Yes.</p>

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<p style="text-align: right;">Page 218</p> <p>1 Q Okay. The only reason why I am saying this is</p> <p>2 we have a had experts for the last four days give me</p> <p>3 places where you were getting your data, so I am just</p> <p>4 trying to get from you which set of numbers all the</p> <p>5 experts are supposed to look at.</p> <p>6 A Yeah.</p> <p>7 Q So, again, I am going to repeat to make sure I</p> <p>8 have a clean record so that all of our experts know.</p> <p>9 When we're looking at the CVAP data that is</p> <p>10 contained in the atlas, you were using the 2023 census</p> <p>11 data, the American community census data from a</p> <p>12 five-year period that was then reallocated according to</p> <p>13 the statewide database?</p> <p>14 A So to use the terminology of redistricting</p> <p>15 consultants we all agree upon, I think we use the '19</p> <p>16 dash '23, which means it's data from 2019 to 2023, that</p> <p>17 five year average, and it's that data from the census</p> <p>18 has been adjusted by the statewide database.</p> <p>19 (Whereupon Plaintiff's Exhibit 18</p> <p>20 was marked for identification.)</p> <p>21 MR. MEUSER Q: Thank you. I appreciate that.</p> <p>22 And I don't think I am going to need this one, but since</p> <p>23 we printed it up I am going to just go ahead and give</p> <p>24 it.</p> <p>25 I am going to hand you what has been marked as</p>	<p style="text-align: right;">Page 220</p> <p>1 You were aware a year ago that there were some</p> <p>2 public discussions about redistricting Los Angeles</p> <p>3 County; correct?</p> <p>4 A Yes.</p> <p>5 Q And in response to those public discussions</p> <p>6 you posted your thoughts on X; is that correct?</p> <p>7 A Yes.</p> <p>8 Q And is it your position that if somebody is</p> <p>9 redrawing the lines that they need to use the most</p> <p>10 recent ACS database, not the one that their districting</p> <p>11 commission used, but they have to use the most recent</p> <p>12 one available at the time that they redrew the lines?</p> <p>13 A I would want to --</p> <p>14 MR. MANOLIUS: Objection, as to they have to</p> <p>15 use, like a legal requirement. That's just my</p> <p>16 question -- my objection.</p> <p>17 THE WITNESS: I want to be clear here. Yes, I</p> <p>18 believe that if they were to redraw, I say in here on</p> <p>19 Twitter they would have to use, but I think maybe in a</p> <p>20 deposition the better terminology would be that they</p> <p>21 would normally use the latest American survey data,</p> <p>22 because that is what is in practice in California, is we</p> <p>23 use the data as it gets updated every year.</p> <p>24 Q And that is what you did when updating the</p> <p>25 atlases --</p>
<p style="text-align: right;">Page 219</p> <p>1 Exhibit 18. And for those following at home, this is a</p> <p>2 DM Tweet concerning use of recent ACS survey data.</p> <p>3 Do you remember this X post?</p> <p>4 A If I can take a look real quick.</p> <p>5 Q Please, do.</p> <p>6 A I do recall this.</p> <p>7 (Off-the-record discussion between</p> <p>8 Mr. Manolius and the Witness.)</p> <p>9 THE WITNESS: Sorry.</p> <p>10 THE REPORTER: Are we on the record or off the</p> <p>11 record?</p> <p>12 MR. MEUSER Q: This particular post has</p> <p>13 absolutely nothing to do with Prop 50; correct?</p> <p>14 A Absolutely.</p> <p>15 Q But this does have to do with redistricting in</p> <p>16 California; correct? Los Angeles city, to be precise?</p> <p>17 A Yes.</p> <p>18 Q And in the particular post there was an X post</p> <p>19 that you're responding to that somebody was suggesting</p> <p>20 they should do redistricting in Los Angeles city; is</p> <p>21 that correct?</p> <p>22 A Could you restate that? I am sorry.</p> <p>23 Q Well, you can't actually see this because you</p> <p>24 don't see what this is responding to, so I am going to</p> <p>25 actually rephrase.</p>	<p style="text-align: right;">Page 221</p> <p>1 A Yes.</p> <p>2 Q -- that are a matter of public record?</p> <p>3 MR. MANOLIUS: Objection, to the extent you're</p> <p>4 asking him how he drew his maps, legislative privilege,</p> <p>5 but you can answer the question at this point.</p> <p>6 THE WITNESS: Without speaking to the line</p> <p>7 drawing process, the maps that you are showing me are</p> <p>8 using the new ACS data.</p> <p>9 MR. MEUSER Q: Another one of your X posts,</p> <p>10 and I don't know, I am just going to do a quick thing.</p> <p>11 In this particular X post you're talking about three</p> <p>12 separate articles. I have all three articles here. Do</p> <p>13 we want to have them all as one exhibit or do you want</p> <p>14 this to be four separate exhibits? What's better for</p> <p>15 you.</p> <p>16 MR. MANOLIUS: I don't care.</p> <p>17 (Whereupon Plaintiff's Exhibit 19</p> <p>18 was marked for identification.)</p> <p>19 MR. MEUSER Q: We'll do it as four separate</p> <p>20 exhibits so we can do this.</p> <p>21 So Exhibit 19 is going to be a Paul Mitchell</p> <p>22 Tweet that I'm a calling, if you're keeping track at</p> <p>23 home, in that link or in that X post has three different</p> <p>24 links.</p> <p>25 The first one is Caltech; is that correct?</p>

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1 A Yes.
2 MR. MEUSER: And so I am marking as Exhibit 20
3 what is a Caltech report.
4 (Whereupon Plaintiff's Exhibit 20
5 was marked for identification.)
6 MR. MEUSER: Can you look at this real briefly
7 and tell me if that is the report that you were linking
8 to in your X post?
9 A I can't see the link to say whether I was
10 linking to, like, an article that had this report or
11 this report directly to .pdf, but this is the report I
12 would be referencing in this, that first part.
13 MR. MEUSER: And then I am going to hand you
14 Exhibit 21 --
15 (Whereupon Plaintiff's Exhibit 21
16 was marked for identification.)
17 MR. MEUSER Q: -- which is a PPIC report.
18 Please let me know if this is a report that you were
19 referring to in your X post?
20 A Yes.
21 Q And I am sorry, Counsel, let me just -- I
22 should have handed this to you earlier.
23 MR. MANOLIUS: Thank you.
24 (Whereupon Plaintiff's Exhibit 22
25 was marked for identification.)

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1 MR. MEUSER Q: And then the third link is
2 talking about a UCLA report; correct?
3 A Yes.
4 Q And is that the UCLA report, what I have just
5 marked as Exhibit 22?
6 A Actually, I think you have got these
7 backwards.
8 Q Oh.
9 A The second one is the AAPI one and the third
10 one is the PPIC one.
11 Q Thank you. But the three reports that I just
12 handed you are the three reports that you were referring
13 to in your particular X post, is that --
14 A Yes.
15 Q -- correctly stated?
16 A Yep.
17 Q Is it fair for me to assume that you read all
18 three of those reports?
19 A No, I definitely glossed over them. I don't
20 know that I read them all thoroughly, particularly the
21 last Cal-Poly one, I don't know that I read every line.
22 I don't know that I read them, PPIC one.
23 Q Did you in the X post I see that we'll start
24 with the Cal, the Cal-Poly Caltech report --
25 A Uh-huh.

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1 Q -- I see that there is a quotation that you,
2 that is in your X post.
3 A Uh-huh.
4 Q Did you pull that quotation out of the report?
5 A I believe that was the point of the quotes,
6 but I'd have to find it in here. I don't know where it
7 is exactly. It looks like -- oh, I'd have to look for
8 it.
9 Q Were you the one who submitted this X post?
10 A Yes.
11 Q Did anybody else have access to your X
12 account?
13 A No.
14 Q And you reviewed the three documents; correct?
15 MR. MANOLIUS: Objection, asked and answered.
16 He said he was familiar with them a little bit.
17 THE WITNESS: I am familiar with them, yeah.
18 MR. MEUSER Q: And these three quotes that are
19 familiar in the X post, you pulled those quotes and
20 typed them into the X post; is that correct?
21 A I think that's what I'm purporting here is
22 that these are quotes from these documents, so that's
23 what I'm presuming.
24 Q Okay. Let's read the first quote.
25 "Proposed Proposition 50 map will further

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1 increase Latino voting power over the current commission
2 map."
3 Did I read that correctly?
4 A Yes.
5 Q Do you agree with that statement?
6 MR. MANOLIUS: Objection. Legislative
7 privilege and instruct him not to answer.
8 MR. MEUSER Q: On what day did you send this X
9 post?
10 A October 23rd.
11 Q Were you still working for the Legislature on
12 that day?
13 MR. MANOLIUS: Objection. Lacks foundation
14 and vague as to the term "working for." You can answer.
15 THE WITNESS: I wasn't working for anybody at
16 this point, other than PDI.
17 MR. MEUSER Q: Was this post made in any kind
18 of official capacity on behalf of the Legislature to
19 promote the Prop 50 maps?
20 A I think you'd have to unpack -- I am sure that
21 I was doing this in order to promote or advance the
22 legislators' interest in passing Prop 50 and the
23 campaign's interest.
24 Q Did you ask -- sorry.
25 Did somebody ask you to post these three

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<p style="text-align: right;">Page 226</p> <p>1 articles and promote them?</p> <p>2 MR. MANOLIUS: Or any one of them.</p> <p>3 MR. MEUSER Q: Or any one of them.</p> <p>4 A No.</p> <p>5 Q As a citizen who was concerned about Prop 50</p> <p>6 maps, you were reading the news regularly on Prop 50;</p> <p>7 correct?</p> <p>8 A Yes.</p> <p>9 Q And you read these studies that talked about</p> <p>10 Prop 50; correct?</p> <p>11 A I saw they existed, yes.</p> <p>12 Q And you took the time to pull quotes out of</p> <p>13 that, those studies; correct?</p> <p>14 A Yes.</p> <p>15 Q And do you have anything on your X posts that</p> <p>16 say re-Tweets are not my own thoughts or anything like</p> <p>17 that?</p> <p>18 A I don't think that means anything.</p> <p>19 Q Okay. You posted these because you believed</p> <p>20 these particular statements?</p> <p>21 A I think that I posted these because I believed</p> <p>22 these particular statements would be encouraging to</p> <p>23 people who want to ensure that these maps aren't somehow</p> <p>24 ruinous to the communities that they care about.</p> <p>25 Q So focusing in on the Cal-Poly Pomona, that</p>	<p style="text-align: right;">Page 228</p> <p>1 statement?</p> <p>2 MR. MANOLIUS: Same objection. Instruct you</p> <p>3 not to answer.</p> <p>4 MR. MEUSER Q: And you are not answering that</p> <p>5 question at the instruction of your attorney?</p> <p>6 A Correct.</p> <p>7 Q Earlier today we I think, if I'm remembering</p> <p>8 right, it was Exhibit 5, which was the contract that you</p> <p>9 signed with the DCCC. Can you go pull that up?</p> <p>10 A (Witness complied.) Thank you.</p> <p>11 Q And this particular contract you were paid,</p> <p>12 you agreed to be paid \$325,000; is that correct?</p> <p>13 A For the entirety of the contract?</p> <p>14 Q Yes.</p> <p>15 A Yes.</p> <p>16 Q Okay. And I believe you said earlier that you</p> <p>17 were paid \$108,000 roughly by the DCCC; is that correct?</p> <p>18 A Yes.</p> <p>19 (Whereupon Plaintiff's Exhibit 23</p> <p>20 was marked for identification.)</p> <p>21 MR. MEUSER Q: Okay. I am going to mark as</p> <p>22 Exhibit 23 a document that's Bates stamped DCCC 000177,</p> <p>23 just an invoice from the DCCC for or to the DCCC from</p> <p>24 Redistricting Partners; correct?</p> <p>25 A Yes.</p>
<p style="text-align: right;">Page 227</p> <p>1 statement that is in quotation marks, do you, Paul</p> <p>2 Mitchell, as a private citizen agree with that</p> <p>3 statement?</p> <p>4 MR. MANOLIUS: Object. Legislative privilege,</p> <p>5 don't answer.</p> <p>6 MR. MEUSER Q: And are you not answering that</p> <p>7 question at the instruction of your attorney?</p> <p>8 A Correct.</p> <p>9 Q Let's read the second quotation. "Proposed</p> <p>10 map likely will increase Asian American voting power."</p> <p>11 Did I read that correctly?</p> <p>12 A Yes.</p> <p>13 Q And do you agree with that statement?</p> <p>14 MR. MANOLIUS: Same objection. I instruct you</p> <p>15 not to answer.</p> <p>16 MR. MEUSER Q: And are you not answering that</p> <p>17 question at the instruction of your attorney?</p> <p>18 A Correct.</p> <p>19 Q Third quote: "The proposed plan matches the</p> <p>20 current one almost exactly: It adds one more Latino</p> <p>21 influence district, but otherwise replicates the status</p> <p>22 quo."</p> <p>23 Did I read that correctly?</p> <p>24 A Yes.</p> <p>25 Q And do you agree with that particular</p>	<p style="text-align: right;">Page 229</p> <p>1 Q And it's for, what is the dollar amount on</p> <p>2 that?</p> <p>3 A \$108,000 --</p> <p>4 Q And --</p> <p>5 A -- 333.33.</p> <p>6 Q Thank you. And has that invoice been paid?</p> <p>7 A Yes.</p> <p>8 Q Okay. Have you been paid \$108,000,</p> <p>9 \$108,333.33 from Hakeem Jeffries?</p> <p>10 A Okay.</p> <p>11 Q Have you been paid \$108,333.34 from House</p> <p>12 Majority PAC?</p> <p>13 A I'd to have clarify which one gave me 33 cents</p> <p>14 or 34 cents, but, in general, yes, within a penny.</p> <p>15 Q Okay. Well, I can tell you from public</p> <p>16 filings that Hakeem Jeffries claims that he paid you the</p> <p>17 \$0.33.</p> <p>18 A Oh. So HMP drew the short straw.</p> <p>19 Q They haven't made their public disclosure yet,</p> <p>20 but I am assuming that that would be the case. So, on</p> <p>21 what date did you receive payment from the DCCC?</p> <p>22 A On or around the date of this invoice.</p> <p>23 Q And what is the date of that invoice?</p> <p>24 A Actually, yeah, on or around the date of the</p> <p>25 invoice, August 15th.</p>

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<p style="text-align: right;">Page 230</p> <p>1 Q Okay. And on or about what time were you paid 2 by Hakeem Jeffries? 3 A I don't recall. 4 Q Was it about a month later in the middle of 5 September? 6 A That sounds appropriate, sounds about right. 7 Q And do you know when House Majority PAC or 8 HMP paid you? 9 A Around the same time, I think, around the same 10 time. 11 MR. MANOLIUS: As which one? 12 MR. MEUSER Q: As which one? 13 A As Hakeem Jeffries. 14 Q Okay. I was going there too. Did you retain 15 any attorneys as a part of the drawing of the Prop 50 16 maps? 17 MR. WOODS: Objection, ambiguous. 18 MR. MEUSER Q: Did Redistricting Partners have 19 to retain any attorneys that were paid out of that 20 \$325,000? 21 A No. 22 Q I believe you have said in public that a VRA 23 analysis was done. What attorneys did that VRA 24 analysis? 25 MR. MANOLIUS: Objection, lacks foundation.</p>	<p style="text-align: right;">Page 232</p> <p>1 MR. MANOLIUS: Yep. 2 MR. MEUSER Q: And you're not going to answer 3 at the instruct of your attorney? 4 A Correct. 5 Q On what date did Christian Grose give you that 6 report? 7 MR. MANOLIUS: Same objection. I instruct you 8 not to answer. 9 MR. MEUSER Q: And you're not answering at the 10 instruction of your attorney? 11 A Correct. 12 Q How many VRA analyses did Christian Grose do? 13 MR. MANOLIUS: Same objections. I instruct 14 you not to answer. 15 MR. MEUSER Q: And you're not answering that 16 question at the instruction of your attorney? 17 A Correct. 18 Q Starting on July 2nd, you were at a bicycle 19 ride or a bicycle race -- 20 A Ride. 21 Q -- with the speaker's chief of staff. Which 22 was it? 23 A It was a bike ride. 24 Q Just a bike ride? 25 A Yeah.</p>
<p style="text-align: right;">Page 231</p> <p>1 What attorneys? You can answer. 2 THE WITNESS: The VRA analysis was not done by 3 an attorney. 4 MR. MEUSER Q: Okay. Who did the VRA analysis 5 that you referred to in your public comments? 6 MR. MANOLIUS: If you know. 7 THE WITNESS: Yeah. Christian Grose. 8 MR. MEUSER Q: Okay. And Christian Grose is, 9 I've heard his name pop up a couple times here today. 10 Who is Christian Grose? 11 A He is a professor at Schwarzenegger Institute 12 UC or at USC, like the name is something like that, and 13 he's a recognized expert in voting rights. 14 Q Did Redistricting Partners pay him to do that 15 VRA report? 16 MR. MANOLIUS: Objection. Legislative 17 privilege, I'll instruct you not to answer. 18 MR. MEUSER Q: And you're not answering that 19 question at the instruction of your attorney? 20 A Correct. 21 Q How many pages was the report Christian Grose 22 wrote that was given to you? 23 MR. MANOLIUS: Same objections, instruct you 24 not to answer. 25 MR. MEUSER Q: How many pages?</p>	<p style="text-align: right;">Page 233</p> <p>1 Q And on that bike ride you were discussing 2 redistricting in California; is that correct? 3 A Yes. 4 Q From July 2nd to July 15th, and the reason why 5 I am using July 15th is because that's the date that's 6 in your contract with the DCCC, did you talk with any 7 other individuals regarding California redistricting? 8 MR. MANOLIUS: Objection, vague. Any 9 individuals? 10 MR. MEUSER: Any -- 11 MR. MANOLIUS: People. 12 MR. MEUSER Q: Anybody regarding Prop 50, 13 regarding California redistricting. 14 A Yes. 15 Q Okay. Approximately, how many people did you 16 talk to? 17 A A dozen? 18 Q Any of the people that you talked to, were 19 they legislators? 20 MR. MANOLIUS: You mean, California 21 legislators? 22 THE WITNESS: California legislators, I don't 23 recall. 24 MR. MEUSER Q: Okay. Were any of them 25 California Congressmen or women?</p>

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<p>1 A Yes.</p> <p>2 Q I'm not asking what you talked about.</p> <p>3 Who did you talk to between July 2nd and</p> <p>4 July 15th, who was either a California congressman or</p> <p>5 congresswoman regarding redistricting in California?</p> <p>6 A Um, just start naming names?</p> <p>7 Q Start naming names.</p> <p>8 A Hakeem Jeffries, Nancy Pelosi, Zoe Lofgren,</p> <p>9 Pete Aguilar, Brad Sherman.</p> <p>10 MR. MANOLIUS: Just keeping in mind the time</p> <p>11 period.</p> <p>12 THE WITNESS: Yeah, yeah, this is in that time</p> <p>13 period.</p> <p>14 MR. MANOLIUS: Okay.</p> <p>15 THE WITNESS: Yeah, Pete Aguillar. I think</p> <p>16 that's -- I'd have to start guessing after that, so</p> <p>17 that's my best recollection.</p> <p>18 MR. MEUSER Q: And those conversations all</p> <p>19 took place between July 2nd and July 15th; correct?</p> <p>20 A Yes.</p> <p>21 Q Were any of these in person meetings or were</p> <p>22 these all over the phone?</p> <p>23 A These would all have been over the phone.</p> <p>24 Q Okay. Between July 2nd and July 15th, did you</p> <p>25 have any conversations with Governor Gavin Newsom or any</p>	<p>1 calendar.</p> <p>2 Q Do you maintain a calendar that sets the</p> <p>3 schedule of who you talk to regarding the redistricting</p> <p>4 process?</p> <p>5 A I don't have staff that put together a</p> <p>6 calendar for me, so what I have is spotty.</p> <p>7 Q Has the calendar that you created been given</p> <p>8 to counsel so that they can review to see if it's</p> <p>9 something that they need to give to us in response to</p> <p>10 our document request?</p> <p>11 MR. MANOLIUS: Objection, calls for</p> <p>12 attorney-client privilege. Don't answer.</p> <p>13 MR. MEUSER: So, Counsel, I am going to ask</p> <p>14 you to make sure that you get from your client the</p> <p>15 calendar that he, you know, however spotty it is, that</p> <p>16 you get the calendar and review it to get us something</p> <p>17 that is responsive?</p> <p>18 MR. MANOLIUS: Will do.</p> <p>19 MR. MEUSER: Thank you.</p> <p>20 Q Between July 15th and August 1st?</p> <p>21 A August 1st.</p> <p>22 Q August 1st, so we did the first two weeks.</p> <p>23 Now we're doing the second two weeks.</p> <p>24 Are there any California congressmen or women</p> <p>25 that you talked to regarding this redistricting process?</p>
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<p>1 of his staff?</p> <p>2 A Yes.</p> <p>3 Q Who?</p> <p>4 A Nathan Brinken, Lindsay Covia, Izzie Garden,</p> <p>5 Bob Saladay; that would probably be it.</p> <p>6 Q Okay. Other than the chief of staff of</p> <p>7 Speaker Rivas, between July 2nd and July 15th, did you</p> <p>8 speak to any other staff of a California Legislature?</p> <p>9 A Um, legislative staff generally, not to an</p> <p>10 exactly to a member, Michael Wagaman, likely Jason</p> <p>11 Lyles.</p> <p>12 I don't want to start guessing, but there</p> <p>13 could have been others that just don't jump to mind.</p> <p>14 Q In your contract with the DCCC it refers back</p> <p>15 to a July 15th day. Is there something significant that</p> <p>16 happened on July 15th as to why that was the date of the</p> <p>17 contract?</p> <p>18 MR. MANOLIUS: When you say refers back to</p> <p>19 July 15th, you just mean the date of the contract being</p> <p>20 July 15th?</p> <p>21 MR. MEUSER Q: If that's the start date of the</p> <p>22 contract, even though it's not signed until August, it</p> <p>23 relates back to a July 15th date and I am wondering what</p> <p>24 the significance of this relates back date is?</p> <p>25 A I don't recall without looking at the</p>	<p>1 A Yes.</p> <p>2 Q Who?</p> <p>3 A Zoe Lofgren, Pete Aguilar, Nancy Pelosi, and</p> <p>4 then from there I'd have to go, like, district by</p> <p>5 district to maybe move this along. The members who are</p> <p>6 in districts that changed significantly, I would have</p> <p>7 had a discussion with them about that.</p> <p>8 Q Did you call those congressmen up or were you</p> <p>9 working through somebody who had scheduled a time for</p> <p>10 you to talk to the congressman?</p> <p>11 A Combination.</p> <p>12 Q When was the first date that you started</p> <p>13 talking with the DCCC?</p> <p>14 A I don't recall.</p> <p>15 Q Does the date August 1st have any significance</p> <p>16 to you regarding your conversations with the DCCC?</p> <p>17 A At this moment, no, I don't.</p> <p>18 Q Did you use the DCCC at all to make</p> <p>19 connections with congressmen to talk about their</p> <p>20 districts?</p> <p>21 A No.</p> <p>22 Q I am assuming that some of these congressmen</p> <p>23 you have their numbers and are able to reach out to them</p> <p>24 already; is that correct?</p> <p>25 A Yes.</p>

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<p style="text-align: right;">Page 238</p> <p>1 Q And then there's probably some congressmen 2 that you don't have a relationship and you had somebody 3 else make the contact. Is that fair? 4 A Sure. 5 Q Between July 15th and the end of the month, 6 August 1st, were there anybody from the governor's, the 7 Governor or the governor's office that you spoke to 8 about redistricting? 9 A Yes, and it would be the same people. 10 Q Okay. And same question now, same time period 11 for any legislators, California state legislators? 12 A I don't recall. One, her name was mentioned 13 earlier, I am blanking on her name, she's the Santa Cruz 14 county registrar, Gale Pelgrin. 15 Q Thank you. Same question, legislative staff? 16 A Same legislative staff; Jason Lyles, Steve 17 Omara, Michael Wagaman. There could have been somebody 18 else who called me that I just don't recall. 19 Q Between August 1st and August 15th, are there 20 any new names of congressmen that you spoke to during 21 that period of time that you have not already mentioned? 22 A No, it would have been the same members of 23 Congress that we were talking about earlier that had 24 their districts changed. 25 Q Same time period, August 1st to August 15th,</p>	<p style="text-align: right;">Page 240</p> <p>1 have been in the weeks leading to the legislative 2 drafting of the bill and potentially one or two in the 3 week that the Legislature was considering the bill. 4 Q And when you say a few, is that less than a 5 dozen? 6 A Oh, yeah. 7 Q Less than five? 8 A A few means three to five or so. 9 Q Three to five. Okay. And you believe one of 10 these was done during the legislative session? 11 MR. MANOLIUS: Objection, lacks foundation. 12 THE WITNESS: I wouldn't exclude it. I think 13 there might have been some presentation to one of the 14 groups at that time. 15 MR. MEUSER Q: Do you recall the groups that 16 you were making these presentations to? Do you recall 17 the name of the groups? 18 A Generally. 19 Q What were the names of the groups? 20 A Assembly Democratic Caucus, Senate Democratic 21 Caucus, and I don't recall what other caucus I might 22 have spoken with. I don't recall names. 23 Q Is it a fair statement to say that you were 24 never on a podcast with any of the republican 25 legislators?</p>
<p style="text-align: right;">Page 239</p> <p>1 any new individuals that you were talking to from the 2 governor's office? 3 A Um, David Sack. 4 Q Same time period, August 1st to August 15th, 5 are there any state legislators that you spoke to during 6 this two-week period of time? 7 A Yes, and that was covered in the earlier 8 testimony. I can't recall the names exactly of all the 9 legislators that I met with, but I met with a handful of 10 legislators and talked to a handful of legislators. 11 Q But that was during the August 1st to 12 August 15th period; correct? 13 A Yeah, right before they put the bill into 14 print. 15 Q And I believe earlier you indicated that there 16 was some kind of presentation you gave to multiple 17 legislators. Is that a fair statement of what you did? 18 A Uh-huh. Yes. 19 Q How long was this presentation? 20 A 25 minutes or so. 21 Q Was it in person or via technology, like Zoom? 22 A Group presentations were all Zoom. 23 Q Okay. Do you recall approximately when this 24 presentation was made? 25 A There would have been a few and they would</p>	<p style="text-align: right;">Page 241</p> <p>1 A Republican legislators? No. You mean a Zoom 2 or a podcast? 3 Q Zoom podcast, yeah. 4 A Um, no, not during the redistricting. 5 Q Let me rephrase the question. 6 Between August 1st and August 24th, were you 7 ever on a Zoom podcast that had a republican legislator 8 in which you were talking about what became known as 9 Prop 50 maps? 10 A I don't recall. 11 MR. MEUSER: Okay. Counsel, do you want to 12 take about a 10, 15-minute break here? 13 MR. MANOLIUS: Ten. 14 MR. MEUSER: Okay. Ten-minute break 15 everybody. 16 THE VIDEOGRAPHER: The time is 4:48 p.m. We 17 are going off the record. 18 (Whereupon a recess was taken.) 19 THE VIDEOGRAPHER: We are back on the record. 20 The time is 4:56 p.m. and this marks the beginning of 21 videotape number seven in the deposition of Paul 22 Mitchell, which is being taken at Hansen Bridgett, LLP 23 500 Capitol Mall, Suite 1500, Sacramento, California. 24 The videographer is Nicholas Coulter here on 25 behalf of Array Legal Services.</p>

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<p>1 MR. MEUSER Q: Welcome back. Mr. Mitchell, 2 you know you're still under oath? 3 A Yes. 4 Q Counsel, this question is more for you for 5 clarification. 6 On your legislative privilege are you claiming 7 legislative privilege for conversations that he had with 8 congressmen who are not legislators? 9 MR. MANOLIUS: Yes. 10 MR. MEUSER Q: Okay. And you are claiming -- 11 MR. MANOLIUS: Not legislators, not California 12 state legislators. 13 MR. MEUSER Q: They are not California state 14 legislators who are involved in the passage, voting for 15 or the drafting of language or adopting of the language 16 of the state proposition or state constitutional 17 amendment that became Proposition 50? 18 MR. MANOLIUS: Yes. 19 MR. MEUSER Q: Okay. Mr. Mitchell, have you 20 been instructed by any legislator to claim legislative 21 privilege here today? 22 MR. MANOLIUS: Objection, attorney-client 23 privilege. Instruct you not to answer the question. 24 MR. MEUSER Q: And, Mr. Mitchell you're not 25 answering that question at the instruction of your</p>	<p>1 A Yes. 2 Q And you sign your name, "Paul"? 3 A Yes. 4 Q Okay. Now, as I'm looking at this document 5 you have stuff that is indented all the way, you know, 6 there's stuff that's indented and stuff that's not 7 indented; correct? 8 A Correct. 9 Q The stuff that is indented there's multiple 10 paragraphs here on these two pages here that are 11 indented. Is that something that you wrote or is that 12 something that someone else wrote that you were copying 13 it? 14 A Something that I wrote. 15 Q Okay. So was the section that is indented 16 that you wrote, was this something that you were 17 expecting the DCCC to put into some talking points memo. 18 Is that a fair assessment? 19 MR. MANOLIUS: Objection, calls for 20 speculation and also calls for information that's 21 protected by the legislative privilege, so I'll instruct 22 you not to answer that. 23 MR. MEUSER Q: Mr. Mitchell you wrote this 24 e-mail? 25 A Yes.</p>
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<p>1 attorney; correct? 2 A Correct. 3 Q Okay. I have pulled three documents for you 4 that have been previously marked. I went through these 5 documents in great detail with Julie earlier today, but 6 I have some follow-up questions that I want to do, so we 7 pulled, for the record, those following at home 8 Exhibit 7, Exhibit 8 and Exhibit 9. 9 So which one is in front of you, talking 10 points, number seven? 11 A Yes. 12 Q Okay. And this is an e-mail from you to Merz 13 at DCCC.org; is that correct? 14 A This is an e-mail from Julie to me, the other 15 way around. 16 Q Ah-ha. You have a different copy than what 17 I'm looking at. Okay. So starting right below that, 18 that is an e-mail that you sent; is that correct? 19 A It's an e-mail that I sent, but I don't know 20 if it was just to Julie or to other people or, yeah. 21 Q Okay. Fair enough. And you write, "Here are 22 some things that I would like to see in a letter that 23 would go with this submission. I have cc'd Ellen on 24 this in case she has any thoughts or input." 25 Did I read that correct?</p>	<p>1 Q Okay. And you wrote it to the DCCC; correct? 2 A Yes. 3 Q What was the reason the DCCC told you to write 4 this e-mail to them? 5 MR. MANOLIUS: Objection, lacks foundation, 6 calls for speculation. 7 THE WITNESS: I don't recall if they asked me 8 to write this e-mail. 9 MR. MEUSER q: Let's go through this one line 10 at a time. 11 The first sentence says, "This isn't a hack 12 job map, it's actually good. We want to stress the 13 importance of using criteria that are standard in 14 California." 15 Did I read that correctly. 16 A Yes. 17 Q Now we have an indented paragraph, and I am 18 going to read that. "The plan was created using a 19 traditional redistricting criteria, consistent with the 20 state commission criteria and with the FAIR MAPS Act, 21 but with the additional criteria of improving partisan 22 gains in response to Texas and other states who are 23 conducting mid-decade redistricting." 24 Did I read that correct? 25 A Yes.</p>

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<p>Page 246</p> <p>1 Q Can you please explain to me why the second</p> <p>2 paragraph is indented, but the first paragraph was not?</p> <p>3 A The ideas that these are snippets that they</p> <p>4 could consider.</p> <p>5 Q So the first paragraph would be an explanation</p> <p>6 as to what that snippet was saying; correct?</p> <p>7 A Sure.</p> <p>8 Q So the first paragraph is kind of an explainer</p> <p>9 and the second paragraph is something that you thought</p> <p>10 that DCCC could use. Is that fair?</p> <p>11 A Or that they could modify, that they could --</p> <p>12 this is the, I'm writing this pretty quickly so this</p> <p>13 wasn't expected as a cut-and-paste. I would have</p> <p>14 written their letter for them in that case.</p> <p>15 Q So paragraph three is an explainer of what</p> <p>16 paragraph four stated; correct?</p> <p>17 A Yes.</p> <p>18 Q And then paragraph five is kind of a brief</p> <p>19 explainer to the long next two paragraphs that are</p> <p>20 indented; correct?</p> <p>21 A Yes.</p> <p>22 Q And so on and so forth down this entire</p> <p>23 e-mail; correct?</p> <p>24 A Yes.</p> <p>25 Q And the words in the indented -- strike that.</p>	<p>Page 248</p> <p>1 districts are contiguous, they are compact. Those are</p> <p>2 the kind of traditional criteria.</p> <p>3 Q And then you say the state commissioned</p> <p>4 criteria. Are you referring to the California</p> <p>5 Constitution that the state redistricting commission is</p> <p>6 required to abide by when they draw California lines?</p> <p>7 MR. WOODS: Objection, calls for a legal</p> <p>8 conclusion.</p> <p>9 MR. MANOLIUS: Yeah, I'll join that.</p> <p>10 THE WITNESS: To be clear it says consistent</p> <p>11 with the commission criteria, so it's basically saying</p> <p>12 in alignment with the commission criteria and doesn't</p> <p>13 mean that it is specifically every one of the commission</p> <p>14 criterias.</p> <p>15 It was just the numbering of the districts as</p> <p>16 a commission criteria that we didn't use, but had the</p> <p>17 heart and sole of the commission criteria in it.</p> <p>18 Q Understand that. And then there's an "and the</p> <p>19 FAIR MAPS Act;" correct?</p> <p>20 A Yes.</p> <p>21 Q Did you use anything in the FAIR MAPS Act in</p> <p>22 drawing the lines that became Prop 50?</p> <p>23 MR. MANOLIUS: Objection, legislative</p> <p>24 privilege and instruct you not to answer.</p> <p>25 MR. MEUSER Q: And you are not answering my</p>
<p>Page 247</p> <p>1 Everything in this was something that you</p> <p>2 personally typed; is that correct?</p> <p>3 A Yes.</p> <p>4 Q That first indented paragraph says,</p> <p>5 "Traditional redistricting criteria."</p> <p>6 What does that term mean to you as someone in</p> <p>7 the business of redistricting?</p> <p>8 MR. MANOLIUS: Objection, vague. Do you mean</p> <p>9 as a general matter?</p> <p>10 MR. MEUSER: I tried to put it as general as</p> <p>11 possible.</p> <p>12 MR. MANOLIUS: Okay.</p> <p>13 THE WITNESS: So --</p> <p>14 MR. MANOLIUS: So the question is answer it as</p> <p>15 a general matter and not as with regard to the</p> <p>16 legislative process that we have been talking about</p> <p>17 today.</p> <p>18 THE WITNESS: Traditional criteria is a banner</p> <p>19 term that a lot of people put a lot of things under that</p> <p>20 banner.</p> <p>21 MR. MEUSER Q: What did you put under that</p> <p>22 banner?</p> <p>23 A Equal population, maintaining cities and</p> <p>24 counties, maintaining communities of interest, main --</p> <p>25 keeping geographies together, political geographies, so</p>	<p>Page 249</p> <p>1 question at the instruction of your attorney?</p> <p>2 A Correct.</p> <p>3 Q Okay. Looking at the paragraph that starts,</p> <p>4 "Trying to create Minimal Disruptions," do you see that?</p> <p>5 A On the next page?</p> <p>6 Q Yeah, I think so.</p> <p>7 A Yeah, I see it.</p> <p>8 Q And then the indented paragraph below that,</p> <p>9 the last sentence of that indented paragraph reads,</p> <p>10 "This California plan leaves nine districts untouched</p> <p>11 and in 19 districts fewer than 10-percent of the</p> <p>12 residents are impacted."</p> <p>13 Did I read that correct?</p> <p>14 A Yes.</p> <p>15 Q And did you write that on or about</p> <p>16 August 15th, 2025?</p> <p>17 A Yes.</p> <p>18 Q Reading the next indented section that starts</p> <p>19 with, "The firm we hired," do you see that paragraph?</p> <p>20 A Yes.</p> <p>21 Q Now, this is a paragraph that you drafted that</p> <p>22 explains Redistricting Partners; is that correct?</p> <p>23 A Yes.</p> <p>24 Q And you wrote this on August 15th; correct?</p> <p>25 A Yes.</p>

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<div>Page 250</div> <div><div><div>1</div><div>Q</div><div>Did you copy this from your website or</div></div><div><div>2</div><div>anything like that or did you just draft this on</div></div><div><div>3</div><div>August 15th for this e-mail?</div></div><div><div>4</div><div>A</div><div>Probably, a combination of both.</div></div><div><div>5</div><div>Q</div><div>The last sentence in this section, I want to</div></div><div><div>6</div><div>go ahead and read this to you. "In addition to</div></div><div><div>7</div><div>municipal and state redistricting, they have worked for</div></div><div><div>8</div><div>nonprofit and community-based organizations, including</div></div><div><div>9</div><div>Common Cause, the American Civil Liberties Union,</div></div><div><div>10</div><div>Advancement Project, Irvine Foundation and other</div></div><div><div>11</div><div>foundations exploring redistricting, voting rights and</div></div><div><div>12</div><div>election issues."</div></div><div><div>13</div><div></div><div>Did I read that correctly?</div></div><div><div>14</div><div>A</div><div>Yes.</div></div><div><div>15</div><div>Q</div><div>I want to focus in on the two words, "voting</div></div><div><div>16</div><div>rights."</div></div><div><div>17</div><div></div><div>Which organizations or nonprofit, what</div></div><div><div>18</div><div>non-profit and community-based organizations have you</div></div><div><div>19</div><div>worked with regarding voting rights?</div></div><div><div>20</div><div></div><div>MR. MANOLIUS: Objection. Vague as to the</div></div><div><div>21</div><div>term "voting rights," vague as to time. You can answer.</div></div><div><div>22</div><div></div><div>THE WITNESS: All of these listed and probably</div></div><div><div>23</div><div>more.</div></div><div><div>24</div><div></div><div>MR. MEUSER Q: And when you worked with the</div></div><div><div>25</div><div>Common Cause on voting rights, what did you do for</div></div></div>	<div><div>Page 252</div><div><div><div>1</div><div>Partners; correct?</div></div><div><div>2</div><div>A</div><div>Yes.</div></div><div><div>3</div><div>Q</div><div>When did Redistricting Partners open up?</div></div><div><div>4</div><div>A</div><div>2011. It could have been 2010.</div></div><div><div>5</div><div>Q</div><div>Nobody is going to shoot you if you gave the</div></div><div><div>6</div><div>wrong answer.</div></div><div><div>7</div><div></div><div>Let's go ahead and go to the Capitol Weekly</div></div><div><div>8</div><div>Podcast. And if you can turn to page six, starting on</div></div><div><div>9</div><div>line six, I see the name Evan McLaughlin. Who is Evan</div></div><div><div>10</div><div>McLaughlin?</div></div><div><div>11</div><div>A</div><div>Evan McLaughlin is a former staff of</div></div><div><div>12</div><div>Redistricting Partners, former -- you want me to give</div></div><div><div>13</div><div>you resume?</div></div><div><div>14</div><div>Q</div><div>Yes.</div></div><div><div>15</div><div>A</div><div>He works for the California firefighters now,</div></div><div><div>16</div><div>former chief of staff to Lorenzo Gonzales, former staff</div></div><div><div>17</div><div>person at the San Diego Labor Council. He is a --</div></div><div><div>18</div><div>Q</div><div>Okay. How long have you known Evan</div></div><div><div>19</div><div>McLaughlin?</div></div><div><div>20</div><div>A</div><div>Probably, since the 2011 redistricting cycle.</div></div><div><div>21</div><div>Q</div><div>Did Redistricting Partners pay Evan McLaughlin</div></div><div><div>22</div><div>for the work that he did as a part of your work of</div></div><div><div>23</div><div>drawing the Proposition 50 maps?</div></div><div><div>24</div><div>A</div><div>Yes.</div></div><div><div>25</div><div>Q</div><div>Okay. The next -- strike that.</div></div></div></div>
<div><div>Page 251</div><div><div><div>1</div><div>Common Cause?</div></div><div><div>2</div><div>A</div><div>I can speak to at least two that jump to mind</div></div><div><div>3</div><div>to give an understanding.</div></div><div><div>4</div><div></div><div>I worked with Common Cause on an Amicus brief</div></div><div><div>5</div><div>in New Mexico on the redistricting, independent</div></div><div><div>6</div><div>redistricting commission, an analysis of their</div></div><div><div>7</div><div>districts.</div></div><div><div>8</div><div></div><div>I worked with them and an umbrella of the</div></div><div><div>9</div><div>Irvine Foundation in 2012, '13, something around there</div></div><div><div>10</div><div>on an analysis of the cities and localities with</div></div><div><div>11</div><div>racially polarized voting for the purpose of them</div></div><div><div>12</div><div>understanding the potential of the California Voting</div></div><div><div>13</div><div>Rights Act.</div></div><div><div>14</div><div>Q</div><div>Did you do a racial polarized analysis for</div></div><div><div>15</div><div>that project that you just referred to?</div></div><div><div>16</div><div>A</div><div>I wouldn't call it a full racially polarized</div></div><div><div>17</div><div>analysis, but I did some regressions.</div></div><div><div>18</div><div>Q</div><div>When did you do that, these regressions?</div></div><div><div>19</div><div>A</div><div>In 2012 or 2013 or something like that.</div></div><div><div>20</div><div>Q</div><div>Okay.</div></div><div><div>21</div><div>A</div><div>2011, 2012, 2013, something like that. I also</div></div><div><div>22</div><div>did analysis for ACLU in Chula Vista for their CVRA.</div></div><div><div>23</div><div>Q</div><div>Okay.</div></div><div><div>24</div><div>A</div><div>I mean, there's -- yeah.</div></div><div><div>25</div><div>Q</div><div>And this was all done through Redistricting</div></div></div></div>	<div><div>Page 253</div><div><div><div>1</div><div>What was Evan McLaughlin's role in drawing the</div></div><div><div>2</div><div>Proposition 50 maps?</div></div><div><div>3</div><div></div><div>MR. MANOLIUS: Objection, legislative</div></div><div><div>4</div><div>privilege, I instruct you not to answer.</div></div><div><div>5</div><div></div><div>MR. MEUSER Q: And you're not answering that</div></div><div><div>6</div><div>question at the instruction of your attorneys?</div></div><div><div>7</div><div>A</div><div>Correct.</div></div><div><div>8</div><div>Q</div><div>Okay. When Evan McLaughlin worked for</div></div><div><div>9</div><div>Redistricting Partners, what was his role at your firm?</div></div><div><div>10</div><div>A</div><div>This is prior to?</div></div><div><div>11</div><div></div><div>MR. MANOLIUS: Yeah, prior to.</div></div><div><div>12</div><div></div><div>THE WITNESS: Are you saying in the past</div></div><div><div>13</div><div>redistricting when he was an actual employee?</div></div><div><div>14</div><div></div><div>MR. MEUSER Q: Yes, when he was an employee at</div></div><div><div>15</div><div>your firm.</div></div><div><div>16</div><div>A</div><div>When he was an employee at my firm in the 2021</div></div><div><div>17</div><div>redistricting cycle, I don't recall his actual title,</div></div><div><div>18</div><div>but he was basically, like, my number two on the</div></div><div><div>19</div><div>political side.</div></div><div><div>20</div><div>Q</div><div>Okay. The second name on line six is Joe</div></div><div><div>21</div><div>Armenta. Do you see that?</div></div><div><div>22</div><div>A</div><div>Armenta.</div></div><div><div>23</div><div>Q</div><div>Armenta. Sorry. Who is Joe Armenta?</div></div><div><div>24</div><div>A</div><div>Joe Armenta is an employee of Redistricting</div></div><div><div>25</div><div>Partners in the last redistricting cycle as well and he</div></div></div></div>

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<p style="text-align: right;">Page 254</p> <p>1 also works for the California firefighters.</p> <p>2 Q When did you first meet Joe Armenta?</p> <p>3 A In the 2021 redistricting cycle.</p> <p>4 Q And during the 2021 redistricting cycle, what</p> <p>5 was Joe Armenta's job?</p> <p>6 A Working on redistricting and in a number of</p> <p>7 different states and more the monitoring commissions</p> <p>8 type of work.</p> <p>9 Q Can you be more precise what he was doing?</p> <p>10 A The firm is kind of split into agency work and</p> <p>11 more political or advocacy work, and so he would be on</p> <p>12 the advocacy side.</p> <p>13 Q And Evan McLaughlin in the 2021 redistricting</p> <p>14 cycle, what side of the firm was he on?</p> <p>15 A The advocacy side.</p> <p>16 Q Thank you. Did Redistricting Partners pay Joe</p> <p>17 Armenta for the work that was done on Proposition 50?</p> <p>18 A Yes.</p> <p>19 Q Next name on this list is Jacob</p> <p>20 Thompson-Fisher. Who is Jacob Thompson-Fisher?</p> <p>21 A He is one of the original creators of</p> <p>22 Redistricting Partners from the 2011 cycle and worked</p> <p>23 for Redistricting Partners, and now he does contract</p> <p>24 data work for different organizations.</p> <p>25 Q Do you know the names of these organizations</p>	<p style="text-align: right;">Page 256</p> <p>1 read the statement first and make sure I read it right.</p> <p>2 "Stacey Reardon came in and helped with a lot</p> <p>3 of the community of interests stuff."</p> <p>4 Did I read that correctly?</p> <p>5 A You read that correctly.</p> <p>6 Q Is that a statement that you made to Capitol</p> <p>7 Weekly Podcast?</p> <p>8 A Yes.</p> <p>9 Q And when you use the words "community of</p> <p>10 interest," earlier you were talking to Julie Hamill here</p> <p>11 about community of interests.</p> <p>12 Is the conversation that we had earlier today</p> <p>13 about communities of interest, is that the same</p> <p>14 definition that you would use for what you meant in this</p> <p>15 sentence when you said Stacey Reardon handled the</p> <p>16 community of interest stuff?</p> <p>17 MR. MANOLIUS: Objection, legislative</p> <p>18 privilege, I instruct you not to answer.</p> <p>19 MR. MEUSER Q: And you're not answering the</p> <p>20 question at the instruction of your attorney?</p> <p>21 A Correct.</p> <p>22 Q Liz Stitt, and I probably just butchered</p> <p>23 that --</p> <p>24 A No, that's perfect.</p> <p>25 Q -- who is Liz Stitt?</p>
<p style="text-align: right;">Page 255</p> <p>1 that he does work for?</p> <p>2 A The only one I know of is SEIU.</p> <p>3 Q During the 2021 redistricting cycle, what</p> <p>4 tasks and jobs did Jacob Thompson-Fisher do for</p> <p>5 Redistricting Partners?</p> <p>6 A Mostly in charge of our data on both sides and</p> <p>7 then did some municipal redistricting.</p> <p>8 Q And was Jacob Thompson-Fisher paid by</p> <p>9 Redistricting Partners as a part of their, as part of</p> <p>10 the drawing of Prop 50 maps?</p> <p>11 A Yes.</p> <p>12 Q The next name on this list starts on line</p> <p>13 eight is Stacey Reardon. Do you see that name?</p> <p>14 A Yes.</p> <p>15 Q Who is Stacey Reardon?</p> <p>16 A Stacey Reardon is a staff person. I think</p> <p>17 she's got her own firm now and she used to work for</p> <p>18 Redistricting Partners.</p> <p>19 Q What was her role when she used to work for</p> <p>20 Redistricting Partners?</p> <p>21 A She was more on the advocacy side, and then I</p> <p>22 believe she also helped somewhat on the municipal side</p> <p>23 with outreach meetings and so on.</p> <p>24 Q Now, I read here from this statement that you</p> <p>25 made on Capitol Weekly Podcast, and I am going to just</p>	<p style="text-align: right;">Page 257</p> <p>1 A Liz is a former staff member of Redistricting</p> <p>2 Partners and previously worked in the Legislature and</p> <p>3 she is now in England.</p> <p>4 Q When she worked for Redistricting Partners in</p> <p>5 the past, what was her role?</p> <p>6 MR. MANOLIUS: Again, this is before.</p> <p>7 THE WITNESS: Yes. So in her, when she was an</p> <p>8 employee, she was primarily on the municipal side, I</p> <p>9 think she might have started with the advocacy side but</p> <p>10 quickly transitioned to the municipal side.</p> <p>11 MR. MEUSER Q: And I forgot to ask about</p> <p>12 Stacey Reardon. Was she paid by prop -- by</p> <p>13 Redistricting Partners as a part of the work for Prop</p> <p>14 50?</p> <p>15 A Yes.</p> <p>16 Q And Liz Stitt, was she paid by Redistricting</p> <p>17 Partners for her work on Prop 50?</p> <p>18 A She has not been paid.</p> <p>19 Q She has not been paid. Are you planning on</p> <p>20 paying her?</p> <p>21 A Um, we have not worked that out yet. She is</p> <p>22 living in a foreign country.</p> <p>23 Q Now, in this paragraph, starting on line 16,</p> <p>24 you say, "I'd call Liz and talk with her about the</p> <p>25 things she had done overnight."</p>

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<p style="text-align: right;">Page 258</p> <p>1 Did I read that correctly?</p> <p>2 A What line you said?</p> <p>3 Q 16 and 17.</p> <p>4 A Yeah.</p> <p>5 Q And this was you had a daily conversation with</p> <p>6 Liz every morning while you were walking the dogs?</p> <p>7 A Roughly.</p> <p>8 Q And is it fair to say that she was working on</p> <p>9 that while you were sleeping at night?</p> <p>10 A Yes.</p> <p>11 Q She was working on Prop 50 while you were</p> <p>12 sleeping at night?</p> <p>13 MR. MANOLIUS: Objection, calls for</p> <p>14 speculation. You can answer, if you know.</p> <p>15 THE WITNESS: It states it right here and I</p> <p>16 think it's pretty plain language there.</p> <p>17 MR. MEUSER Q: Chris Chaffee, line 19.</p> <p>18 A Chaffee.</p> <p>19 Q Who is Chris Chaffee?</p> <p>20 A Chris Chaffee, along with Jacob</p> <p>21 Thompson-Fisher, is one of the three kind of original</p> <p>22 people with Redistricting Partners and who works for the</p> <p>23 Governor now.</p> <p>24 Q Is Chris Chaffee paid by Redistricting</p> <p>25 Partners for work that was associated with Prop 50?</p>	<p style="text-align: right;">Page 260</p> <p>1 A Yes.</p> <p>2 Q And you told Capitol Weekly Podcast that you</p> <p>3 were proud of the work that you had done as a part of</p> <p>4 the redistricting process of Prop 50?</p> <p>5 A Slightly different wording, but yes.</p> <p>6 MR. MANOLIUS: Misstates. You can answer.</p> <p>7 THE WITNESS: It was that we could be proud</p> <p>8 of, that the team could be proud of.</p> <p>9 MR. MEUSER Q: And are you proud of the work</p> <p>10 that you did as that became Prop 50?</p> <p>11 MR. MANOLIUS: Objection, legislative</p> <p>12 privilege. I'll instruct you not to answer.</p> <p>13 MR. MEUSER: Let me just get this correct.</p> <p>14 You're asking for legislative work product or</p> <p>15 legislative privilege over how he feels about the work</p> <p>16 that he did three months ago?</p> <p>17 MR. MANOLIUS: Uh-huh, yes, that's correct.</p> <p>18 MR. MEUSER Q: Okay. And, Mr. Mitchell,</p> <p>19 you're refusing to answer at the instruction of your</p> <p>20 attorney?</p> <p>21 A Correct.</p> <p>22 Q Page eight, starting on line 13, "But if we</p> <p>23 were going to do it we want to do it with the same kind</p> <p>24 of California values and the values that our company</p> <p>25 has."</p>
<p style="text-align: right;">Page 259</p> <p>1 A No.</p> <p>2 Q Daniel Lopez?</p> <p>3 A Daniel Lopez works in Los Angeles and had</p> <p>4 worked previously for Redistricting Partners, worked for</p> <p>5 a period in the past.</p> <p>6 Q Okay. Was Daniel Lopez paid for any work by</p> <p>7 Redistricting Partners as a part of the work that you</p> <p>8 did on Prop 50?</p> <p>9 A No.</p> <p>10 Q At any time did you talk with Gavin Newsom</p> <p>11 between July 2nd and August 24th about Prop 50?</p> <p>12 A August 24th, I do not believe so, no.</p> <p>13 Q So prior to him signing the bill?</p> <p>14 A Oh, no, absolutely not.</p> <p>15 Q That's the date.</p> <p>16 A I didn't know what the 24th meant.</p> <p>17 Q Page seven, lines 14 and 15. Actually, I'll</p> <p>18 start on line 13. "But, you know, the focus really was</p> <p>19 on trying to put together a work product that we could</p> <p>20 be proud of given the fact that Redistricting Partners</p> <p>21 has only done nonpartisan redistricting."</p> <p>22 Did I read that correctly?</p> <p>23 A Yes.</p> <p>24 Q And that statement is something that you told</p> <p>25 Capitol Weekly Podcast; correct?</p>	<p style="text-align: right;">Page 261</p> <p>1 Did I read that correct?</p> <p>2 A Yes.</p> <p>3 Q Is that a statement that you made to Capitol</p> <p>4 Weekly Podcast?</p> <p>5 A Yes.</p> <p>6 Q When you use the phrase "California values,"</p> <p>7 what does that mean to you?</p> <p>8 MR. MANOLIUS: Same objection. Instruct you</p> <p>9 not to answer, legislative privilege.</p> <p>10 MR. MEUSER: You're instructing him to not</p> <p>11 answer how he uses the word "California values"?</p> <p>12 MR. MANOLIUS: To the extent it's part of this</p> <p>13 process, yes, I am.</p> <p>14 MR. MEUSER Q: Mr. Mitchell, you've done over</p> <p>15 100 redistrictings; correct?</p> <p>16 A Yes.</p> <p>17 Q And not including Proposition 50, if you were</p> <p>18 to say that this redistricting project had some kind of</p> <p>19 California values, what does California values mean to</p> <p>20 you in a redistricting process?</p> <p>21 A In my redistricting outside of Prop 50 is what</p> <p>22 you're asking?</p> <p>23 Q Yes.</p> <p>24 MR. MANOLIUS: Objection, compound.</p> <p>25 Contextual objection, but you can answer.</p>

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<p style="text-align: right;">Page 262</p> <p>1 THE WITNESS: California has a history since</p> <p>2 the adoption of the commission in the last two</p> <p>3 redistricting cycles, and with the furtherance of the</p> <p>4 FAIR MAPS Act and furtherance of other legislative</p> <p>5 priorities to increase the number of independent</p> <p>6 redistricting commissions, to have redistricting be</p> <p>7 taken out of the hands of politicians and incumbents and</p> <p>8 be drawn based on what's best for the community, and</p> <p>9 that's the work that we do with Redistricting Partners</p> <p>10 in our every day work.</p> <p>11 MR. MEUSER Q: And the sentence continues,</p> <p>12 "The values that our company has."</p> <p>13 What values does Redistricting Partners have</p> <p>14 as a company?</p> <p>15 A Outside of Prop 50?</p> <p>16 MR. MANOLIUS: Yes. Objection, to the extent</p> <p>17 inside the Prop 50 envelope, just using different words.</p> <p>18 You can answer for things you've done in the past.</p> <p>19 THE WITNESS: So people who know Redistricting</p> <p>20 Partners and know the redistrict world understand that</p> <p>21 our company is unique in that we very strongly follow</p> <p>22 the FAIR MAPS Act, we very strongly engage with</p> <p>23 community-based organizations, we very strongly push for</p> <p>24 community engagement and maps that are drawn by the</p> <p>25 community, not by the elected officials.</p>	<p style="text-align: right;">Page 264</p> <p>1 know where the incumbents lived?</p> <p>2 MR. MANOLIUS: Objection, legislative</p> <p>3 privilege. I instruct you not to answer.</p> <p>4 MR. MEUSER Q: Mr. Mitchell, you're not</p> <p>5 answering that question at the instruction of your</p> <p>6 attorney?</p> <p>7 A Correct.</p> <p>8 Q I know you talked a little bit with Julie</p> <p>9 about this earlier today. Please turn to page ten.</p> <p>10 A (Witness complied.)</p> <p>11 Q And starting at line three, I believe you're</p> <p>12 generally talking about the democratic eco -- I am</p> <p>13 trying to remember what you said.</p> <p>14 A Ecosystem.</p> <p>15 Q Ecosystem?</p> <p>16 A Ecosystem. Yeah. The paragraph that starts</p> <p>17 at line nine says, "So many of them were like if Texas</p> <p>18 is going to throw away the VRA then we can throw away</p> <p>19 the VRA."</p> <p>20 Is it my understanding that that statement</p> <p>21 that you made to Capitol Weekly Podcast, you were</p> <p>22 referring to things that you were hearing on social</p> <p>23 media, but not necessarily anything that you heard from</p> <p>24 a legislator or a congressman or staffer of a legislator</p> <p>25 or congressman; is that correct?</p>
<p style="text-align: right;">Page 263</p> <p>1 We have a rule as an example that when we do a</p> <p>2 redistricting, we will not meet individually with</p> <p>3 elected officials, we will not know where the incumbents</p> <p>4 live and we will draw maps that are fair and where the</p> <p>5 community and the elected officials can know that they</p> <p>6 were drawn in a fair redistricting process that is</p> <p>7 consistent with the FAIR MAPS Act, even in agencies that</p> <p>8 aren't covered by the FAIR MAPS Act.</p> <p>9 So we do water board redistricting prior to</p> <p>10 the expansion of the FAIR MAPS Act and we would only</p> <p>11 take the contract if they would agree to meeting the</p> <p>12 higher bar of the FAIR MAPS Act in doing it.</p> <p>13 And we have done Zooms with elected officials</p> <p>14 who wanted to hire us and wanted to know where the</p> <p>15 incumbents lived, and we told them we wouldn't take that</p> <p>16 contract if that was the condition.</p> <p>17 So our firm is very focused on fair, open,</p> <p>18 transparent redistricting. We don't do, talk about</p> <p>19 redistricting in closed sessions. We don't have side</p> <p>20 meetings with incumbents or others to advocate for</p> <p>21 certain lines outside of the public process and we're a</p> <p>22 very transparent redistricting firm, and that's our</p> <p>23 reputation, and we'll do some contracts because of it</p> <p>24 and we get some contracts because of it.</p> <p>25 Q When you were drawing Prop 50 maps did you</p>	<p style="text-align: right;">Page 265</p> <p>1 MR. MANOLIUS: Objection, legislative</p> <p>2 privilege. I instruct you not to answer.</p> <p>3 MR. MEUSER: You're instructing him not to</p> <p>4 tell me if statements of throwing away the VRA were</p> <p>5 something that he heard from a legislator or something</p> <p>6 he heard from outside the legislative stream?</p> <p>7 MR. MANOLIUS: Correct.</p> <p>8 MR. MEUSER Q: Okay. Let me re-ask this</p> <p>9 question. This statement that you made in Capitol</p> <p>10 Weekly Podcast, this was a public statement; correct?</p> <p>11 A Yes.</p> <p>12 Q Anybody in the world could go listen to the</p> <p>13 Capitol Weekly Podcast; correct?</p> <p>14 A Yes.</p> <p>15 Q Okay. And in that podcast you made the</p> <p>16 statement that you had heard people say that Texas was</p> <p>17 going to throw away the VRA, then we -- and that "we"</p> <p>18 means California; is that correct?</p> <p>19 A Yes.</p> <p>20 MR. MANOLIUS: Objection, vague. You can</p> <p>21 answer.</p> <p>22 MR. MEUSER Q: -- then California can throw</p> <p>23 away the VRA. Did any California legislator make the</p> <p>24 statement that if Texas is going to throw away the VRA</p> <p>25 then we can throw away the VRA?</p>

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<p style="text-align: right;">Page 266</p> <p>1 MR. MANOLIUS: Same objection. I instruct you 2 not to answer. Legislative privilege. 3 MR. MEUSER Q: And, Mr. Mitchell, you're not 4 answering my question -- 5 A Correct. 6 Q -- because of the instruction of your 7 attorney? 8 A Correct. 9 Q Okay. I am going to be asking this multiple 10 times here, so did anybody from Gavin Newsom's office 11 tell you that if Texas is going to throw away the VRA 12 then we can throw away the VRA? 13 MR. MANOLIUS: Same objection. Instruct you 14 not to answer. 15 MR. MEUSER Q: And, Mr. Mitchell, you're not 16 going to answer this question at the instruction of your 17 attorney? 18 A Correct. 19 Q Okay. Mr. Mitchell, did any congressmen or 20 their staff tell you that if Texas is going to throw 21 away the VRA, then we can throw away the VRA? 22 MR. MANOLIUS: Same objections, same 23 instruction. 24 MR. MEUSER Q: And, Mr. Mitchell, you're not 25 going to answer my question at the instruction of your</p>	<p style="text-align: right;">Page 268</p> <p>1 MR. MANOLIUS: I am sorry? 2 MR. MEUSER Q: An X post, posted on X, Tweet 3 it, Twitter. 4 A Oh. It could have been both a -- it could 5 have been different communications, including, like, a 6 DM. 7 Q It could have been a DM? And when you say DM, 8 a direct message on a social media platform? 9 A Yes. 10 Q Okay. And when you say, "I had to calmly show 11 them," were you referring to any legislator when you 12 made that statement, "I had to calmly show them"? 13 MR. MANOLIUS: Well, I am going to object. 14 Well, why don't we get the answer to see if there's a 15 reason to go forward. Go ahead, you can answer, if you 16 know. 17 THE WITNESS: I don't recall. 18 MR. MEUSER Q: When you say, "We can create a 19 five district pick-up map to follow the Voting Rights 20 Act." 21 Did I read that correct? 22 A Yes. 23 Q Are you aware of any direct message that you 24 sent to anyone between July 2nd and August 15th where 25 you told them on a direct message that you could draw a</p>
<p style="text-align: right;">Page 267</p> <p>1 attorney? 2 A Correct. 3 Q Mr. Mitchell, are you aware of anybody in the 4 ecosystem who made the statement if Texas is going to 5 throw away the VRA then we can throw away the VRA? 6 A The person that posted the map on Exhibit 17. 7 Q What's the date of that? 8 A I'm just being -- but this is the kind of 9 thing, people who are doing maps like this -- 10 Q Yes. 11 A -- Twitter maps and people in the media, 12 people on social media. 13 Q And then starting on line 17, you say to 14 Capitol Weekly Podcast, "I had to calmly show them look, 15 we can create a five district pick-up map and follow the 16 Voting Rights Act, keep communities of interest 17 together." 18 Did I read that correctly? 19 A Yes. 20 Q Is that a statement that you made to Capitol 21 Weekly Podcast? 22 A Yes. 23 Q And when you said, "I had to calmly show 24 them," was this something that you're referring to in X 25 post?</p>	<p style="text-align: right;">Page 269</p> <p>1 five district pick-up map following the Voting Rights 2 Act? 3 MR. MANOLIUS: Objection, only that you didn't 4 quote the entire sentence, but you can answer, Paul. 5 THE WITNESS: I don't recall a direct message 6 where I would have said that. 7 MR. MEUSER Q: And do you recall any social 8 media post where you made the statement that you could 9 draw a map that had a five district pickup that followed 10 the Voting Rights Act? 11 A No, I don't believe I made a post like that. 12 Q Do you recall any conversation that you had 13 with a legislator or a congressman or their staff in 14 which you explained to them that you could create a five 15 district pick-up map and follow the Voting Rights Act? 16 MR. MANOLIUS: Objection, legislative 17 privilege and I instruct you not to answer. 18 MR. MEUSER Q: This is a "yes" or "no" 19 question. I wasn't asking for the communication, I was 20 asking did he, does he recall that he made any such 21 statement? 22 MR. MANOLIUS: I'll maintain my objection. 23 Thanks. 24 MR. MEUSER Q: And Mr. Mitchell you're not 25 responding at the request of your attorney?</p>

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<p style="text-align: right;">Page 270</p> <p>1 A Correct.</p> <p>2 Q Turn to page 13.</p> <p>3 A (Witness complied.)</p> <p>4 Q Line 16, you tell Capitol Weekly Podcast, "We</p> <p>5 work with some folks in D.C. and saw some maps."</p> <p>6 Who in D.C. did you work with?</p> <p>7 A That would probably be the DCCC or the NDRC.</p> <p>8 Q NDRC, and that's National Democratic --</p> <p>9 A -- Redistricting --</p> <p>10 Q -- Committee?</p> <p>11 A -- Committee.</p> <p>12 Q Okay. Thank you. "And saw some maps." Are</p> <p>13 you saying that the DCCC shared some maps with you?</p> <p>14 MR. MANOLIUS: Objection. Legislative</p> <p>15 privilege. I instruct you not to answer.</p> <p>16 MR. MEUSER: You're saying the DCCC giving him</p> <p>17 documents is going to be legislative privilege?</p> <p>18 MR. MANOLIUS: I am objecting, yes, and</p> <p>19 instructing him not to answer.</p> <p>20 MR. MEUSER Q: And you're not answering at the</p> <p>21 instruction of your attorney?</p> <p>22 A Correct.</p> <p>23 Q Okay. I am going to ask the same question.</p> <p>24 Did the NDRC share any maps with you between July 2nd</p> <p>25 and August 15th?</p>	<p style="text-align: right;">Page 272</p> <p>1 Q -- at the instruction of your attorney?</p> <p>2 A Correct.</p> <p>3 Q Page 15, line 18 and 19 where you talk about</p> <p>4 Wild Wild West redistricting, and in this particular</p> <p>5 sentence you're talking about other states, even</p> <p>6 democratically held states.</p> <p>7 Which states do you categorize as the Wild</p> <p>8 Wild West of redistricting in this statement that you</p> <p>9 made to Capitol Weekly Podcast?</p> <p>10 MR. WOODS: Objection. Relevance.</p> <p>11 MR. MANOLIUS: I join it. You can answer.</p> <p>12 THE WITNESS: Illinois.</p> <p>13 MR. MEUSER Q: Any other states?</p> <p>14 A That's the one that comes to mind.</p> <p>15 Q Line 24 and 25, same page, "They are</p> <p>16 oftentimes violating the Voting Rights Act."</p> <p>17 Did I read that statement correct?</p> <p>18 A Which line?</p> <p>19 Q Lines 24 and 25.</p> <p>20 A You said what page?</p> <p>21 Q 15.</p> <p>22 A For some reason I went to page 24. Sorry.</p> <p>23 Yes.</p> <p>24 Q Is that a statement that you made on Capitol</p> <p>25 Weekly Podcast?</p>
<p style="text-align: right;">Page 271</p> <p>1 MR. MANOLIUS: Same objection and instruct you</p> <p>2 not to answer.</p> <p>3 MR. MEUSER Q: And, Mr. Mitchell, you're not</p> <p>4 answering at the instruction of your attorney?</p> <p>5 A Correct.</p> <p>6 Q Top of page 14. This says, "No respect for</p> <p>7 the LGBT community."</p> <p>8 Did I read that sentence correct?</p> <p>9 A Yes.</p> <p>10 Q And I believe you were talking earlier about</p> <p>11 the work that you were doing in the 2021 redistricting</p> <p>12 on behalf of the LGBT community. Did I hear that</p> <p>13 testimony right, that in 2021 you were working with the</p> <p>14 LGBT community to help them in the redistricting</p> <p>15 process?</p> <p>16 A Yes.</p> <p>17 Q And as a part of drawing the Prop 50 maps, was</p> <p>18 the LGBT community one of the communities of interest</p> <p>19 that you were looking at when you drew any of the</p> <p>20 congressional lines that were associated with Prop 50?</p> <p>21 MR. MANOLIUS: Objection, legislative</p> <p>22 privilege, I instruct you not to answer.</p> <p>23 MR. MEUSER Q: And, Mr. Mitchell, you are not</p> <p>24 answering here today --</p> <p>25 A Correct.</p>	<p style="text-align: right;">Page 273</p> <p>1 A Yes.</p> <p>2 Q In your opinion, which states have violated</p> <p>3 the Voting Rights Act, as you understand it?</p> <p>4 MR. MANOLIUS: Objection, calls for a legal</p> <p>5 conclusion, overbroad and vague.</p> <p>6 MR. WOODS: And that's join.</p> <p>7 THE WITNESS: In that regard I think it's easy</p> <p>8 just to point to all of the redistricting maps that have</p> <p>9 been overturned by the courts. That's all I was</p> <p>10 referencing.</p> <p>11 MR. MEUSER Q: When you made this statement to</p> <p>12 the Capitol Weekly Podcast, was there a specific or</p> <p>13 specific states you were thinking of when you made the</p> <p>14 statement that oftentimes violated the Voting Rights</p> <p>15 Act?</p> <p>16 MR. MANOLIUS: Same objection.</p> <p>17 MR. WOODS: Join.</p> <p>18 THE WITNESS: States that have historically</p> <p>19 violated the Voting Rights Act causing all of the</p> <p>20 lawsuits and terms we now know and use in redistricting,</p> <p>21 so there's too many to kind of pick out.</p> <p>22 MR. MEUSER Q: Is there any one or two states</p> <p>23 that stick out to you as in your belief regularly are</p> <p>24 violating the Voting Rights Act?</p> <p>25 MR. MANOLIUS: Same set of objections. You</p>

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<p style="text-align: right;">Page 274</p> <p>1 can answer.</p> <p>2 MR. WOODS: Same. Join.</p> <p>3 THE WITNESS: Something like North Carolina,</p> <p>4 states where they've had big redistricting cases in the</p> <p>5 last 34 years.</p> <p>6 Q Any other states?</p> <p>7 A No.</p> <p>8 Q We can put away the Capitol Weekly Podcast</p> <p>9 and we are going to go to the HOPE transcript next. And</p> <p>10 let's turn to page 22.</p> <p>11 A (Witness complied.)</p> <p>12 Q And we are going to start on page, on line</p> <p>13 nine. You ready?</p> <p>14 MR. MANOLIUS: One second. Sorry.</p> <p>15 MR. MEUSER: No problem.</p> <p>16 MR. MANOLIUS: Thank you.</p> <p>17 MR. MEUSER Q: I am going to read paragraph,</p> <p>18 or line nine through 13: "Now, when I was first talking</p> <p>19 to by folks, I won't call out any names of elected</p> <p>20 officials, but I did have some elected officials call me</p> <p>21 and say, well, if Texas is going to throw away the VRA,</p> <p>22 we should just throw away the VRA."</p> <p>23 Which elected officials told you that we</p> <p>24 should throw away the VRA?</p> <p>25 MR. MANOLIUS: Objection, legislative</p>	<p style="text-align: right;">Page 276</p> <p>1 A Correct.</p> <p>2 Q Again, we are going to make this thing</p> <p>3 abundantly clear for the record.</p> <p>4 Did an elected official contact you and tell</p> <p>5 you that if Texas is going to throw away the VRA, we</p> <p>6 should just throw away the VRA?</p> <p>7 MR. MANOLIUS: Same objection. Instruct you</p> <p>8 not to answer.</p> <p>9 MR. MEUSER Q: Mr. Mitchell, you're not going</p> <p>10 to answer that question at the instruction of your</p> <p>11 attorney?</p> <p>12 A Correct.</p> <p>13 Q Can you tell me if this conversation was with</p> <p>14 a congressman or congresswoman or with a state</p> <p>15 legislator?</p> <p>16 MR. MANOLIUS: You can answer.</p> <p>17 THE WITNESS: I don't recall.</p> <p>18 MR. MEUSER Q: Did just a single elected</p> <p>19 official say this or was this multiple elected officials</p> <p>20 who made this statement, generally we should throw away</p> <p>21 the VRA.</p> <p>22 A Let me characterize this. I think that there</p> <p>23 were people who would say those words and others would</p> <p>24 give me maps or say things like, if Texas can do</p> <p>25 whatever they want to do why can't we do whatever we</p>
<p style="text-align: right;">Page 275</p> <p>1 privilege. Instruct you not to answer. Also, vague as</p> <p>2 to when the these conversations occurred, but that's</p> <p>3 better.</p> <p>4 MR. MEUSER Q: Let's go ahead and clean this</p> <p>5 up. Did I read that correctly?</p> <p>6 A You did read that correctly.</p> <p>7 Q Is that a statement that you made to HOPE</p> <p>8 during your presentation to HOPE?</p> <p>9 A Given that it's in this transcript, I would</p> <p>10 believe so.</p> <p>11 Q You don't believe so?</p> <p>12 A I said I would believe so.</p> <p>13 Q You would believe so. Okay. At what time</p> <p>14 period were you referring to someone telling you we</p> <p>15 should just throw away the VRA?</p> <p>16 MR. MANOLIUS: Objection, legislative</p> <p>17 privilege and instruct you not to answer.</p> <p>18 MR. MEUSER: You were the one who said that it</p> <p>19 wasn't clear as to the time. I am just asking the time.</p> <p>20 MR. MANOLIUS: I also said it was barred by</p> <p>21 legislative privilege, so I appreciate your cleaning up</p> <p>22 at the time because I wasn't sure.</p> <p>23 MR. MEUSER Q: So, Mr. Mitchell, you're not</p> <p>24 going to answer my question at the instruction of your</p> <p>25 attorney?</p>	<p style="text-align: right;">Page 277</p> <p>1 want to do?</p> <p>2 So in their wording to me wouldn't be those</p> <p>3 exact words, but I would interpret it as if, let's throw</p> <p>4 down the guardrails as I testified or as I said earlier</p> <p>5 with Ms. Hamill.</p> <p>6 Q There's a difference between throwing away the</p> <p>7 guardrails and throwing away the VRA. Would you agree</p> <p>8 with that?</p> <p>9 MR. MANOLIUS: Objection, vague, overbroad,</p> <p>10 compound question. You can answer.</p> <p>11 THE WITNESS: Generally, if somebody is</p> <p>12 putting out maps that are, you know, free of traditional</p> <p>13 redistricting criteria they're throwing everything out,</p> <p>14 and so in this statement where I am saying this, it</p> <p>15 might just be shorthand for, you know, the kind of</p> <p>16 things I was hearing.</p> <p>17 So I was hearing this from multiple people and</p> <p>18 sometimes they wouldn't say the exact words, but this is</p> <p>19 the kind of idea that I would say when I was doing a</p> <p>20 presentation like this.</p> <p>21 Q Would you agree with me that someone who drew</p> <p>22 a sample map that had only one person in it and another</p> <p>23 map that had a million people in it, that that is a</p> <p>24 completely different issue than someone drawing a map</p> <p>25 that violates the VRA?</p>

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<p style="text-align: right;">Page 278</p> <p>1 MR. MANOLIUS: Objection, vague. I don't</p> <p>2 understand the question. One person in what, in 1,000?</p> <p>3 MR. MEUSER: In a congressional district.</p> <p>4 MR. MANOLIUS: Oh.</p> <p>5 THE WITNESS: He is laying no equal</p> <p>6 protection.</p> <p>7 MR. WOODS: I am going to object that calls</p> <p>8 for a legal conclusion, but you can answer.</p> <p>9 MR. MANOLIUS: I'll join that too.</p> <p>10 THE WITNESS: The issue is that when I'm</p> <p>11 speaking to a group, if I say, oh, my gosh, there's a</p> <p>12 map that's noncontiguous, that doesn't exactly get the</p> <p>13 point across. And so something like this would be the</p> <p>14 thing that I might highlight for a group like that,</p> <p>15 rather than something like, oh, my gosh, this map was</p> <p>16 noncontiguous and, like, they're supposed to care.</p> <p>17 MR. MEUSER Q: So the question I am going to</p> <p>18 ask you, how many, I am asking for a number, how many</p> <p>19 elected officials specifically told you we should just</p> <p>20 throw away the VRA?</p> <p>21 A I don't recall someone using those exact</p> <p>22 words --</p> <p>23 Q Okay.</p> <p>24 A -- because I even say in one of these quotes</p> <p>25 kind of.</p>	<p style="text-align: right;">Page 280</p> <p>1 was something that was very important to HOPE; is that</p> <p>2 correct?</p> <p>3 MR. MANOLIUS: Objection. Vague and calls for</p> <p>4 speculation about a whole lot of people potentially, but</p> <p>5 you can answer, if you can.</p> <p>6 MR. WOODS: Join.</p> <p>7 THE WITNESS: They are not exactly a Voting</p> <p>8 Rights Act organization, something like MALDEF or</p> <p>9 something, so they are more, and the name in their title</p> <p>10 of their name Hispanas Organized For Political Equality,</p> <p>11 that is their mission.</p> <p>12 MR. MEUSER Q: But earlier today we were</p> <p>13 looking at that HOPE letter --</p> <p>14 A Yes.</p> <p>15 Q -- that you read to HOPE; correct, yes?</p> <p>16 A Yes, yes, yes.</p> <p>17 Q And in that letter they're talking about</p> <p>18 Voting Rights Act issues; is that correct?</p> <p>19 A Yes.</p> <p>20 Q And now you're coming back and talking to HOPE</p> <p>21 and you state here that elected officials told you to</p> <p>22 throw away the VRA; correct?</p> <p>23 MR. MANOLIUS: Objection, misstates his</p> <p>24 testimony.</p> <p>25 THE WITNESS: That's a paraphrase.</p>
<p style="text-align: right;">Page 279</p> <p>1 Q And in the very next paragraph, starting on</p> <p>2 line 16, you say, "And I would be, like, okay, thanks</p> <p>3 for calling. But there was no way that I was going to</p> <p>4 do that."</p> <p>5 Did I read that correctly?</p> <p>6 A Yes.</p> <p>7 Q And that is the statement that you made on --</p> <p>8 to the HOPE; correct?</p> <p>9 A Don't know which one this was, but, yes.</p> <p>10 Q And your statement to HOPE is that you were</p> <p>11 not going to be violating the Voting Rights Act; is that</p> <p>12 correct?</p> <p>13 MR. MANOLIUS: Objection, misstates what's</p> <p>14 here. The document speaks for itself, speaks for</p> <p>15 itself. You can answer.</p> <p>16 THE WITNESS: I would characterize it not like</p> <p>17 that, because that seems to point to some outcome.</p> <p>18 But I was suggesting to them that issues they</p> <p>19 care about, if people were arguing to throw those</p> <p>20 overboard, that I was somebody who would care about</p> <p>21 their issues.</p> <p>22 Q And you've worked with HOPE you said for over</p> <p>23 a dozen years; correct?</p> <p>24 A Yes.</p> <p>25 Q And you understand that the Voting Rights Act</p>	<p style="text-align: right;">Page 281</p> <p>1 MR. MEUSER Q: And you said, don't worry, I'm</p> <p>2 not getting rid of the VRA; is that correct?</p> <p>3 MR. MANOLIUS: Objection. I don't see that</p> <p>4 here.</p> <p>5 THE WITNESS: That isn't -- that is a</p> <p>6 mischaracterization, because I don't have the ability to</p> <p>7 get rid of the VRA.</p> <p>8 MR. MEUSER Q: You were not going to draw any</p> <p>9 districts that violated the VRA; is that correct?</p> <p>10 MR. WOODS: That's also mischaracterizing.</p> <p>11 MR. MANOLIUS: Wait a minute. Objection. I</p> <p>12 instruct you not to answer, that's legislative</p> <p>13 privilege.</p> <p>14 MR. MEUSER Q: And you're not answering the</p> <p>15 question at the instruction of your attorney?</p> <p>16 A Correct.</p> <p>17 Q Page 23, line 14, "And following the Voting</p> <p>18 Rights Act was very important."</p> <p>19 Did I read that correctly?</p> <p>20 A You read that line 14, yes.</p> <p>21 Q And is that something that you said to HOPE on</p> <p>22 this presentation?</p> <p>23 A I am just reading the full context here. Yes.</p> <p>24 Q And in all the redistricting work that you did</p> <p>25 before July 2nd, 2025, would that be a fair statement to</p>

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<p style="text-align: right;">Page 282</p> <p>1 say that following the Voter Right Act is an important</p> <p>2 thing for Redistricting Partners?</p> <p>3 A I would say more broadly that following the</p> <p>4 Voting Rights Act is important for anybody doing</p> <p>5 redistricting --</p> <p>6 Q And I am going to --</p> <p>7 A -- and for Redistricting Partners in all our</p> <p>8 municipal redistricting.</p> <p>9 Q And was following the Voting Rights Act a very</p> <p>10 important thing for Redistricting Partners while drawing</p> <p>11 the Proposition 50 maps?</p> <p>12 MR. MANOLIUS: Objection, legislative</p> <p>13 privilege, I instruct you not to answer.</p> <p>14 MR. MEUSER Q: Mr. Mitchell, you're not</p> <p>15 answering that question today at the instruction of your</p> <p>16 counsel?</p> <p>17 A Correct. If we are going to go much longer</p> <p>18 can we get a restroom break?</p> <p>19 Q I was going to be suggesting a restroom break</p> <p>20 in about 10 minutes so we can confer, but if you want to</p> <p>21 wait 10 minutes? We can go now.</p> <p>22 A Sure.</p> <p>23 Q Turn to page 29 of the transcript. Can you</p> <p>24 read to yourself paragraph eight -- line 8 through 16</p> <p>25 and then I am going to read it out loud real quick? Let</p>	<p style="text-align: right;">Page 284</p> <p>1 you use the phrase "a strong population," is there a</p> <p>2 number in your head that would equal a strong</p> <p>3 population?</p> <p>4 A In -- no, there isn't. And we've had the</p> <p>5 California Voting Rights Act which has tried to</p> <p>6 adjudicate what a Latino-influenced district is and may</p> <p>7 have not come up with a number. There is no norm.</p> <p>8 Q So if a district had 10-percent of Latinos in</p> <p>9 it, would you characterize that as a Latino-influenced</p> <p>10 district?</p> <p>11 MR. MANOLIUS: Objection. You're talking</p> <p>12 about as a general matter in his practice?</p> <p>13 MR. MEUSER: Yes.</p> <p>14 MR. MANOLIUS: Other than Prop 50? You can</p> <p>15 answer.</p> <p>16 THE WITNESS: It really would depend on the</p> <p>17 turnout rate of that Latino population and the turnout</p> <p>18 rate of other populations in the area, but that's</p> <p>19 usually, usually you see higher numbers than that when</p> <p>20 you're talking about Latino-influenced districts, but I</p> <p>21 am not the arbiter of what the bright line is.</p> <p>22 Q But you're the one who used the phrase</p> <p>23 "Latino-influenced district" and you're the one who used</p> <p>24 the phrase, you know, a strong showing, so I'm trying to</p> <p>25 figure out, you know, I'm not entitled -- I am entitled</p>
<p style="text-align: right;">Page 283</p> <p>1 me know when you're ready.</p> <p>2 A Sure.</p> <p>3 Q Okay. So I will go ahead and read this out</p> <p>4 loud. "And so you've got some places where he needs to</p> <p>5 get support and get engaged folks to support and do</p> <p>6 turnout there for Latinos to protect a Latino member of</p> <p>7 Congress in a district that is still a Latino-influenced</p> <p>8 district, but is no longer a majority/minority district</p> <p>9 because his district, most Latino portions go into the</p> <p>10 replacement Roybal Allard district."</p> <p>11 Did I read that correctly?</p> <p>12 A Yes.</p> <p>13 Q Did you say that to HOPE in October of this</p> <p>14 year?</p> <p>15 A That appears that that's what I said, yes.</p> <p>16 Q You used the phrase "Latino-influenced</p> <p>17 district." Outside of your Proposition 50 work, what</p> <p>18 does Latino-influenced district mean to you?</p> <p>19 A It's Latino-influenced district is more of a</p> <p>20 non-redistricting term. It's one that doesn't have the</p> <p>21 same meaning as a majority/minority district or district</p> <p>22 with the ability to elect Latinos. It's a general term</p> <p>23 used by lay people to suggest a district where there's a</p> <p>24 strong population.</p> <p>25 Q Sorry. I didn't mean to interrupt you. When</p>	<p style="text-align: right;">Page 285</p> <p>1 to your best estimate here.</p> <p>2 So if it was 25 percent would you consider</p> <p>3 that a Latino-influenced district?</p> <p>4 MR. MANOLIUS: Objection, vague. It lacks</p> <p>5 foundation and that he's already said it depends on the</p> <p>6 circumstances, and there are different things like</p> <p>7 turnout rates and all that, but you can answer.</p> <p>8 THE WITNESS: It's completely situational. It</p> <p>9 has to do with the cohesiveness of that Latino</p> <p>10 population, their turnout rates, what the other</p> <p>11 population is like, so very well I could consider</p> <p>12 someplace that has a 25 percent.</p> <p>13 This is a thing that comes up a lot in</p> <p>14 municipal redistricting under the California Voting</p> <p>15 Rights Act and, again, there is no, even the courts have</p> <p>16 not given a definition of influenced district, even</p> <p>17 though it's in the California Voting Rights Act, that</p> <p>18 word, influenced district.</p> <p>19 Q And this phrase --</p> <p>20 A The ability to influence is in the California</p> <p>21 Voting Rights Act, that's the terminology.</p> <p>22 Q So on page 29 when you used the word</p> <p>23 Latino-influenced district, you're referring to a</p> <p>24 specific district that is on our atlas.</p> <p>25 Can you look at the atlas and tell me which</p>

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<p>1 district you were talking about when you talked to HOPE</p> <p>2 in October and you said that there was this</p> <p>3 Latino-influenced district?</p> <p>4 MR. MANOLIUS: Objection, legislative</p> <p>5 privilege. I instruct you not to answer.</p> <p>6 MR. MEUSER: Counsel, you're instructing him</p> <p>7 not to answer when he went out into public and said</p> <p>8 there's this Latino-influenced district and he has</p> <p>9 publicly put out this document to the Legislature that</p> <p>10 breaks out every single district, he is out there</p> <p>11 talking to people trying to encourage them to vote for</p> <p>12 Prop 50, this is public information that he himself has</p> <p>13 made public and you're instructing him about subsequent</p> <p>14 comments made? You're instructing him not to answer the</p> <p>15 question?</p> <p>16 MR. MANOLIUS: Yes, because it goes to his the</p> <p>17 creation of the maps themselves and what the intention</p> <p>18 was behind that, so I am going to instruct him not to</p> <p>19 answer based on legislative privilege, yes.</p> <p>20 MR. MEUSER Q: Mr. Mitchell, you're not</p> <p>21 answering this question at the instruction of your</p> <p>22 attorney?</p> <p>23 A Correct.</p> <p>24 Q Let's turn to page 30 of your transcript. And</p> <p>25 I am going to read this paragraph. "The Prop 50 maps I</p>	<p>1 statement; correct?</p> <p>2 MR. MANOLIUS: Objection. That's not a</p> <p>3 complete statement, but I think we know what you're</p> <p>4 referring to. Objection, vague. You can answer.</p> <p>5 THE WITNESS: Yes.</p> <p>6 MR. MEUSER Q: And you've had two reasons why</p> <p>7 you thought the Prop 50 maps were great for the Latino</p> <p>8 community; correct?</p> <p>9 A What two are you referencing?</p> <p>10 Q You say there's two critical ways that the</p> <p>11 Prop 50 maps are great for the Latino communities; is</p> <p>12 that correct?</p> <p>13 A Two critical ways, I see, yes.</p> <p>14 Q Okay. One of those ways is that ensures that</p> <p>15 the Latino districts that are the VRA seats are</p> <p>16 bolstered in order to make them most effective. You</p> <p>17 said that; correct?</p> <p>18 A Yes.</p> <p>19 Q And when you are referring to the VRA seats</p> <p>20 are you referring to the 14 VRA seats designated by the</p> <p>21 redistricting commission during the redistricting</p> <p>22 process in 2021?</p> <p>23 MR. MANOLIUS: Objection, legislative</p> <p>24 privilege. I instruct you not to answer.</p> <p>25 MR. MEUSER Q: And, Mr. Mitchell, you're not</p>
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<p>1 think will be great for the Latino community in two</p> <p>2 critical ways. One is that they ensure that the Latino</p> <p>3 districts that are the VRA seats are bolstered in order</p> <p>4 to make them most effective particularly in the Central</p> <p>5 Valley."</p> <p>6 Did I read that correctly?</p> <p>7 A Yes.</p> <p>8 Q Did you make that statement to HOPE in October</p> <p>9 of 2025?</p> <p>10 A Yes.</p> <p>11 Q And earlier you said there were 14 VRA</p> <p>12 districts drawn by the redistricting commission; is that</p> <p>13 correct?</p> <p>14 MR. MANOLIUS: Objection, misstates his</p> <p>15 testimony. Vague as to VRA that he used, but he can</p> <p>16 answer.</p> <p>17 THE WITNESS: What I said earlier in testimony</p> <p>18 was there were 16 majority/minority districts and the</p> <p>19 commission identified 14 of those districts as VRA seats</p> <p>20 -- I don't want to say VRA seats but as seats that were</p> <p>21 drawn in order to, for lack of a -- I don't want to</p> <p>22 paraphrase too much, but there were 14 that were</p> <p>23 identified.</p> <p>24 Q And you told HOPE that the Proposition 50 maps</p> <p>25 were great for the Latino community, you made that</p>	<p>1 answering my question today at the instruction of your</p> <p>2 counsel?</p> <p>3 A Correct.</p> <p>4 Q Next paragraph, starting on line 12, and then,</p> <p>5 secondly, have to hazard a guess, and I don't want to be</p> <p>6 too political or partisan here, but I have to hazard a</p> <p>7 guess that whoever gets elected in that gateway cities</p> <p>8 district in Los Angeles, it's a majority/minority</p> <p>9 district, is going to be a better representative for the</p> <p>10 community than the representative being elected from the</p> <p>11 Ken Calvert seat."</p> <p>12 Did I read that correctly?</p> <p>13 A Correct.</p> <p>14 Q And you made that statement; correct?</p> <p>15 A Correct.</p> <p>16 Q And in this particular sentence you are</p> <p>17 talking about congressional district 41 that belonged to</p> <p>18 Ken Calvert out in Riverside and is now in the gateway</p> <p>19 cities of Los Angeles; correct?</p> <p>20 A Correct.</p> <p>21 Q Next page, 31, top of the page, lines one</p> <p>22 through five, "So I think there are opportunities there</p> <p>23 in the substance of the maps and the outcomes of the</p> <p>24 maps, and I think there's a lot of opportunities in</p> <p>25 terms of kind of those VRA concerns as well."</p>

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<p>1 Did I read that correct?</p> <p>2 A Yeah, that's -- I don't recall exactly saying</p> <p>3 that, but that's in the transcript. It seems a little</p> <p>4 garbled, seems like a little bit of a word salad.</p> <p>5 Q Do you deny making that statement?</p> <p>6 MR. MANOLIUS: Objection, misstates his</p> <p>7 testimony.</p> <p>8 THE WITNESS: I don't have a reason to deny</p> <p>9 saying that, but looking at this transcript I -- it</p> <p>10 looks a little bit disjointed.</p> <p>11 MR. MEUSER Q: And you used the phrase "VRA</p> <p>12 concerns." Do you see that phrase?</p> <p>13 A Yes.</p> <p>14 Q What does "VRA concerns" mean to you?</p> <p>15 A I don't know.</p> <p>16 MR. MEUSER: Mr. Mitchell, you asked for a</p> <p>17 short break. Let's go ahead and take a 10-minute break</p> <p>18 at this time.</p> <p>19 THE WITNESS: Thank you.</p> <p>20 MR. MEUSER: And counsel and I will go over</p> <p>21 our notes and see if we can wrap this up.</p> <p>22 MR. MANOLIUS: Great. Thank you very much.</p> <p>23 THE VIDEOGRAPHER: The time is 6:01 p.m. We</p> <p>24 are going off the record.</p> <p>25 (Whereupon a recess was taken.)</p>	<p>1 A To the bank.</p> <p>2 Q Okay.</p> <p>3 A Yeah, to my bank account, not to the</p> <p>4 accountant.</p> <p>5 Q Do you know who Swing Strategies is?</p> <p>6 A Yes.</p> <p>7 Q This is our opportunity to take care of this.</p> <p>8 A You can go for it, you can clean this up.</p> <p>9 This is it.</p> <p>10 Q That's what I'm trying to do.</p> <p>11 A Yeah. Yeah.</p> <p>12 Q So you know what I mean by Swing Strategies;</p> <p>13 correct?</p> <p>14 A Yes.</p> <p>15 Q And there is in the public disclosure the</p> <p>16 person who, the address --</p> <p>17 A On the invoice?</p> <p>18 Q -- on the invoice where DCCC sent the payment</p> <p>19 it went to Swing Strategies; correct?</p> <p>20 A It went to Ken Andreas. It went to</p> <p>21 Redistricting Partners, but my accountant is Ken</p> <p>22 Andreas.</p> <p>23 Q Okay. And who is Ken Andreas?</p> <p>24 A Ken Andreas is an accountant that I have had</p> <p>25 since 2011, a personal friend, and decades ago Matt</p>
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<p>1 THE VIDEOGRAPHER: We are back on the record.</p> <p>2 The time is 6:11 p.m. and this marks the beginning of</p> <p>3 videotape number seven in the deposition of Paul</p> <p>4 Mitchell, which is being taken at Hansen Bridgett, LLP,</p> <p>5 500 Capitol Mall, Suite 1500, Sacramento, California.</p> <p>6 The videographer is Nicholas Coulter here on</p> <p>7 behalf of Array Legal Services.</p> <p>8 MR. MEUSER: Mr. Mitchell, you understand</p> <p>9 you're still under oath?</p> <p>10 A Yes.</p> <p>11 Q A couple cleanup questions, so we're going</p> <p>12 back to questions that you were asked earlier today.</p> <p>13 I believe you were testifying earlier that you</p> <p>14 had been paid by the DCCC by Jeffries, Hakeem Jeffries</p> <p>15 and by HMP, House Majority PAC. How did you receive</p> <p>16 those payments?</p> <p>17 MR. MANOLIUS: Objection. I think misstates</p> <p>18 his testimony. I don't believe -- have they all been</p> <p>19 paid?</p> <p>20 THE WITNESS: Yeah, they have all been paid.</p> <p>21 MR. MANOLIUS: Sorry. Go ahead.</p> <p>22 THE WITNESS: Wires.</p> <p>23 MR. MEUSER Q: And who were the wires sent to?</p> <p>24 A Redistricting Partners.</p> <p>25 Q Redistricting Partners or to your accountant?</p>	<p>1 Rexford, who is a republican consultant, helped me get</p> <p>2 my accounting set up with his accountant, Ken Andreas.</p> <p>3 He's a good friend.</p> <p>4 Q And what's Ken Andreas's relationship with</p> <p>5 Swing Strategies?</p> <p>6 A He is also their accountant.</p> <p>7 Q And so the address for your bookkeeper is Ken</p> <p>8 Andreas; correct?</p> <p>9 A Yes.</p> <p>10 Q And Ken Andreas happens to also be the</p> <p>11 bookkeeper for Swing Strategies; correct?</p> <p>12 A Yes. Swing Strategies was the no campaign.</p> <p>13 Small world.</p> <p>14 Q Yeah, but I'm actually trying to help you with</p> <p>15 this one.</p> <p>16 Earlier today we were talking about</p> <p>17 disaggregating political data. Do you remember that</p> <p>18 conversation?</p> <p>19 A I forgot about it, but, yes.</p> <p>20 Q And in that conversation you were talking</p> <p>21 about when a census block, when census blocks and</p> <p>22 precincts did not align; correct?</p> <p>23 A I was talking about when census blocks are</p> <p>24 necessary within precinct boundaries.</p> <p>25 Q It is my understanding that CVAP data is not</p>

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<p style="text-align: right;">Page 294</p> <p>1 available at the census block level, so how would you</p> <p>2 use CVAP data to disaggregate election results?</p> <p>3 A The same way, because unlike what I think you</p> <p>4 were inferring in the question about a nonalignment --</p> <p>5 Q Yes.</p> <p>6 A -- census blocks always align to block groups,</p> <p>7 so there's always alignment, so it's exactly the same</p> <p>8 methodology that I discussed earlier.</p> <p>9 Q Okay. And what components of the State's</p> <p>10 database would you use for disaggregation?</p> <p>11 A I would -- don't recall if Jacob</p> <p>12 Thompson-Fisher would have been the one that did that so</p> <p>13 I don't recall. I don't even -- yeah, I don't recall.</p> <p>14 Q Do you ever use racial data to disaggregate</p> <p>15 election results to census blocks?</p> <p>16 MR. MANOLIUS: Objection, to the extent answer</p> <p>17 outside of the Prop 50 matter. Otherwise, it's</p> <p>18 legislative privilege.</p> <p>19 THE WITNESS: Yeah. In the history of our</p> <p>20 company and the way that we do work, we would not be</p> <p>21 doing it like that. That would not make sense.</p> <p>22 MR. MEUSER Q: Okay.</p> <p>23 A You would use generally population, citizen</p> <p>24 voting age total population, because you're trying to</p> <p>25 disaggregate votes cast or registered voter registration</p>	<p style="text-align: right;">Page 296</p> <p>1 Q Mr. Mitchell, earlier today we were looking at</p> <p>2 the atlas that you created for the DCCC; correct?</p> <p>3 A Yes.</p> <p>4 Q And in that there was the box of every single</p> <p>5 congressional district where it showed the voter</p> <p>6 registration numbers for that district; correct?</p> <p>7 A Correct.</p> <p>8 Q Where did you get that data that you used in</p> <p>9 the atlas that you gave to the DCCC?</p> <p>10 MR. MANOLIUS: You can answer.</p> <p>11 THE WITNESS: I think a better way to state it</p> <p>12 is that this data that is in that, on that map, its</p> <p>13 origin is from the statewide database.</p> <p>14 MR. MEUSER Q: So when building the maps in</p> <p>15 your software, the statewide database would tell you</p> <p>16 what the political breakdown of that district is;</p> <p>17 correct?</p> <p>18 MR. MANOLIUS: Objection, legislative</p> <p>19 privilege, instruct you not to answer.</p> <p>20 MR. MEUSER Q: Mr. Mitchell, you're not</p> <p>21 answering my question today because of the direction of</p> <p>22 your attorney?</p> <p>23 A Yes.</p> <p>24 Q Okay. Prior to working on Proposition 50</p> <p>25 maps, when you're doing one of these hundreds of other</p>
<p style="text-align: right;">Page 295</p> <p>1 numbers.</p> <p>2 Q When creating the Prop 50 maps, what data sets</p> <p>3 did you use?</p> <p>4 MR. MANOLIUS: Objection, legislative</p> <p>5 privilege. I instruct you not to answer.</p> <p>6 MR. MEUSER Q: Mr. Mitchell, you're not</p> <p>7 answering that question at the instruction of your</p> <p>8 attorney?</p> <p>9 A Correct.</p> <p>10 Q Did you use election results when drafting the</p> <p>11 Proposition 50 maps?</p> <p>12 MR. MANOLIUS: Same objection, instruct you</p> <p>13 not to answer.</p> <p>14 MR. MEUSER Q: And, Mr. Mitchell, you're not</p> <p>15 answering my question at the instruction of your</p> <p>16 attorney?</p> <p>17 A Correct.</p> <p>18 Q Which election results did you look at when</p> <p>19 drawing the Proposition 50 maps?</p> <p>20 MR. MANOLIUS: Same objection, same</p> <p>21 instruction.</p> <p>22 MR. MEUSER Q: And, Mr. Mitchell, you're not</p> <p>23 answering my question at the instruction of your</p> <p>24 attorney?</p> <p>25 A Correct.</p>	<p style="text-align: right;">Page 297</p> <p>1 redistrictings, would you use statewide data, the</p> <p>2 statewide database?</p> <p>3 A In prior redistricts we do use statewide</p> <p>4 database, yes.</p> <p>5 Q And when you draw a district using statewide</p> <p>6 database in your system does it tell you the political</p> <p>7 registration number for each district?</p> <p>8 MR. MANOLIUS: Objection, vague. You mean as</p> <p>9 a general matter, and outside the Prop 50 process?</p> <p>10 MR. MEUSER Q: My question specifically said</p> <p>11 all of the examples prior to Prop 50.</p> <p>12 MR. MANOLIUS: Okay. Thank you.</p> <p>13 THE WITNESS: I wouldn't use it at all. We</p> <p>14 wouldn't use voter registration when we do municipal</p> <p>15 redistricts, because its voter criteria that's</p> <p>16 precluded, so we exclude it.</p> <p>17 And in the instances where we have put it in</p> <p>18 have been infrequent and would have been not for</p> <p>19 municipal work. Maybe in 2021 we would have put a PDI</p> <p>20 voter file in there as analysis, but it's not something</p> <p>21 that we regularly use in our data sets.</p> <p>22 Q So the atlas that you have put together that</p> <p>23 has the racial breakdowns of Hispanics, correct, in this</p> <p>24 atlas it has the breakdown of Hispanics in every single</p> <p>25 district; correct?</p>

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<p style="text-align: right;">Page 298</p> <p>1 MR. WOODS: Objection, mischaracterizes the 2 document. It speaks for itself. 3 MR. MANOLIUS: I'll join. 4 THE WITNESS: The document has the racial 5 breakdowns by total population in the 2020 census and 6 through the CVAP, yes. 7 MR. MEUSER Q: And has it for Hispanics; 8 correct? 9 A Yes. 10 Q And as it has it for Blacks; correct? 11 A Yes. 12 Q And it has it for Asians; correct? 13 A Yes. 14 Q But it doesn't have it for whites; correct? 15 A It has an "other" category and the other is 16 white and/or the -- there is a CVAP of Alaska native, 17 it's AIAN, Alaska native, and basically the Hawaiian 18 population and others like that, so there's -- that's in 19 the "other." 20 Q Okay. That particular data set, you know, 21 the -- 22 A American Indian Alaska Native. Sorry. 23 Q In the atlas you have the breakdown of how 24 many people are in each population group. Is that 25 something that you print with all your other</p>	<p style="text-align: right;">Page 300</p> <p>1 THE WITNESS: As a general rule we normally 2 would be able to, but it would be, there's so many 3 different programs we use potentially it wouldn't be on 4 or maybe it would be in another program, so not every 5 time. 6 MR. MEUSER Q: But you print that data in your 7 atlas every single time; correct? 8 A Yeah. This is a stand alone separate program. 9 We throw a shape file in and it produces this -- 10 Q Okay. 11 A -- as a stand alone program. 12 Your talking about when you're drawing 13 districts, this isn't something you use when you're 14 drawing districts, it's something you use to put out a 15 final product for a client. 16 Q Okay. But you have the data of what the 17 racial breakdown is for every single district that you 18 use to put together the shape, put together these 19 atlases; correct? 20 A In my normal redistricting course of my normal 21 business redistricting. 22 Q Yes. 23 A Outside of Prop 50, yes. 24 Q And in Proposition 50 you created an atlas 25 associated with the work as a result of Prop 50;</p>
<p style="text-align: right;">Page 299</p> <p>1 redistricting atlases that you do for other clients? 2 A Yes. In different varieties, like I said in 3 Alaska it would show Alaska native and not something 4 else. 5 Q Understand. So you regularly print atlases 6 for your clients that list out the racial breakdowns of 7 each district and call it -- and insert it into your 8 atlas; is that correct? Is that a "yes"? 9 A Yes. 10 Q And here after Prop 50 you created an atlas 11 for the Legislature and it included in this atlas the 12 racial breakdowns of the various racial ethnicities for 13 each congressional district; correct? 14 A Yes. 15 MR. MANOLIUS: Asked and answered. You can 16 answer. 17 THE WITNESS: Yes. 18 MR. MEUSER Q: So when, I am again asking 19 prior to Prop 50, when you're using your software and 20 you have drawn a district using the statewide database 21 you are able to see the racial breakdown of that 22 district; correct? 23 MR. MANOLIUS: Objection, vague. I am not 24 sure I understand the question. You can answer, if you 25 do.</p>	<p style="text-align: right;">Page 301</p> <p>1 correct? 2 MR. WOODS: Objection, asked and answered. 3 MR. MANOLIUS: Same, join. 4 THE WITNESS: Yes. 5 MR. MEUSER: Julie? 6 MS. HAMILL: May I project? 7 FURTHER EXAMINATION 8 By: JULIE HAMILL, Attorney at Law, counsel on behalf of 9 the Plaintiffs: 10 I just want to be clear -- 11 A Yes. 12 Q -- that you are refusing to answer any 13 questions regarding how or why you drew the Proposition 14 50 maps on the basis of legislative privilege? 15 MR. MANOLIUS: I'm objecting to that and I'll 16 affirm it for you, yes, that is our position. 17 MS. HAMILL: You're objecting to that 18 question? 19 MR. MANOLIUS: No, I am just trying to -- the 20 answer to your question is yes. 21 MS. HAMILL Q: I am going to ask it one more 22 time to make a clear record. 23 I want to be clear that you are refusing to 24 answer any questions regarding how or why you drew the 25 Proposition 50 map on the basis of legislative</p>

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<p style="text-align: right;">Page 302</p> <p>1 privilege?</p> <p>2 A Yes, upon advice of my counsel.</p> <p>3 MS. HAMILL: Thank you.</p> <p>4 MR. MEUSER: Okay. I'll switch places with</p> <p>5 you.</p> <p>6 MR. WOODS: If you want to.</p> <p>7 THE REPORTER: 33 minutes left.</p> <p>8 MR. WOODS: I'll be very very quick.</p> <p>9 EXAMINATION</p> <p>10 By: S. CLINTON WOODS, Attorney at Law, counsel on behalf</p> <p>11 of the Defendants:</p> <p>12 Q Good evening, Mr. Mitchell. I may have</p> <p>13 introduced myself off the record. I am not sure if I</p> <p>14 have.</p> <p>15 My name is Clinton Woods. I am a Deputy</p> <p>16 Attorney General from the State of California</p> <p>17 representing the State defendants in this matter.</p> <p>18 I just have a few questions and I want to be</p> <p>19 very clear that in my questions I am not asking about</p> <p>20 your work on Prop 50. I am focusing on after you</p> <p>21 submitted the maps or Redistricting Partners submitted</p> <p>22 the maps.</p> <p>23 I am not asking for any conversations or</p> <p>24 communications or anything that you would have learned</p> <p>25 from your work with Prop 50, but as an individual</p>	<p style="text-align: right;">Page 304</p> <p>1 public interviews or statements you might have made were</p> <p>2 done with the aim of convincing people to vote for Prop</p> <p>3 50?</p> <p>4 A Clearly that would have been one of the aims,</p> <p>5 absolutely.</p> <p>6 Q Okay. Because you agreed with the partisan</p> <p>7 aims of Prop 50; right?</p> <p>8 A Yes.</p> <p>9 Q After you submitted the maps, I am a</p> <p>10 California citizen, I am guessing based on your</p> <p>11 testimony so far, and please correct me if I'm wrong,</p> <p>12 that you paid attention to the Prop 50 campaign?</p> <p>13 A Quite a bit, yes.</p> <p>14 Q Okay. Did you see any political</p> <p>15 advertisements about Prop 50?</p> <p>16 A Quite a lot, yes.</p> <p>17 Q Okay. Where did you see them?</p> <p>18 A Mostly on social media. I didn't see the</p> <p>19 YouTube ads because I paid for the one where I don't</p> <p>20 have to see the ads.</p> <p>21 Q Okay. So did you see any ads on television?</p> <p>22 A I did see some ads on television.</p> <p>23 Q Okay. I am a sports fan so I saw a lot of ads</p> <p>24 both for and against Prop 50 on every Warriors game that</p> <p>25 I watched. Did you see --</p>
<p style="text-align: right;">Page 303</p> <p>1 citizen, a California citizen.</p> <p>2 Would it be fair to say that you wanted Prop</p> <p>3 50 to pass?</p> <p>4 A Yes.</p> <p>5 Q Okay. Did you agree with the partisan aims of</p> <p>6 Prop 50?</p> <p>7 A Yes.</p> <p>8 MR. MANOLIUS: Objection, vague as to the term</p> <p>9 "partisan aims," but I think he understood the question</p> <p>10 so --</p> <p>11 THE WITNESS: I agreed to do it only because</p> <p>12 of what Texas did. Normally, I wouldn't agree to</p> <p>13 partisan redistricting because in this case, because of</p> <p>14 the circumstances, I did agree to it.</p> <p>15 MR. WOODS Q: Understood. Are you a register</p> <p>16 democrat?</p> <p>17 A Yes.</p> <p>18 Q Do you consider more democrats in Congress to</p> <p>19 be a good thing?</p> <p>20 A Yes, particularly right now.</p> <p>21 Q Okay. Did you vote for Prop 50?</p> <p>22 A I did.</p> <p>23 Q Okay. Would it be fair to say that after you</p> <p>24 submitted the map that the public interviews that you</p> <p>25 did that counsel has been talking about, whatever other</p>	<p style="text-align: right;">Page 305</p> <p>1 A I am a huge sports fan, but they weren't</p> <p>2 putting the ads on my obscure Belgian bike races.</p> <p>3 Q Fair enough. Fair enough. So you saw these</p> <p>4 ads on the Internet?</p> <p>5 A Mostly, yes.</p> <p>6 Q Did you see or did you hear any ads on the</p> <p>7 radio?</p> <p>8 A I heard ads on podcasts.</p> <p>9 Q Okay. All right. Were these ads pro Prop 50</p> <p>10 or anti Prop 50 or both?</p> <p>11 A Both.</p> <p>12 Q And I realize that this is a big question, but</p> <p>13 can you give me an estimate of how many ads you saw on</p> <p>14 line, about Prop 50?</p> <p>15 A How many unique different ads?</p> <p>16 Q Sure.</p> <p>17 A Yeah. So I saw probably a dozen different ads</p> <p>18 and I saw them, many of them several times over and</p> <p>19 over.</p> <p>20 Q Okay. And when you say a dozen different ads</p> <p>21 would that be pro Prop 50, anti Prop 50 or both?</p> <p>22 A Both.</p> <p>23 Q And you?</p> <p>24 A Even the ones they put me in.</p> <p>25 Q Even the ones they put you in. How many ads</p>


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<p style="text-align: right;">Page 306</p> <p>1 did you see they put you in?</p> <p>2 MS. HAMILL: Objection, relevance.</p> <p>3 THE WITNESS: Four.</p> <p>4 MR. WOODS Q: What's that?</p> <p>5 A Four ads.</p> <p>6 Q Oh, okay. Let's see. And how many ads did</p> <p>7 you hear on a podcast?</p> <p>8 A Maybe, half a dozen. It was not as frequent.</p> <p>9 Q Okay. Of the pro Prop 50 advertisements that</p> <p>10 you either saw or heard, how many of those pro Prop 50</p> <p>11 advertisements mentioned partisan gain?</p> <p>12 A I would say every one of them mentioned</p> <p>13 partisan gain or anti-Trump, which is a cue for partisan</p> <p>14 pushing back on republicans, yeah.</p> <p>15 Q That was going to be my next question is how</p> <p>16 many of them mentioned President Trump?</p> <p>17 A Almost every one of them.</p> <p>18 Q Almost every one. How many of them mentioned</p> <p>19 Texas?</p> <p>20 A Almost every one of them.</p> <p>21 Q Okay. Of the anti Prop 50 advertisements that</p> <p>22 you saw --</p> <p>23 A Uh-huh.</p> <p>24 Q -- and let me ask the question: The ads that</p> <p>25 you were in, were those anti Prop 50 ads?</p>	<p style="text-align: right;">Page 308</p> <p>1 A No.</p> <p>2 Q Of the pro Prop 50 advertisements that you</p> <p>3 saw, dozen or so, whatever they were, how many of those</p> <p>4 pro Prop 50 advertisements mentioned race?</p> <p>5 A Not one.</p> <p>6 MS. HAMILL: Objection, relevance.</p> <p>7 MR. WOODS Q: Of the anti Prop 50</p> <p>8 advertisements that you saw, a dozen or so, how many of</p> <p>9 those mentioned race?</p> <p>10 A I don't recall seeing that in any of those.</p> <p>11 Q Okay. Would it be fair to say that you are a</p> <p>12 close observer of California politics?</p> <p>13 A Yes.</p> <p>14 Q Do you know as you sit here today independent</p> <p>15 of any of your work what or who represents California</p> <p>16 district 13 in Congress?</p> <p>17 A Adam Gray.</p> <p>18 (Whereupon Plaintiff's Exhibit 24</p> <p>19 was marked for identification.)</p> <p>20 MR. WOODS Q: I am going to hand you what's</p> <p>21 been marked as Exhibit 24.</p> <p>22 Exhibit 24 is has been submitted to the court,</p> <p>23 it's exhibit -- at the bottom you can see it's</p> <p>24 Exhibit 43 to the Eason declaration, which is a</p> <p>25 declaration that my office submitted in opposition to</p>
<p style="text-align: right;">Page 307</p> <p>1 A They were the "No on Prop 50" ads, yes.</p> <p>2 Q How many of them, of those anti ads mentioned</p> <p>3 democratic partisanship?</p> <p>4 A Almost every one of them, I think, yeah.</p> <p>5 Q How many of them? You said about four of them</p> <p>6 mentioned you; is that right?</p> <p>7 A Yeah.</p> <p>8 Q Okay. And do you recall what they said about</p> <p>9 you?</p> <p>10 A They would put me in a montage of legislators,</p> <p>11 Governor Newsom, and special interests and shady, they</p> <p>12 do, like, a shady image of me.</p> <p>13 Q You were in, like, black and white?</p> <p>14 A In a couple of them.</p> <p>15 MS. HAMILL: Objection. Relevance.</p> <p>16 MR. WOODS Q: I'll get there. So they</p> <p>17 mentioned you alongside Gavin Newsom; correct?</p> <p>18 A Yes.</p> <p>19 Q Other prominent democrats?</p> <p>20 A Nancy Pelosi.</p> <p>21 Q Right. Did you see any pro Prop 50</p> <p>22 advertisements that originated from republicans?</p> <p>23 A No.</p> <p>24 Q Did you see any anti Prop 50 advertisements</p> <p>25 that originated from democrats?</p>	<p style="text-align: right;">Page 309</p> <p>1 the motion for preliminary injunction.</p> <p>2 A Okay.</p> <p>3 Q And what it is is a copy of an article that</p> <p>4 was published on August 15th, and that was created by</p> <p>5 ABC 10, and my first question is: Have you ever seen</p> <p>6 this article before?</p> <p>7 A No, I probably -- if I had seen it I would</p> <p>8 have clicked on the video to see things like that, so I</p> <p>9 don't know what, if I saw the article.</p> <p>10 Q Fair enough. If you look at page two of the</p> <p>11 exhibit and it's Bates numbered CA-751 at the bottom, do</p> <p>12 you see that?</p> <p>13 A Where am I looking at the "About"? Which is</p> <p>14 about?</p> <p>15 Q At the CA-751.</p> <p>16 A I see that, yeah, yeah.</p> <p>17 Q Okay. Great. So that page, if you see, if</p> <p>18 you look at the -- well, first of all, the top paragraph</p> <p>19 on that page, it mentions you.</p> <p>20 Do you see that?</p> <p>21 A "ABC 10 obtained a draft proposal," that one?</p> <p>22 Q Yes.</p> <p>23 A Yes. Oh, yeah, "Headed by Sacramento based</p> <p>24 data consultant Paul Mitchell."</p> <p>25 Q That's you?</p>

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<p style="text-align: right;">Page 310</p> <p>1 A That is me.</p> <p>2 Q Okay.</p> <p>3 A I drew the maps.</p> <p>4 Q All right. And there's a quote there that</p> <p>5 says, "There's the changes where we sought to increase</p> <p>6 the partisanship of a district so that we could get a</p> <p>7 democrat elected in order to combat what Trump is</p> <p>8 doing."</p> <p>9 Did I read that correctly?</p> <p>10 A That is correct.</p> <p>11 Q Do you believe that you said that?</p> <p>12 A Yes.</p> <p>13 Q There's an additional quote. "Then there's</p> <p>14 the other districts, where you might see people moving</p> <p>15 because of all of the other movements."</p> <p>16 Did I read that correctly?</p> <p>17 A Yes.</p> <p>18 Q Do you believe you said that?</p> <p>19 A Yes.</p> <p>20 Q And then moving further down this page, about</p> <p>21 halfway down, a little bit more than halfway down</p> <p>22 there's a paragraph that is a quotation that is</p> <p>23 something that you said and I am going to read it here.</p> <p>24 It says, "We have these five democratic</p> <p>25 pickups, but we also have about five seats where we have</p>	<p style="text-align: right;">Page 312</p> <p>1 deposition.</p> <p>2 THE REPORTER: Mr. Meuser, you're responsible</p> <p>3 for the Q&I?</p> <p>4 MR. MEUSER: Yes, and I want a rough draft</p> <p>5 ASAP.</p> <p>6 MS. HAMILL: Rough draft and certified</p> <p>7 electronic copy ASAP.</p> <p>8 MR. WOODS: Rough draft and certified copy.</p> <p>9 MR. MANOLIUS: Rough draft and certified copy.</p> <p>10 MR. DeNEVERS: Certified copy electronic.</p> <p>11 MR. DODGE: Certified copy electronic.</p> <p>12 THE REPORTER: Thank you.</p> <p>13 (Whereupon the proceedings were</p> <p>14 concluded at 6:35 p.m.)</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 311</p> <p>1 democrats who, you know, maybe won by a couple hundred</p> <p>2 votes in the last election and we can't afford for a</p> <p>3 republican to pick that seat up and eat into those</p> <p>4 potential gains."</p> <p>5 Did I read that correctly?</p> <p>6 A Yes.</p> <p>7 Q All right. Do you believe you said that?</p> <p>8 A Yes.</p> <p>9 Q And then the quote continues, "So we did a lot</p> <p>10 to bolster democratic candidates up and down the state</p> <p>11 that are potentially in tough races, like Adam Gray in</p> <p>12 the Central Valley."</p> <p>13 Did I read that correctly?</p> <p>14 A That is correct.</p> <p>15 Q Do you believe you said that?</p> <p>16 A Yep. That's not even August 15th. That's a</p> <p>17 very quick reporter.</p> <p>18 Q All right. Let me just check my notes. I</p> <p>19 think that's all I have.</p> <p>20 A Thank you very much.</p> <p>21 MR. WOODS: Thank you, Mr. Mitchell.</p> <p>22 THE VIDEOGRAPHER: Is that everyone? All</p> <p>23 right. The time is 6:34 p.m.</p> <p>24 MR. MANOLIUS: I have a few.</p> <p>25 THE VIDEOGRAPHER: This is the end of today's</p>	<p style="text-align: right;">Page 313</p> <p>1 CERTIFICATE OF CERTIFIED SHORTHAND REPORTER</p> <p>2 I, LINDA J. HART, the officer before whom</p> <p>3 the foregoing deposition was taken, do hereby certify</p> <p>4 that the foregoing transcript is a true and correct</p> <p>5 record of the testimony given; that said testimony was</p> <p>6 taken by me stenographically and thereafter reduced to</p> <p>7 typewriting under my direction; that reading and signing</p> <p>8 was not requested; and that I am neither counsel for,</p> <p>9 related to, nor employed by any of the parties to this</p> <p>10 case and have no interest, financial or otherwise, in</p> <p>11 its outcome.</p> <p>12 IN WITNESS WHEREOF, I have hereunto subscribed my</p> <p>13 signature on this 12th day of December,</p> <p>14 2025.</p> <p>15</p> <p>16</p> <p>17 </p> <p>18</p> <p>19 LINDA J. HART, CSR #4357</p> <p>20 RMR/CRR</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>