Virginia Redistricting Commission – Budget and Finance Subcommittee **Legal Services Interview Questions**
Have you ever represented any entity or person in VA for Redistricting purposes? If so, please explain.
Have you ever had an attorney-client privilege with anyone on this commission? If so, who and when?
Do you understand your client in this matter is the full commission and are you willing to disclose the details of any and all of your communications with any commission member to the full commission?
In the future might you seek to represent any commission member or VA partisan caucus in any matters and if so, do you feel the advice you provide to the full commission can be neutral and ethical in light of that?
Given that your client is the full commission, how will partisanship influence the legal advice you will provide?
Who won the 2020 Presidential Election?
Is there a reasonable legal basis to question the outcome of the election?
Are you willing to enter into competitive negotiations regarding time and fee structure?
Do you anticipate any problems with your current workload that could interfere with you assisting the Commission?
Do you know of any conflicts that would inhibit you from performing your task?
What is your perspective and interpretation of the Voting Rights Act and how would you advise us to ensure that racial and ethnic populations can elect candidates of their choice when they are united in support for a candidate?

Legal Services Scoring Matrix

Firm: _____

Factors	**Point Value**
Qualifications and experience of Law Firm, including (a) past performance on similar undertakings, (b) experience with similar clients, (c) qualifications and expertise of personnel and, (d) resources committed to the Commission.	____ / 30
Demonstrated competence and knowledge. General quality of submission, including (a) an understanding of the Commission's requirements under this RFP and (b) responsiveness to terms and conditions.	____ / 30
Capacity and Resources. The Offeror must have the capacity and resources to perform all of the previously-described services in a prompt, responsive manner and with excellent work quality in the timeframe needed.	____ / 30
Client List Summary/References. A minimum of four (4) past or current clients where the Offeror has demonstrated its qualifications in any or all of the areas requested under the RFP. Must include the name, title, organization, address, telephone and e-mail address of the person most familiar with work completed.	____ / 10

Total Points _____ / 100

Call for Motion for Closed Meeting

Step 1: Call for motion for closed meeting

CHAIRMAN: At this time, in order for the Commission to consider XYZ, it will be necessary to meet in closed session. Is there a motion to go into closed session?

MOTION FOR CLOSED SESSION

MEMBER: I move that Budget and Finance Subcommittee of the Commission convene in a closed session.

The closed session is authorized pursuant to:

- Subdivision A 29 of § 2.2-3711 for the discussion of the award of a public contract involving the expenditure of public funds. Specially, the closed session will be held to discuss the proposals received in response to the RFP for legal counsel to the Commission.

Pursuant to § 2.2-3712(F) of the *Code of Virginia*, the Commission also requests that counsel and staff attend because it believes that their presence will reasonably aid the Commission in its consideration of the topic that is the subject of this closed meeting.

(Roll Call Vote)

***** In Closed Session *****

Step 2: Explanation & Discussion limited to items identified in the closed meeting motion

Step 3: Call for Motion to Emerge from Closed Meeting

MOTION TO OPEN MEETING

MEMBER: I move that the Redistricting Commission come out of closed session.

***** Back in Open Session *****

Step 4: Closed Meeting Certifications

STAFF: Do you certify that to the best of your knowledge, only matters lawfully exempted from open meeting requirements and identified in the closed meeting motion were discussed in the closed session?

(Roll Call Vote)

LEGAL SERVICES PROPOSAL #1

RFP Responses
[Redacted Items on 6]

Presented To
Virginia Redistricting Commission

Contents

Section I: Personnel

The primary personnel proposed for this project is Crimcard Consulting's founder and manager, Dr. Kareem Crayton -- a nationally respected expert on redistricting and voting rights issues. Crimcard has provided consulting services to public and private entities for over a decade, specializing in redistricting issues across the country. Dr. Crayton has extensive redistricting experience as an advisor in both partisan and non-partisan settings. His statewide work in the last cycle includes California, Alabama, and North Carolina. Dr. Crayton is both a political scientist and licensed attorney (barred in Alabama, Maryland, and the District of Columbia).

Because of his specialized training and credentials in two fields, Dr. Crayton can deliver both political analysis of district maps as well as legal assessments of the complex rules and standards that govern how these maps ought to be constructed. This integration of his technical skills distinguishes Dr. Crayton in the marketplace, which usually brings multiple actors providing these services. Aside from providing exemplary legal analysis on relevant questions, Dr. Crayton can perform a racially polarized voting study or, if the Commission prefers, recommend an experienced colleague within the political science community who can provide an independent analysis (which may be useful for a statewide project under certain circumstances).

At the formation stage of district drawing, the services envisioned in this proposal can remain advisory and therefore not require formal legal representation; this type of arrangement is consistent with Dr. Crayton's service in similar engagements in the past. It is worth noting that there are good reasons to maintain an advisory relationship during the map development phase. For example, it might be preferable to learn the nature of the major issues that might shape any later litigation before selecting a litigation team.

If the need emerges for formal legal representation, Dr. Crayton is quite able to share his recommendations about closely affiliated entities within the Commonwealth with the capacity and expertise to address litigation. Further, he can ably assist a selected litigation team in preparing to address any issues that may arise.

Section II: Affiliation

Dr. Crayton is offering his services as an advisor to the Virginia Redistricting Commission on behalf of the Democratic perspective. While he has worked in different settings for both partisan and non-partisan decision-makers, Dr. Crayton has served as primary counsel and advisor to the Democratic legislative and Congressional delegation in both North Carolina and in Alabama during the 2010 cycle; these Southern states (along with Virginia) were subject to the most significant litigation over questions of partisan fairness and the interpretation of the Voting Rights Act.

His advisory work in those settings required both coordination with multiple interests within the party structure, community groups and associations, along with limited engagement with counterparts in the other party to address structural decisions by Republican representatives (who were the majority party in both redistricting sessions). It also should be noted that Dr. Crayton has also worked as an advisor during California's inaugural commission-driven redistricting process on behalf of organized associations within the African American community and for city officials in the Los Angeles redistricting process.

Dr. Crayton's philosophy as an advisor in all of these redistricting settings is that while there may be reasonable differences between the political parties or interests in the process, the basic principles of law that set the parameters of these differences need to be respected by all actors. His analysis and guidance are focused on helping to illustrate which issues are defined and which require some consideration and decision-making. As he has emphasized often in his scholarly work, Dr. Crayton views the redistricting process as one that should be transparent, data driven, and equitable; his career has focused on exploring creative ways to achieve such a process.

Dr. Crayton has not ever run for political office nor has he represented any political candidate in the course of a political campaign (note that he has represented elected leaders as amicus counsel in U.S. Supreme Court practice on multiple occasions). He has otherwise not served as a candidate, a lobbyist, an officer of a political committee, campaign worker or fundraiser, or as an attorney for any candidate, lobbyist, officer of a political committee, campaign worker or fundraiser, or for any political party or governmental or political entity. Dr. Crayton has made political donations to political candidates (none for state races in the Commonwealth of Virginia). Upon request, he is happy to provide additional information in support of these points.

Section III: Experience

Among the very small class of lawyer/political scientists in the country, Crimcard's founder Dr. Kareem Crayton is the only dually trained redistricting expert with professional experience in and out of government (state and federal), which informs his ability to appreciate developing procedures and assessing alternate mapping proposals.

His political science dissertation *What's New About the New South* examined legislative choices and technical strategies in states that faced racial gerrymandering lawsuits in the 1990s. Over his career, he has published dozens of key scholarly articles, essays, and reviews on the topic of governance and representation, including seminal works on Section 2 and 5 of the Voting Rights Act. For a more exhaustive review of his scholarly work, you may consult http://kareemcrayton.com/publications.html. His wide-ranging professional experience includes the following:

- Dr. Crayton is the substantive architect of The Redistricting Game, the first-of-its kind online game that has taught practitioners and legislators about the law and policy of redistricting, including ideas for reform, for more than 15 years. He is currently leading a design team in creating a new and expanded game about redistricting called NextLine (releasing Fall of 2021).
- Among redistricting litigation projects, Dr. Crayton has served as amicus counsel on these pathbreaking cases in the U.S. Supreme Court:
    - NAMUDNO v. Holder: A constitutional test of Section 5 of the Voting Rights Act in US Supreme Court. Amicus brief was filed on behalf of Congressional Black Hispanic & Asian Pacific Islander ("Tri-Caucus") in support of the law's constitutionality.
    - Shelby County v. Holder: A second test of Section 5 of Voting Rights Act's constitutionality in US Supreme Court, in which an amicus brief was filed on behalf of legal and social science scholars in support of constitutionality.
    - Dickson v. Rucho: Redistricting challenge to state legislative and congressional districts in NC Supreme Court, with an amicus brief filed on behalf of NC Legislative Black Caucus.

The NC court upheld the maps, but federal courts later struck them based on related racial gerrymandering claims.

- From 2018 and early 2020, Dr. Crayton managed a social justice law firm in North Carolina through a transition, hiring and training a voting rights litigation team that appeared before the U.S. Supreme Court in two landmark redistricting cases:
    - League of Women Voters of NC v. Rucho: A landmark case that raised partisan gerrymandering claims in North Carolina's congressional districts. Rejecting precedent, the Court decided 5-4 that these claims were non-justiciable in federal courts.
    - Perez v. Texas: Litigation raised racial gerrymandering and vote dilution claims. The Court granted limited relief on voting rights concerns in a few state legislative districts.
- Crimcard's work providing legal guidance and technical support in a consulting capacity on redistricting and elections matters include:
    - North Carolina Redistricting – State and Congressional Districts. On behalf of the North Carolina Democratic delegation, he provided advice and guidance in developing a record that ultimately led to the 4th Circuit review that struck significant portions of this map following an intervening decision from the U.S. Supreme Court.
    - California Redistricting Commission – Provided consulting advice for the African American Redistricting Collaborative, which advocated for districting principles that balanced voting rights concerns with practical considerations. He was a principal contributor to the Unity Map that informed the Commission's approach to districts in Los Angeles, San Diego, and the Bay Area.
    - Los Angeles Redistricting Commission: Provided advice to City Council members in the development of preferred maps before the first council-appointed commission.
    - Lee v. City of Los Angeles: Served as expert witness on behalf of Koreatown plaintiffs in a 14th Amendment racial gerrymandering claim against the city council in federal court. Report focused on the lack of evidence showing racially polarized voting and evidence of unlawful racial intent in designing districts. This case ended in an adverse decision on summary judgment in the 9th Circuit.
    - George v. Haslam: Served as expert consultant to plaintiffs in a federal challenge to a Tennessee ballot measure, which plaintiffs claimed did not comply with state constitution's prescribed counting method for successful ballot measures. After a positive result in federal district court, the 6th Circuit reversed.
    - Alabama v. Alabama Legislative Caucus: Served as Special Counsel to the House Democratic leader in the Alabama Legislature for a session to draw new legislative districts to remedy racial gerrymandering violations found by the U.S. Supreme Court. The resulting maps were upheld by the U.S. District Court on review.

Significant matters (with requested contacts) include:

<u>Los Angeles Redistricting (2012-2017)</u>: Provided consulting advice to community members and officials in City Council Districts 8 and 9 in the development of preferred maps before council-appointed commission. Following the adoption of the bill, Akin Gump represented a group of residents of Los Angeles' Koreatown in a lawsuit filed against the city. The suit alleged, among other things, that the city's Redistricting Commission and City Council sought to illegally redraw city council district boundaries (in the process, maintaining a divided

Koreatown) along racial lines,violating both the Los Angeles City Charter and the U.S. Constitution. Dr. Crayton filed an expert report on behalf of plaintiffs focusing on the lack of evidence showing raciallypolarized voting and evidence of unlawful racial intent in designing districts. This case ended in an adverse decision on summary judgment in district court.

Contacts:

Helen Kim
Member, 2010 Los Angeles City Redistricting Commission
[redacted]

Jan Perry
Former Member, Los Angeles City Council
[redacted]

Alabama Redistricting: Served as Special Counsel to the House Democratic leader in the Alabama legislature for a session to draw new legislative districts to remedy racial gerrymandering violations found by the U.S. SupremeCourt. The resulting legislative maps were upheld by the U.S. District Court on review.

Contact:

Rep. Anthony Daniels
Minority Leader, Alabama House of Representatives
[redacted]

North Carolina Redistricting (2012-2018): State and Federal Districts. On behalf of the North Carolina Democratic delegation, Crimcard provided advice and guidance in developing a recordthat ultimately led to the U.S. Court of Appeals for the 4th Circuit striking significant portions of this map in light of an intervening decision from the U.S. Supreme Court. Later advised legislators on redrawing of state senate districts in light of state supreme court decision striking the map.

Contact:

Rep. Grier Martin
House Minority Whip, North Carolina General Assembly
[redacted]

Section IV: Conflicts

To the best of his knowledge, Dr. Crayton has none of the apparent or real conflicts listed in Section 4(a) on page 7 of the original RFP. Further, Dr. Crayton has not been subject to any disciplinary reviews or sanctions proceedings in any court.

Section V: Fees

Generally, this venture applies an hourly rate for the time spent on an engagement. With experience in providing holistic advice to jurisdictions, Crimcard's proposed approach here (to use Dr. Crayton as a primary advisor) obviates the need for large teams to respond to client needs.

For this type of advisory work, focused mainly on developing a process for crafting and assessing maps, conducting background research (including an RPV study), and monitoring Commission proceedings and executive meetings, the estimated time commitment is an average of 10 to 12 work hours per week on six month timeline. The combined hourly rate for normal projects would range between $425 and $500 (lower end for attending meetings, higher end for background analytical work). An hourly approach may prove preferable if the Commission would like an initial assessment to determine the full range of advisory services (as envisioned in the work plan) is necessary. The per meeting cost for service (not including preparation time) would be approximately $850 for two hours.

Should you wish to organize a full set of services as a flat fee, we would propose an estimated monthly fee for this work in the range of $17,000 to $19,000 (per month) that would avoid concerns about specific time allocation and the like. The range will be affected by the suggested aspects of work like a racially polarized voting study. We would expect that the precise amount will depend upon elements that existing staff may assist with accomplishing. Upon selection, we can work with your team to develop a more precise fee arrangement that is acceptable to all parties.

LEGAL SERVICES PROPOSAL #2

PROPOSAL OF J. GERALD HEBERT, PC
TO PROVIDE LEGAL SERVICES (DEMOCRATIC)
TO THE VIRGINIA REDISTRICTING COMMISSION

/s/ J. Gerald Hebert
J. GERALD HEBERT, President
J. GERALD HEBERT, PC

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Section 1. Personnel in My Solo Practice.

J. Gerald Hebert, PC, is a solo practice law firm and attorney J. Gerald Hebert therefore personally handles all (100%) of the legal work. A resume is attached. With respect to whether I prefer to obtain a racially polarized voting analyst or would prefer that the Commission do so, I have no preference; however, I would like to ensure that the racially polarized voting analyst is trained in ecological inference (EI), or ecological regression analysis (ERA), or both.

Section 2. Description of Handling Redistricting Matters and Political Affiliation

My approach to handling redistricting matters has been the same since I entered private practice in 1994. I meet with the clients (officeholders and staff) to understand their overall goals and objectives. I review the census data (including racial and ethnic data) in the benchmark plan (*i.e.*, the redistricting plan used in the prior decade) to determine population shifts for determining compliance with the one-person, one-vote requirements of the U.S. Constitution. To ensure compliance with the federal Voting Rights Act, I also review the census data (and election results) to determine the number of districts in the benchmark plan that provide racial and ethnic minority voters an effective opportunity to elect their candidates of choice in districts. Here, the process would also include a review of the benchmark plan in light of the new requirements of the Virginia Voting Rights Act. In preparing or analyzing any redistricting plans, I would also review them to ensure compliance with these federal and state legal requirements.

I have previously served as legal counsel for federal and state candidates and officeholders, including the Democratic members of the Virginia State Senate in the post-2010 round of redistricting.

I also served as legal counsel to former Congressman Martin Frost (D-TX) from 1996 to 2006, including when he served as chairman of the Democratic Congressional Campaign Committee. I also served as counsel for Democratic members of the Texas Congressional Delegation from 2001 through 2006 in redistricting litigation that culminated in the U.S. Supreme Court decision in *LULAC v. Perry.*

From 2000 to 2004, I served as General Counsel to IMPAC 2000, the redistricting project for all of the Democratic members of the U.S. House of Representatives. In that capacity, I met with Democratic congressional delegations between 2000 and 2202 to discuss and strategize about the redistricting process in their respective states, including the timing and merits of filing redistricting lawsuits on their behalf in their states.

I also have represented Democratic congressional officeholders whose districts were challenged in federal litigation as racial gerrymanders in the wake of the U.S. Supreme Court's decision in *Shaw v. Reno*, including: Florida Congresspersons Carrie Meek (D-FL), Corrine Brown (D-FL), and Alcee Hastings (D-FL;, Congressman Cleo Fields (D-LA); and Congresswoman Eddie Bernice Johnson (D-TX). I have also served as legal counsel to members

of the Congressional Black Caucus (including the late John Lewis) filing briefs *amici curiae* in redistricting and voting rights litigation.

Since its founding in 2005, I also have served as legal counsel to the Lone Star Project, which is organized as an activity of the Lone Star Fund, a federal political action committee registered with the Federal Election Commission. The Lone Star Project works with targeted individual Democratic campaigns and candidates to elect Texas Democrats to office. The Lone Star Project's website describes itself as providing fact-based political and legislative analysis designed to help individuals, organizations and the press see beyond the rhetoric and misinformation typically provided by the current Republican State Leadership in Texas and Texas Republicans in Washington. In my capacity as legal counsel to the Lone Star Project, I have provided legal advice to Texas Democratic officeholders and candidates, including their campaign workers. The legal advice I have provided includes taking legal action during the campaign to ensure voter protection and to prevent voter intimidation and suppression of minority voters.

In my solo practice, I currently represent two Democratic Members of Congress from Texas, and I provide legal counsel and advice to them about the upcoming round of redistricting in that State.

Section 3. Experience in Districting, Redistricting, and Elections Activities.

(a) I have represented the following public entities or private parties in redistricting matters:

I served as legal counsel to California authorities (including the State Auditor) when they adopted an independent redistricting commission in 2010. In that capacity, I provided legal advice on selection procedures and criteria for the members of the newly-adopted Commission, and I provided legal representation as California officials sought Voting Rights Act preclearance approval of the new independent redistricting commission from the U.S. Department of Justice (which was approved by DOJ).

I provided legal representation to the City of Richmond and Goochland County (Virginia) in the post-2010 round of redistricting. I was recently retained as legal counsel by the City of Richmond to provide legal representation in the post-2020 round of redistricting. In the post-2010 round of redistricting, I also provided legal representation to the consolidated metro government in Louisville, Kentucky.

I also represented Dallas County, Texas in the post-2020 redistricting cycle. I drafted redistricting criteria, hired a consultant to draw maps, conducted public hearings, and submitted the redistricting plan to the Department of Justice for preclearance (which was granted).

As noted in paragraph 2, above, I have represented members of Congress in federal redistricting litigation since 1996. That includes Democratic members of Congress whose districts were challenged as racial gerrymanders from 1996-2000. In addition, I represented Democratic members of the Texas congressional delegation in two federal redistricting cases: *LULAC v. Perry* during the years 2003-2006, and *Balderas v. Perry* from 2001-2002. In 2010-

2011, I also represented Texas state senator Wendy Davis in a successful federal redistricting lawsuit challenging the state senate map. From 2010 to the present, I have represented a group of voters in a federal redistricting lawsuit (*Perez v. Abbott*) challenging the Texas congressional and State House districts. Though the merits of the *Perez* case have been resolved, the case remains pending to determine whether the plaintiffs are entitled to attorneys' fees as prevailing parties.

(b) The principal legal issues presented in each matter handled by J. Gerald Hebert:

The principal legal issue in the California matter that I handled, and described in part 3(a), above, was whether the process used to create the independent redistricting commission in California and the procedures used to select members of the commission were entitled to preclearance under Section 5 of the Voting Rights Act. DOJ granted Section 5 preclearance.

In both the City of Richmond and Goochland County matters described above, the principal issues were compliance with Section 2 and 5 of the Voting Rights Act, as well as the Fourteenth Amendment to the United States Constitution (one-person, one-vote requirements). In addition, matters of compliance with state law were also considered (*e.g.*, contiguity, public notice requirements and conduct of public hearings).

In the Dallas County, Texas redistricting matter identified above, the principal legal issues involved the protection of existing minority opportunity districts under Sections 2 and 5 of the federal Voting Rights Act. The redistricting plan adopted by Dallas County was later challenged in federal court and the principal issue was whether the redistricting plan discriminated against white voters in violation of the Voting Rights Act. I represented the County in that trial. After a trial, the federal trial court found that the plan did not discriminate against white voters, and the Fifth Circuit Court of Appeals affirmed.

In the Texas federal redistricting litigation described above, the principal legal issues were Sections 2 and 5 of the Voting Rights Act, the U.S. Constitution (14th Amendment), and racial gerrymandering under the *Shaw v. Reno* lines of cases.

(c) Experience with §§ 2 and 5 of the Voting Rights Act:

From 1973-to 1994, I served as an attorney in the Civil Rights Division of the United States Department of Justice. During most of those 21 years at DOJ, I served in the Voting Section, and I held many supervisory positions: Deputy Chief, Acting Chief, and Special Litigation Counsel. My work during my time in the Voting Section of DOJ focused on Sections 2 and 5 of the Voting Rights Act. In my 21 years as a DOJ attorney, I also reviewed numerous Section 5 preclearance submissions from state and local governments (including many redistricting plans). I also litigated cases before three-judge courts in the District of Columbia brought by state and local governments pursuant to Section 5 of the Voting Rights Act. I also worked on numerous federal lawsuits on behalf of the United States challenging methods of election and redistricting plans under Section 2 of the Voting Rights Act. The voting rights cases under Sections 2 and 5 of the Voting Rights Act (including redistricting cases) that I worked on during my tenure at the Department of Justice are listed in Attachment A hereto. I highlighted in Attachment those cases where I served as lead attorney in the case.

Following my tenure with DOJ, I opened my solo practice of law in Alexandria, Virginia in 1994. My work in my solo practice has been almost exclusively voting rights and redistricting. From 1996 to 2013, I represented numerous (approximately 50) Virginia local governments (and a few dozen State and local governments outside Virginia) as they sought exemption (known as bailout) from the preclearance requirements of Section 5 of the Voting Rights Act. All bailout actions involved litigation in the DC court and all were successfully resolved with a court-approved consent decree (settlement). In my solo practice from 1994 to the present, I have handled dozens of cases (including redistricting cases) under Sections 2 and 5 Voting Rights Act. The voting rights cases under Sections 2 and 5 of the Voting Rights Act (including redistricting cases) that I have handled as a solo practitioner are listed in Attachment B. I highlighted those cases where I served as lead attorney in the case.

(d) The outcome of prior redistricting representations:

The following redistricting cases I have handled were resolved by the court **after a trial**: Johnson v. DeGrandy, 512 U.S. 997 (1994); Balderas v. State of Texas (E.D. TX 2001) (3 judge court)(consolidated), summarily affirmed, 536 U.S. 919 (2002); Del Rio v. State of Texas (Travis County District Court & Texas Supreme Court); Perez v. Perry, No. 11-360 (W.D. TX (three-judge court) (consolidated); Quesada v. Perry, No. 11-593-OLG-JES-XR); State of Texas v. United States, 1:11-cv-01303-RMC-TBG-BAH (D.D.C.) (three-judge court); League of Women Voters v. Detzner, No.: 2012-CA-00490 (Leon County, Florida); and Hall v. Commonwealth of Virginia (my recollection is that this case was affirmed on appeal after dismissal by the district court). Also, the following cases that I handled were resolved **after trial** and were racial gerrymandering challenges to majority-minority districts under the Shaw v. Reno doctrine: Moon v. Meadows (VA); Shaw v. Reno (NC), Hunt v. Cromartie (NC), Vera v. Bush (TX), Abrams v. Johnson (sub nom. Johnson v. Miller) (GA), Hays v. Louisiana (LA), Johnson v. Mortham (FL); King v. State Board of Elections (IL); and Harding v. County of Dallas, Texas.

The following redistricting cases were **resolved without litigation**: As noted above, I represented Virginia Senate Democrats in the 2011 redistricting, as well as the City of Richmond and Goochland County, and the Louisville Metro Government in the post-2010 redistricting cycle. None of these matters was litigated.

The following redistricting cases were **resolved by a negotiated settlement**: NAACP v. St. Landry Parish, Louisiana; and Wendy Davis v. Perry, No. 11-788 (W.D. TX) (three-judge court);

(e) Experience with voting rights litigation not related to the Voting Rights Act:

I also have served as co-counsel in cases where the legal challenge has included claims not under the Voting Rights Act. Mostly these cases have included claims about a burden on the right to vote under the First and Fourteenth Amendments. The Texas Photo ID case where I served as lead counsel for the plaintiffs was one such case. In that suit, in addition to claims under the Voting Rights Act, our complaint alleged claims of an undue burden on the right to vote (1st Amendment) and an unconstitutional poll tax (26th Amendment).

(f) Relevant published work:

I have written a number of publications, books and articles on voting rights issues, the Voting Rights Act, and redistricting. For example, I co-authored a book on redistricting entitled "The Realists' Guide to Redistricting", which was published by the American Bar Association in 2000 and republished 2010 (2nd edition). I also have authored published articles on redistricting reform and voting as a First Amendment right for the Yale Law and Policy Journal, as well as articles on redistricting and the Voting Rights Act for various magazines and law journals. Several of these articles have been co-authored with other counsel or academic scholars who have served as expert witnesses in voting rights cases.

The following is a partial list of my publications: Voting Is Speech, 34 YALE L. & POL'Y REV. 471 (2016)(co-authored); The Need for State Redistricting Reform To Rein In Partisan Gerrymandering, 29 YALE L. & POL'Y REV. 543 (2011) (co-authored); Redistricting in the Post-2000 Era, George Mason University Law Review; Redistricting In The Post-2010 Cycle: Lessons Learned; A General Theory of Vote Dilution, La Raza Law Journal, Boalt Hall School of Law; University of California at Berkeley (Vol. 6, No. 1)(1993)(co-authored); Keeping The Courts Honest: The Role of Historians as Expert Witnesses in Southern Voting Rights Cases, Southern University Law Review (Vol. 16, No. 1)(Spring 1989)(co-authored); Civil Rights Law: High Court Decision on Voting Rights Act Helps To Remove Minority Barriers National Law Journal (November 1986); and Discriminatory Electoral Systems and the Political Cohesion Doctrine, National Law Journal (Vol. 10, No. 4)(1987) (co-authored).

I also have written several articles about voting rights and redistricting for publications that are geared to state and local governments, including the Texas Municipal League and the Nation's Cities Weekly.

(g) Identification of three (3) major cases or other matters in which I have participated, together with the names, addresses, and telephone numbers of all co-counsel and the names of opposing counsel involved.

1. Gill v. Whitford (Partisan gerrymandering lawsuit challenging redistricting plan of the Wisconsin General Assembly and ultimately decided by U.S. Supreme Court)

Co-counsel were Annabelle Harless and Doug Poland whose contact information is as follows:

Annabelle E. Harless
CAMPAIGN LEGAL CENTER
55 W. Monroe St., Ste. 1925
Chicago, IL 60603
(312) 312-2885
aharless@campaignlegal.org

Douglas Poland

Stafford Rosenbaum LLP
222 West Washington Ave., Suite 900
Madison, WI 53703-2744
dpoland@staffordlaw.com
608-259-2663

Opposing counsel in *Whitford* and his contact information is as follows:

Brian P. Keenan
Assistant Attorney General
State of Wisconsin
Department of Justice
17 West Main Street
Madison, WI 53703
(608) 267-9323

2. Perez v. Perry (Texas redistricting lawsuit ultimately decided by the United States Supreme Court). My co-counsel and their contact information is as follows:

Jessica Ring Amunson
Jenner & Block LLP
1099 New York Ave. NW, Ste. 900
Washington, DC 20001
202-639-6000/202-639-6066 (facsimile)
jamunson@jenner.com

Mark Gaber
Campaign Legal Center.
1101 14th Street, NW
Washington, DC 20005
(202) 736-2200
mgaber@campaignlegal.org

Jesse Gaines
Attorney at Law
PO Box 50093
Ft Worth, TX 76105
(817) 714-9988
gainesjesse@gmail.com

Opposing counsel in *Perez* and their contact information is as follows:

Patrick Sweeten
Matthew Frederick
Angela Colmenero
Ana Jordan

Office of the Attorney General
P.O. Box 12548, Capitol Station
Austin, TX 78711
(512) 463-2120

3. **Harding v. County of Dallas, TX** (Redistricting lawsuit brought by white plaintiffs under Section 2 of the4 Voting Rights Act and the U.S. Constitution)

Co-counsel and their contact information is as follows:

Chad W. Dunn
BRAZIL & DUNN
3303 Northland Drive, Suite 205
Austin, TX 78731
Telephone: (512) 717-9822
Fax: (512) 515-9355
chad@brazilanddunn.com

Rolando L. Rios
ROLANDO L. RIOS & ASSOCIATES
110 Broadway, Suite 355
San Antonio, TX 78205
Telephone: (210) 222-2102
rrios@rolandorioslaw.com

Opposing counsel in the *Harding* case and his contact information is as follows:

Daniel I. Morenoff
THE MORENOFF FIRM, PLLC
P.O. Box 12347
Dallas, Texas 75225
Telephone: (214) 504-1835
Facsimile: (214) 504-2633
dan.morenoff@morenoff-firm.com

Summary of Why I Feel Qualified to Perform Legal Services.

I believe my 48-year legal career, nearly all of which has involved voting rights and redistricting, prepares me well to perform the services sought by the RFP. I have over 20 years of experience with the U.S. Department of Justice enforcing the Voting Rights Act. In my solo practice since 1994, I have continued to protect the right to vote in voting rights and redistricting cases. Over the last 27 years, I have represented clients in redistricting matters and cases very similar to what is being sought in this RFP. I demonstrated my competence, qualifications and resources to the Virginia State Senate Democrats when I had the privilege of representing them in the last round of redistricting. My representation of the Virginia Senate Democrats and major local governments in redistricting after the last census also shows I have the resources and ability

to perform redistricting services. I am careful and diligent in my work, and I provide timely responses to clients in an efficient and cost-effective manner.

I have served as lead attorney in numerous high profile voting rights cases under Sections 2 and 5 of the Voting Rights Act. In addition, as the listing of cases in Attachments A and B shows, I have served as lead counsel in numerous redistricting cases, including statewide redistricting cases, a number of which were ultimately decided in the United States Supreme Court (*e.g.*, Johnson v. DeGrandy, Rucho v. Common Cause, Perez v. Perry (Abbott v. Perez) and Whitford v. Gill). When I provide legal representation to redistricting authorities, I analyze each district and the plan as whole to ensure full compliance with all applicable federal and state laws. **No redistricting plan that I have worked on has been struck down in the courts.** The redistricting plan prepared by the Virginia Senate Democrats in 2011 and which I analyzed to ensure legal compliance was both precleared by the U.S. Department of Justice and was never subject to litigation (unlike the Virginia Congressional and General Assembly maps). Similarly, my redistricting work for the City of Richmond and Goochland County produced plans that fully complied with the Voting Rights Act, received the requisite Section 5 preclearance, and were never challenged in court.

Section 4. Conflicts of Interest. I am not aware of any conflicts of interest, actual or potential, that I would have if I undertake this representation. I have never been the subject of any disciplinary proceeding or been sanctioned by a court.

5. Fee Estimate. I estimate a maximum fixed fee of $20,000 (approximately $4000 per month for the 5 month period July to November 2021). The Commission has asked for an estimate of fees on a per meeting basis. I estimate a fee of $750 for a meeting lasting 2 hours. My reduced hourly rate for public bodies such as the Virginia Redistricting Commission is $375 per hour. I am willing to work on a fixed fee or hourly basis.

Client List References.

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ATTACHMENT A
TO PROPOSAL OF J. GERALD HEBERT, PC
TO PROVIDE LEGAL SERVICES (DEMOCRATIC)
TO THE VIRGINIA REDISTRICTING COMMISSION

Listed below are voting rights and redistricting cases I worked on while serving as an attorney in the U.S. Department of Justice from 1973 to 1994. Cases marked with an asterisk * are cases involving Section 2 of the Voting Rights Act; those marked with a double asterisk ** are Section 5 Voting Rights Act cases; and those marked with a triple asterisk *** are language minority cases under Section 203 of the Voting Rights Act.

1. Voting rights and Redistricting cases where I served as ***lead counsel*** for the United States in the trial court and the United States was a party to the litigation:

Bolden and United States v. City of Mobile, 446 U.S. 55 (1980)

Johnson v. DeGrandy, 512 U.S. 997 (1994) * (Redistricting)

County Council of Sumter County, South Carolina v. United States, 555 F. Supp. 694 (D.D.C. 1983) (3-judge court) **

Shaw v. Barr, C.A. No. 92-202-CIV-5-BR (E.D.N.C. 1992)(three-judge court), reversed sub nom. (Redistricting)

Shaw v. Reno 113 S. Ct. 2816 (1993) (Redistricting)

City of Port Arthur, Texas v. U.S., 459 U.S. 159 (1982) **

Brown and United States v. Board of School Commissioners of Mobile County, 706 F.2d 1103 (11th Cir. 1983)

United States v. Dallas County Commission, 850 F.2d 1430 (11th Cir. 1988) *

United States v. Marengo County Commission, 811 F.2d 619 (11th Cir. 1987) *

United States v. State of South Carolina and Horry County, C.A. No. 79-2467-5 (D. So. Car.) (three-judge court) **

State of Mississippi v. United States No. 87-3464 (D.D.C.) (three-judge court) **

United States v. State of Georgia, No. I :90-CV-1749-RCF (N.D. Ga.) *

Georgia v. Reno, C.A. No. 90-2065 (D.D.C. 1995) (three-judge court) **

United States v. State of Arizona, CV 88-1989 PHX EHC (D. Az.) (three-judge court) ***

United States v. Socorro County, New Mexico, C.A. No. 93-1244-JP (D. N.M.) ***

United States v. Brooks County, GA, No. 90-105-Thom (M.D. Ga.)*

United States v. State of Wisconsin, No. 92C-0263-S (W.D. Wisc.)

United States v. McKinley County, NM, No. 86-0028-M (D. N.M.) ***

United States v. State of South Carolina No. 3:90-760-17(D.S.C.) (three-judge court) **

United States v. Cibola County, NM, No. CIV93-1134 SC (D. N.M.) ***

United States v. Lawrence County, MS, (S.D. Miss. 1983) (three-judge court) **

United States v. City of Demopolis, (S.D. Ala. 1986) *

United States v. Laurens County SC, C.A. No. 6:87-1817-3 (D.S.C. 1987) *

United States v. City of Spartanburg, SC, (D.S.C. 1987)*

United States v. Town of Zebulon GA (N.D. Ga.) * & **

United States v. Wilkes County Board of Ed., (S.D. Ga.)

United States v. County Council of Sumter County, SC, (D.S.C.) (three-judge court) **

United States v. Town of Indian Head MD, (D. Md.) *

United States v. City of Laurel, MS, (S.D. Miss. 1981) *

United States v. County Council of Colleton County, SC, No. 78-903 (D.S.C. 1981)(three-judge

United States v. City of Houston, TX, No. 91-3076 (S.D. Tex.) (three-judge court) **

United States v. Victoria ISD TX, C.A. No. V-86-17 (S.D. Tex. 1986) (three-judge court) **

United States v. City of Barnwell, SC, No. 1:84-2508-6 (D.S.C. 1986) **

Medina County, TX v. United States (D.D.C.)(three-judge court) **

Gregg County TX v. United States,(D.D.C.)(three-judge court) **

United States v. Jones 846 F. Supp. 955 (S.D. Ala. 1994) *

United States v. City of Augusta, GA, (S.D. Ga.) *

United States v. Wicomico County, MD, No. WG-87-2557 (D. Md. 1991) *

United States v. East Baton Rouge Parish School Board, LA, C.A. No. 76-252 (M.D. La.) *

2. Voting Rights Act cases where I served as ***lead counsel*** for the United States in the trial court and the United States appeared as *amicus curiae* in the litigation:

Blanding v. Dubose, 454 U.S. 393 (1982) (I represented the United States as *amicus curiae* before the three-judge court in this successful lawsuit brought to enforce Section 5 of the Voting Rights Act) **

Lodge v. Buxton, affd sub nom. Rogers v. Lodge, 458 U.S. 613 (1982)(I represented the United States as *amicus curiae* before the United States Court of Appeals for the Eleventh Circuit in this successful lawsuit brought under the Voting Rights Act and the United States Constitution) *

Martin v. Mabus 700 F. Supp. 327 (S.D. Miss. 1988) (three-judge court) (remedy) (I represented the United States as *amicus curiae* before the three-judge court in this successful lawsuit brought to enforce Section 5 of the Voting Rights Act) **

SCLC v. Siegelman, C.A. No. 88-D-462-N (M.D. Ala.) (I represented the United States which filed a brief as *amicus curiae* in this lawsuit brought by private plaintiffs to enforce Section 5 of the Voting Rights Act) **

Clark v. Roemer, C.A. No. 86-435 (M.D. La.) (three-judge court) (I represented the United States which filed a brief as *amicus curiae* in this lawsuit brought by private plaintiffs to enforce Section 5 of the Voting Rights Act) **

Lopez v. Monterey County, California, No. C-91-20559-RMW (EAI) (N.D. Cal.) (three-judge court) (I represented the United States which filed a brief as *amicus curiae* in this lawsuit brought by private plaintiffs to enforce Section 5 of the Voting Rights Act) **

ATTACHMENT B
TO PROPOSAL OF J. GERALD HEBERT, PC
TO PROVIDE LEGAL SERVICES (DEMOCRATIC)
TO THE VIRGINIA REDISTRICTING COMMISSION

Voting Rights, Redistricting and Election Law Cases In Which I Have Served As Legal Counsel As a Solo Practitioner (1994 to the Present)

Listed below are cases in which I have appeared as legal counsel in my solo law practice, from 1994 to the present. Cases marked with an asterisk * are cases involving Section 2 of the Voting Rights Act, those marked with a double asterisk ** are Section 4 or 5 Voting Rights Act cases. Cases in **bold** are cases where I served as ***lead counsel*** for the party I represented:

1994 to 2000:

CITY OF ANDREWS, TX V. RENO, No. 1 •.95CV01477 (D.D.C. 1996) (three-judge court) (1 represented the City of Andrews, Texas in this lawsuit against the United States Attorney General in which the City obtained a declaratory judgment that changes adopted by the City were entitled to preclearance under Section 5 of the Voting Rights Act) **

DILLARD v. CITY OF FOLEY AL, No. CV 87-T-1213-N (M.D. AL). I represented private plaintiffs in this successful challenge under Section 2 of the Voting Rights Act and U.S. Constitution to the City of Foley's racially selective annexation policy) *

FOREMAN v. COMMISSIONERS' COURT OF DALLAS COUNTY. TX (N.D. TX) (3judge court) (I represented private plaintiffs in this successful suit which established that the changes in the discretionary method of selecting polling officials in Dallas County was a covered change under Section 5 of the Voting Rights Act) **

PEGRAM and UNITED STATES v. CITY OF NEWPORT NEWS VA, No. 4:940000-79 (E.D. Va.) (I represented private plaintiffs in this successful suit challenging the City's at-large method of election under Section 2 of the Voting Rights Act) *

SIMPSON V. CITY OF HAMPTON VA No. 4:95cv83 (E.D. VA) (I represented plaintiffs in this suit challenging the City's at-large election system under Section 2 of the Voting Rights Act). *

SOUTH CAROLINA CONFERENCE OF BRANCHES OF THE NAACP v. TOWN OF HEMINGWAY SC, No. 4:93-2733-21 (D.S.C.) (I represented plaintiffs in this lawsuit brought under the Constitution and Section 2 of the Voting Rights Act challenging Hemingway's racially selective annexation policy) *

RICHMOND CRUSADE FOR VOTERS v. COMMONWEALTH OF VIRGINIA, No. 3:95cv531 (E.D. Va.) (I represented plaintiffs who successfully challenged the Commonwealth of Virginia's refusal to implement the provisions of the National Voter Registration Act)

MOON v. **MEADOWS** 952 F. Supp. 1941(E.D. Va. 1997 (three-judge court) (I represented a group of voters who intervened as defendants in this lawsuit challenging, on racial gerrymandering grounds, the congressional district represented by Congressman Bobby Scott of Virginia)

KING v. **STATE BD OF ELECTIONS,** No. 95-C-827(N.D. Ill. 1995(three-judge court) (I filed a brief *amicus curiae* before the three-judge court in 1996 on behalf of the Democratic National Committee and the Democratic Congressional Campaign Committee in this racial gerrymandering lawsuit challenging congressional districts in Illinois)

VERA v. **BUSH**, 116 S. Ct. 1941 (1996) (I appeared as counsel for three incumbent members of Congress whose districts were challenged or affected by this lawsuit challenging congressional redistricting in Texas. One of the three members was granted *amicus* status)

ABRAMS v. **JOHNSON** (I filed a brief *amicus curiae* in the Supreme Court of the United States on behalf of the Georgia Association of Black Elected Officials in this lawsuit challenging congressional redistricting in Georgia)

CITY OF FAIRFAX v. **RENO**, C.A. No. 97-2212-JR (D.D.C. 1997) (three-judge court) (I represented the City of Fairfax, Virginia, in this first post-1982 suit brought to obtain a declaratory judgment and bailout from coverage under the special provisions of the Voting Rights Act. The bailout judgment was granted to the City in October 1997). **

SHENANDOAH COUNTY v. **RENO**, C.A. No. 99-00992-PLF (D.D.C. 1999) (three-judge court) (I represented Shenandoah County, Virginia, in this suit brought to obtain a declaratory judgment and bailout from coverage under the special provisions of the Voting Rights Act. The bailout judgment was granted to the County in 1999). **

FREDERICK COUNTY v. **RENO** C.A. No. 99-00941-CKK (D.D.C. 1999) (three-judge court) (I represented Frederick County, Virginia, in this suit brought to obtain a declaratory judgment and bailout from coverage under the special provisions of the Voting Rights Act. The bailout judgment was granted to the County in 1999). **

JENKINS v. **CITY OF OZARK ALABAMA** No. CV97-A-1450-S (M.D. Ala. 1997) (three-judge court) (I represented plaintiffs in this successful Section 5 enforcement action). **

LULAC v. CITY OF AUSTIN TEXAS No. A97 CA 908S (W.D. Tex. 1998(three-judge court) (I represented the City of Austin, Texas in this Section 5 enforcement action). **

BAKER v. **RAINBOW CITY AL.**, No. 97-PT-3014 (N.D. Ala.1997) (three-judge court) (I represented plaintiffs who successfully brought suit to enforce Section 5 of the Voting Rights Act.

WILSON v. **CITY OF ATTALLA AL.** No.97-AR-3195 (N.D. Ala. 1997) (three-judge court). (I represented plaintiffs who successfully brought suit to enforce Section 5 of the Voting Rights Act) **

HAYS v. LOUISIANA 839 F. Supp. 1138 (W.D. La. 1994) (three-judge court) (I represented individual voters and members of the Louisiana Legislature who participated as *amicus curiae* in this lawsuit challenging congressional redistricting in Louisiana)

JOHNSON v. MORTHAM, No. CV-94-40025 (N.D. Fla.) (three-judge court) (1 represented Congresswoman Corrine Brown as a defendant-intervenor in this lawsuit brought challenging congressional redistricting in Florida)

HUNT v. CROMARTIE (U.S. Supreme Court) (I represented several members of the Congressional Black Caucus and filed a brief as *amicus curiae* in this lawsuit challenging congressional districts in North Carolina)

BOXX v. STATE OF ALABAMA, M.D. Ala. (3-judge court) (I represented plaintiffs who successfully brought suit to enforce Section 5 of the Voting Rights Act) **

WARD v. STATE OF ALABAMA, M.D. Ala. (3-judge court) I represented plaintiffs who successfully brought suit to enforce Section 5 of the Voting Rights Act) **

COMMONWEALTH OF VIRGINIA v. RENO, No. 1:00 CV 00751 (D.D.C.) (three-judge court) (I represented defendant-intervenors, a group of state legislators, in this lawsuit which challenged, *inter alia*, the Department of Justice's plan to use statistically-sampled census data to review redistricting plans under the Voting Rights Act). **

VOTING INTEGRITY PROJECT v. ARIZONA DEMOCRATIC PARTY, I represented the Defendant Arizona Democratic Party in this federal lawsuit brought under the Voting Rights Act challenging the State Party's use of internet voting in the 2000 Presidential Primary. Plaintiffs sought a preliminary injunction against the Party's use of internet voting, but the district court denied the requested injunction. *

2001 to 2010:

BALDERAS v. STATE OF TEXAS (E.D. TX 2001) (3 judge court) (consolidated), summarily affirmed, 536 U.S. 919 (2002). This suit involved a successful challenge to the failure of the Texas Legislature to redistrict its Texas congressional districts. I represented a group of Congressmen who intervened as plaintiffs in the case. *

SESSIONS v. STATE OF TEXAS, (E.D. TX 2003) (3 judge court)(consolidated). This suit challenged the 2003 re-redistricting of the Texas congressional districts. The case eventually went to the U.S. Supreme Court *sub nom. LULAC v. Perry.* *

JACKSON v. STATE OF TEXAS (E.D. TX 2003) (3 judge court)(consolidated). This suit challenged the 2003 re-redistricting of the Texas congressional districts. The case eventually went to the U.S. Supreme Court *sub nom. LULAC v. Perry.* *

DEL RIO v. STATE OF TEXAS (Travis County District Court & Texas Supreme Court). This suit involved the redistricting of the Texas congressional districts. I represented a group of Congressmen who intervened as plaintiffs in the case. *

CITY OF HARRISONBURG, VA v. ASHCROFT, No. 02-00289-JDB (D.D.C) (1 represented the City of Harrisonburg, Virginia, in this suit brought to obtain a declaratory judgment and bailout from coverage under the special provisions of the Voting Rights Act. The bailout judgment was granted to the City in 2002). **

CITY OF WINCHESTER, VA v. RENO, No. 00-03073-ESH (D.D.C) (1 represented the City of Winchester, Virginia, in this suit brought to obtain a declaratory judgment and bailout from coverage under the special provisions of the Voting Rights Act. The bailout judgment was granted to the City in 2001). **

WARREN COUNTY VA v. RENO No. 02-0173-EGS (D.D.C) (1 represented Warren County, Virginia, in this suit brought to obtain a declaratory judgment and bailout from coverage under the special provisions of the Voting Rights Act. The bailout judgment was granted to the County in 2002).**

ROCKINGHAM COUNTY VA v. ASHCROFT No. 02-00391 -ESH (D.D.C) (1 represented Rockingham County, Virginia, in this suit brought to obtain a declaratory judgment and bailout from coverage under the special provisions of the Voting Rights Act. The bailout judgment was granted to the County in 2002). **

GREENE COUNTY VA v. ASHCROFT, No. 03-1877-HHK (D.D.C.). (1 represented Greene County, Virginia, in this successful lawsuit brought to obtain a declaratory judgment and bailout from coverage under the special provisions of the Voting Rights Act. The bailout judgment was granted to the County in January 2004). **

AUGUSTA COUNTY VA v. GONZALES No. 05-1885 (D.D.C.) (three-judge court). In this action, I represented Augusta County in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

NAACP v. ST. LANDRY PARISH LOUISIANA, I represented the defendants Saint Landry Parish Council and School Board in this Voting Rights Act challenge to the 2002 redistricting plans adopted by the Council and School Board. The case was settled in January 2005. *

HALL v. COMMONWEALTH OF VIRGINIA, 276 F. Supp. 2d 528 (E.D. Va. 2003), affirmed, 385 F.3d 421 (4th Cir. 2004), cert. denied, U.S. (2005). I served as co-counsel representing plaintiffs in an unsuccessful Voting Rights Act challenge to the post-2000 congressional redistricting plan adopted by the Commonwealth of Virginia. *

MAY v. CITY OF MONTGOMERY ALABAMA, No. 2:07cv738 (MD Ala)(three-judge court) This suit alleged, among other things, that the City had failed to obtain the requisite preclearance of a new election schedule from federal authorities. Plaintiffs sought to enjoin the upcoming elections, citing the alleged lack of preclearance under the Voting Rights Act. I was co-counsel to the City of Montgomery, which contended that preclearance had been obtained. The case was dismissed as moot. **

CITY OF SALEM VA v. GONZALES, No.06-977 (DDC) (three-judge court). In this action, I represented the City of Salem in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

BOTETOURT COUNTY VA v. GONZALES, No. 06-1052(D.D.C) (three-judge court). In this action, I represented Botetourt County in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

ESSEX COUNTY VA v. MUKASEY, (D.D.C) (three-judge court). In this action, 1 represented Essex County in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

AMHERST COUNTY VA v. MUKASEY, (D.D.C) (three-judge COM). In this action, 1 represented Amherst County in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

MIDDLESEX COUNTY VA v. MUKASEY, (D.D.C) (three-judge court). In this action, 1 represented Middlesex County in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

PAGE COUNTY VA v. MUKASEY, (D.D.C) (three-judge court). In this action, 1 represented Page County in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

CITY OF KINGS MOUNTAIN v. HOLDER, 1: 10-cv-01153-PLF -DST -TFH (D.D.C.) (three-judge court). In this action, I represented the City of Kings Mountain in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

WILLIE RAY v. STATE OF TEXAS, 2:06-CV-385 (TJW)(E.D. Texas). This case challenged the constitutionality of certain provisions of the Texas Election Code, and the racially selective prosecution of African American and Latino citizens by Texas Attorney General Greg Abbott for allegedly violating those provisions. The case was settled. *

NAMUDNO v. HOLDER, 557 U.S. 193 (2009). This case challenged the constitutionality of Section 5 of the Voting Rights Act. In the district court, I represented Travis County, Texas, which supported the defendant Holder and argued in favor of the constitutionality of Section 5 of the Voting Rights Act. In the U.S. Supreme Court, I represented jurisdictions that had bailed out from Section 5 coverage and urged the Court in a brief *amici curiae* to uphold Section 5.**

2011 to 2013:

PEREZ v. PERRY, No. 11-360 (W.D. TX (three-judge court) (consolidated) These cases--including *Quesada v. Perry*, No. 1 1 -593-OLG-JES-XR) -- challenged Texas Congressional and State House districts under Sections 2 and 5 of the Voting Rights Act, and the Fourteenth and Fifteenth Amendments to the United States Constitution. While the case remains pending, the only issue to be decided is whether plaintiffs are entitled to attorneys' fees as prevailing parties. * & **

DAVIS v. PERRY, No. 11-788 (W.D. TX) (three-judge court) (I represented state senator Wendy Davis and individual voters in this lawsuit challenging under Section 2, Section 5, and the United States Constitution the state senate redistricting plan insofar as it dismantled Senate District 10 and in doing so discriminated against minority voters in the district. The case was settled with a consent decree. * & **

BEAUMONT INDEPENDENT SCHOOL DISTRICT v. UNITED STATES OF AMERICA, 1:13cv-00401-RC-BMK-ESH (D.D.C.) (three-judge court) (In this Section 5 declaratory judgment case, I represented the Plaintiff Beaumont ISD seeking Voting Rights Act approval of certain voting changes). **

STATE OF TEXAS v. UNITED STATES, 1:11-cv-01303-RMC-TBG-BAH (D.D.C.) (three-judge court) (In this lawsuit, the State of Texas sought preclearance to its statewide redistricting plans. I represented a group of Defendant Intervenors who successfully opposed preclearance of the state senate plan and the congressional plan before the three-judge court. I also served in the case as co-administrative coordinator for the various Defendant-Intervenor groups in the lawsuit. The Supreme Court vacated and remanded the case following the decision in *Shelby County, Al. v. Holder*). **

STATE OF TEXAS v. HOLDER, 1:12-cv-00128-RMC-DST-RLW (TX Voter ID case). In this lawsuit, the State of Texas sought Section 5 preclearance of its photo ID bill. I represented a group of Defendant Intervenors who opposed preclearance. I also served as co-administrative coordinator for the various Defendant-Intervenor groups. The three-judge court denied preclearance. On appeal, the decision was vacated and the case remanded to the D.C. Court in light of *Shelby County, AL v. Holder.* **

LAROQUE v. HOLDER, 1:10-cv-00561-JDB (D.D.C.) This case challenged the constitutionality of the Voting Rights Act and I represented a group of Defendant-Intervenors defending against the challenge. On appeal, the case was declared moot.

STATE OF SOUTH CAROLINA v. UNITED STATES OF AMERICA, No. 1:12-cv-00203 (CKK-BMK-JDB) (D.D.C.) (three-judge court). I served as co-counsel to a group of Defendant-Intervenors in this Section 5 declaratory judgment suit involving the South Carolina voter ID law. The State was granted preclearance after changes were made during the litigation to the photo ID bill. **

LEAGUE OF WOMEN VOTERS v. DETZNER, No.: 2012-CA-00490 (Leon County, Florida). I served as co-counsel to the League of Women Voters which successfully challenged the redistricting of Florida's state senate and congressional redistricting plans, on the grounds that those plans violated the State Constitution's prohibitions on drawing plans to favor one political party over another or to favor an incumbent.

BROWN v. STATE OF FLORIDA (S.D. Florida). This case was a challenge to the constitutionality of amendments to the Florida Constitution that regulated statewide redistricting plans. I represented a group of intervenor defendants who supported the provisions. The district court upheld the amendments and the U.S. Court of Appeals affirmed.

YUBA COUNTY WATER AGENCY v. HOLDER, No. 1:13-cv-00352 (D.D.C.) (three-judge court). In this action, I represented the Water Agency in an action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. The case was dismissed without prejudice following the Supreme Court's ruling in *Shelby County, Alabama v. Holder.* **

NORTH YUBA WATER DISTRICT v. HOLDER, 1:13-cv-00407 (D.D.C.) (three-judge court). In this action, I represented the Water District in an action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. The case was dismissed without prejudice following the Supreme Court's ruling in *Shelby County, Alabama v. Holder*. **

LINDA FIRE PROTECTION DISTRICT v. HOLDER, 1:13-cv-00485 (D.D.C.). In this action, I represented the Fire Protection District in an action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. The case was dismissed without prejudice following the Supreme Court's ruling in *Shelby County, Alabama v. Holder*. ****

LINDA COUNTY WATER DISTRICT v. HOLDER, 1:13-cv-00363-JEB-JWR-JDB). In this action, I represented the Water District an action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. The case was dismissed without prejudice following the Supreme Court's ruling in *Shelby County, Alabama v. Holder*. **

HANOVER COUNTY VIRGINIA v. HOLDER, 1:13-cv-00625-BAH-JRB-KBJ). In this action, I represented Hanover County in an action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. The case was dismissed without prejudice following the Supreme Court's ruling in *Shelby County, Alabama v. Holder*. **

CITY OF FALLS CHURCH VIRGINIA v. HOLDER, 1:13-cv-00201-ABJ-DBS-RJL). In this action, I represented the City of Falls Church in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

CITY OF WHEATLAND CALIFORNIA v. HOLDER, 1:13-cv-00054-RMC-DST-RBW). In this action, I represented the City of Wheatland in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

STATE OF NEW HAMPSHIRE v. HOLDER, 1:12-cv-01854-EGS-TBG-RMC). In this action, I represented the State of New Hampshire in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

BROWNS VALLEY IRRIGATION DISTRICT v. HOLDER, 1:12-cv-01597-RWR-KLH-TFH). In this action, I represented Browns Valley Irrigation District in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

MERCED COUNTY CALIFORNIA v. HOLDER, 1:12-cv-00354-TFH-DST-ABJ). In this action, I represented Merced County in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

PRINCE WILLIAM COUNTY VIRGINIA v. HOLDER, 1:12-cv-00014-ESH-TBG-JEB). In this action, I represented Prince William County in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

KING GEORGE COUNTY VIRGINIA v. HOLDER, 1:11-cv-02164-BAH-KLH-ESH). In this action, I represented King George County in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

JAMES CITY COUNTY VIRGINIA v. HOLDER, 1:11-cv-01425-PLF-DST-TFH (D.D.C.) (three-judge court). In this action, I represented James City County in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

CITY OF WILLIAMSBURG VIRGINIA v. HOLDER, 1:11-cv-01415-EGS-JR-RWR (D.D.C.) (three-judge court). In this action, I represented the City of Williamsburg in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

CULPEPER COUNTY, VIRGINIA v. HOLDER, 1:11-cv-01477-JEB-JWR-RLW (D.D.C.) (three-judge court). In this action, I represented Culpeper County in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

CITY OF BEDFORD VIRGINIA v. HOLDER, 1:11-cv-00473-TFH-TBG-RLW (D.D.C.) (three-judge court). In this action, I represented the City of Bedford in a successful action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Voting Rights Act. **

BEDFORD COUNTY VIRGINIA v. HOLDER, 1:11-cv-00499-ESH-KLH-BAH (D.D.C.) (three-judge court). I represented Bedford County in a successful bailout action brought under Section 4 of the Voting Rights Act. **

RAPPAHANNOCK COUNTY VIRGINIA v. HOLDER, 1:11-cv-01123-JEB -KLH-RMC (D.D.C.) (three-judge court). I represented Rappahannock County in a successful bailout action brought under Section 4 of the Voting Rights Act. **

CITY OF MANASSAS PARK, VIRGINIA v. HOLDER. 1:11-cv-00749-CKK-JRB-HHK (D.D.C.) (three-judge court). I represented the City of Manassas Park in a successful bailout action brought under Section 4 of the Voting Rights Act. **

ALTA IRRIGATION DISTRICT v. HOLDER, 1: 11-cv-00758-RJL-DAG-PLF (D.D.C.) (three-judge court). I represented the Alta Irrigation District in a successful bailout action brought under Section 4 of the Voting Rights Act. **

JEFFERSON COUNTY DRAINAGE DISTRICT NO. 7 v. HOLDER. 1:11-cv-00461 - RWRDST-RJL) (D.D.C.) (three-judge court). I represented this Jefferson County Drainage District in a successful bailout action brought under Section 4 of the Voting Rights Act. **

HANOVER COUNTY VIRGINIA v. HOLDER (D.D.C.) (three-judge court). In this pending lawsuit, I represent Hanover County an action brought under Section 4 of the Voting Rights Act to obtain a bailout from the special remedial provisions of the Act. **

PART III

Listed below are voting rights and redistricting cases in which I have appeared as legal counsel for a party or *amicus curiae* in my capacity as an attorney at the Campaign Legal Center (CLC), a non-profit, non-partisan organization in Washington DC.

(2004 to the present)

SHELBY COUNTY v. HOLDER, 570 U.S. 529 (2013) (U.S. Supreme Court). This case involved a challenge to the constitutionality of certain special provisions of the Voting Rights Act of 1965, as amended. In my capacity as Director of Litigation at the non-profit, non-partisan Campaign Legal Center, I filed an *amici curiae* brief in the Supreme Court on behalf of jurisdictions that have bailed out from coverage under the Act.

HOLLOWAY v. CITY OF VIRGINIA BEACH (E.D. VA). In this case, I serve as legal counsel with other CLC attorneys representing plaintiffs in a Suit under Section 2 of the Voting Rights Act challenging the City's at-large election system. In March 2021, the federal court found that the City's at-large election system diluted the voting strength of minority voters in violation of Section 2. Remedial proceedings are ongoing.

RUCHO v. COMMON CAUSE, (U.S. Supreme Court) No. 18-422, 588 U.S. ___ (2019). In this case, I served as co-counsel for plaintiffs who challenged the NC congressional redistricting plan as a partisan gerrymander. The three-judge court found a constitutional violation, but the U.S. Supreme Court reversed, ruling 5-4 that extreme partisan gerrymandering is unconstitutional but federal courts have no jurisdiction to entertain such challenges.

WHITFORD v. GILL, (U.S. Supreme Court) No. 16–1161, 585 U.S. ___ (2018). This was a partisan gerrymandering challenge to the redistricting plan adopted by the Wisconsin General Assembly. I served as co-counsel to the *Whitford* plaintiffs. The three-judge court found the plan to be unconstitutional partisan gerrymander, but the U.S. Supreme Court vacated the decision and remanded the case for further proceedings on standing grounds. While the case was pending on remand, the Supreme Court decided the *Rucho v. Common Cause* case, and so this case was dismissed.

J. Gerald Hebert

191 Somervelle Street, #405, Alexandria, VA 22304 | (703) 628-4673 | hebert@voterlaw.com

EDUCATION

J.D. | 1973 | SUFFOLK UNIVERSITY LAW SCHOOL
B.A. | 1970 | STONEHILL COLLEGE

LEGAL EXPERIENCE

SENIOR DIRECTOR, VOTING RIGHTS & REDISTRICTING | CAMPAIGN LEGAL CENTER | 2015 TO PRESENT

- Manage and direct attorneys and staff working in voting rights and redistricting programs, including litigation

ATTORNEY | J. GERALD HEBERT PC | 1994 TO PRESENT

- Founded a solo public interest law firm, focusing on civil rights, voting rights, and redistricting cases

EXECUTIVE DIRECTOR & DIRECTOR OF LITIGATION | CAMPAIGN LEGAL CENTER | 2004 TO 2015

- Managed day to day office activities, including personnel matters, budget and funding matters. Created and filled new positions. Oversaw campaign finance litigation and enforcement matters. Developed voting rights program area and staffed same.

ATTORNEY, DEPUTY CHIEF, ACTING CHIEF, SPECIAL LITIGATION COUNSEL | UNITED STATES DEPARTMENT OF JUSTICE | 1973 TO 1994

- Served as the lead attorney in numerous school desegregation, voting rights and redistricting lawsuits, often supervising several less experienced attorneys in major voting rights litigation. Reviewed numerous statewide and local redistricting plans under Section 5 of the Voting Rights Act. Served as chief trial counsel in over 100 voting rights lawsuits and matters, a number of which were ultimately decided by the Supreme Court of the United States.

TEACHING EXPERIENCE

- **Adjunct Professor, Georgetown University Law Center, 1994 to Present**
- **Adjunct Professor, Washington College of Law, American University, 1994-95**
- **Co-Professor with Pamela Karlan, University of Virginia School of Law, 1996**

LEGAL SERVICES PROPOSAL #3

Original

Response to Virginia Redistricting Commission's Request for Proposals for Legal Services (Republican)

Submitted by: SCHAERR | JAFFE LLP
1717 K Street, NW
Suite 900
Washington, DC 20006
Tel: 202.787.1060

TAYLOR ENGLISH DUMA LLP
1600 Parkwood Circle
Suite 200
Atlanta, Georgia 30339
Tel: 770.434.6868

June 21, 2021

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1. Personnel

This proposal is submitted on behalf of law firms Schaerr Jaffe LLP and Taylor English Duma LLP. This project will be led by Schaerr Jaffe partners H. Christopher Bartolomucci, Gene Schaerr, and Erik Jaffe, and Taylor English partner Bryan Tyson. They will be supported by Schaerr Jaffe attorneys Brian Field and Sohan Dasgupta and Taylor English attorney Loree Anne Paradise, along with other firm attorneys and staff as deemed necessary. We anticipate the following break-down of responsibilities for this project: Mr. Bartolomucci (25%); Mr. Tyson (25%); Mr. Field (20%); Mr. Schaerr (10%); Mr. Jaffe (10%); Mr. Dasgupta (5%); Ms. Paradise (5%). Resumes for each attorney are attached at Appendix A.

Additionally, we work with our own racially polarized voting analysts as well as mapping and demographic experts and have established relationships with a variety of individuals who provide these services over the last 20 years. As a result, we would prefer to be responsible for obtaining those experts.

2. Attorney/Firm General Description and Political Affiliation

Taylor English has vast redistricting experience, in addition to its focus on election litigation. Taylor English attorneys have successfully represented state and local governments in dozens of cases involving the Voting Rights Act, election administration, and redistricting. On redistricting specifically, Taylor English attorneys represented Republican plaintiffs challenging Democratic redistricting plans in *Larios v. Cox*, No. 03-cv-0693 (N.D. Ga.), in 2004, then represented the Republican Georgia General Assembly in the 2011 redistricting process that resulted in maps that were precleared on the first attempt by the U.S. Department of Justice—the first time that occurred in Georgia history.

Schaerr Jaffe is a Washington, DC-based litigation boutique with a proven track record in trial and appellate litigation. Schaerr Jaffe attorneys have argued many cases before the U.S. Supreme Court, have won numerous appeals in every federal circuit and many state supreme courts, and have successfully tried cases in jury and bench trials. Firm attorneys have also served in a variety of positions in the federal government, including the White House, the Office of Management and Budget, the Department of Justice, the Department of Defense, and the Department of Homeland Security. Through this experience, Schaerr Jaffe attorneys possess unique insights into the process by which decision making occurs within government entities.

For redistricting work, we recommend a process similar to what we have utilized in other states:

1. Data and legal landscape.
    a. Identify relevant data.

b. Recommend legal course of action for compliance with Voting Rights Act and other principles of redistricting.

2. Consultation with Commission members.
   a. Explain basis of legal advice regarding creation of redistricting plans.
   b. Meet with Commission members (in person or via Zoom) to discuss how the Commission wishes to have the relevant redistricting principles ranked and analyzed.

3. Consultation with the public.
   a. Gather public input from individuals with an interest in the mapdrawing process.

4. Review proposed principles of redistricting with Commission.

5. Advise on the preparation of draft plans based on redistricting principles.

6. Finalize advice regarding legal standards for each proposed plan and advise Commission on the same.

Schaerr Jaffe and Taylor English attorneys regularly represent state Republican parties, the Republican National Committee, and state government officials. A representative list of such matters includes:

- *N.Y. Republican State Comm., et al. v. Sec. & Exch. Comm'n*, No. 14-cv-1345 (D.D.C.); No. 14-5242 (D.C. Cir.). Represented the New York Republican State Committee and the Tennessee Republican Party.

- *Ga. Republican Party, et al. v. Sec. & Exch. Comm'n*, No. 16-16623 (11th Cir.); *N.Y. Republican State Comm., et al. v. Sec. & Exch. Comm.*, No. 18-1111 (D.C. Cir.). Represented the Georgia Republican Party, the New York Republican State Committee, and the Tennessee Republican Party.

- *Whole Woman's Health All. v. Rokita, et al.*, No. 18-cv-1904 (S.D. Ind.); *Bernhard, et al. v. Individual Members of the Ind. Med. Licensing Bd., et al.*, No. 19-cv-1660 (S.D. Ind.). Currently represent Indiana government officials.

- *Jackson Women's Health Org., et al. v. Dobbs, et al.*, No. 3:18-cv-0171 (S.D. Miss.). Currently represent Mississippi government officials.

- *June Med. Servs., et al. v. Gee, et al.*, No. 3:17-cv-0404 (M.D. La.); No. 18-90024 (5th Cir.); Nos. 18-1321 & 18-1460 (S. Ct.). Represented Louisiana government officials.

- *Windsor v. United States*, No. 10-cv-8435 (S.D.N.Y); No. 12-2435 (2d Cir.); No. 12-307 (S. Ct.). Represented Bipartisan Legal Advisory Group of the House of Representatives.

- *Schwartz v. Lopez*, No. 69611 (Nev.); *Duncan v. State of Nevada*, No. 70648 (Nev.). Represented State of Nevada.

- *Kitchen v. Herbert*, No. 2:13-cv-0217 (D. Utah); No. 13-4178 (10th Cir.); No. 14-124 (S. Ct., cert. denied). Represented State of Utah.

3. Experience

Taylor English attorneys regularly represent state governments and officials in election-related cases. In particular, Taylor English partner Bryan Tyson has extensive experience over three redistricting cycles, beginning in 2001, and more than 20 years of experience creating redistricting plans. During the 2001 cycle of redistricting, Tyson drew maps, testified as an expert witness on redistricting, and provided lay opinion to a three-judge panel considering the constitutionality of legislative and congressional district plans.

In the 2011 cycle, Tyson advised the Georgia General Assembly on the mapdrawing process, prepared the successful preclearance submissions under Section 5 of the Voting Rights Act, and defended later challenges to those plans in court. In addition, he created sample maps for New York and California as part of an academic exercise. He has also worked on plans for Kansas and Oregon.

In the 2021 cycle, Taylor English has been retained by the Georgia General Assembly, several local governments, and additional states to provide advice on redistricting. Taylor English attorneys have spoken at events held by Fair Lines America, the University of Georgia, and American Legislative Exchange Conference.

Additionally, Taylor English attorneys represented Republican election officials, including the Secretary of State, in cases challenging the administration of elections in 2018 and before and after the 2020 elections under a variety of theories including constitutional challenges and various provisions of the Voting Rights Act.

Schaerr Jaffe attorneys also regularly represent state governments and officials in election-related cases. For instance, Schaerr Jaffe attorneys currently represent Georgia officials in seven district court cases challenging various provisions of that state's recently enacted Election Integrity Act of 2021. In those cases, the plaintiffs brought various statutory and constitutional challenges, including claims under Section 2 of the Voting Rights Act. Schaerr Jaffe attorneys also recently represented the State of Georgia in the Supreme Court against claims brought by the State of Texas in the aftermath of the 2020 elections. *See Texas v. Pennsylvania*,

No. 155 (S. Ct.). Several attorneys from Schaerr Jaffe also previously defended the State of South Carolina against claims brought under Section 5 of the Voting Rights Act against the state's voter ID law. *See State of South Carolina v. United States*, No. 12-cv-0203 (D.D.C.).

In addition to the foregoing, representative cases where Taylor English and Schaerr Jaffe attorneys have represented parties in election-related cases include:

- *New Ga. Project v. Raffensperger*, 484 F. Supp. 3d 1265 (N.D. Ga. 2020) stayed by *New Ga. Project v. Raffensperger*, 976 F.3d 1278 (11th Cir. 2020) – defended Gwinnett and Fayette Counties in challenge to Georgia absentee-ballot processes.

- *Anderson v. Raffensperger*, 497 F. Supp. 3d 1300 (N.D. Ga. 2020) – defended Gwinnett County against constitutional claim of long voting lines.

- *Ga. Ass'n of Latino Elected Officials, Inc. v. Gwinnett Cty. Bd. of Reg. & Elections*, 499 F. Supp. 3d 1231 (N.D. Ga. 2020) – defended Gwinnett County against claim under Section 203 of the Voting Rights Act.

- *Gwinnett Cty. NAACP v. Gwinnett Cty. Bd. of Registration & Elections*, 446 F. Supp. 3d 1111 (N.D. Ga. 2020) – defended Gwinnett County against attempt to force additional early-voting locations.

- *S.P.S. ex rel. Short v. Raffensperger*, 479 F. Supp. 3d 1340, 1343 (N.D. Ga. 2020) – defended State of Georgia against constitutional claims about order of candidate names on ballot.

- *Curling v. Raffensperger*, 491 F. Supp. 3d 1289, 1293 (N.D. Ga. 2020) – defended State of Georgia in challenge to voting machines.

- *Martin v. Fulton Cty. Bd. of Registration & Elections*, 307 Ga. 193 (2019) – represented Gwinnett County in election contest for Lt. Governor election based on claims of hacking of voting machines.

- *Fair Fight Action, Inc. v. Raffensperger*, 413 F. Supp. 3d 1251, 1264 (N.D. Ga. 2019) – defended State of Georgia against broad-based challenge to election processes.

- *Democratic Party of Ga., Inc. v. Crittenden*, 347 F. Supp. 3d 1324, 1331 (N.D. Ga. 2018) – defended Gwinnett County against claims related to counting of out-of-county provisional ballots.

- *Common Cause Ga. v. Kemp*, 347 F. Supp. 3d 1270, 1275 (N.D. Ga. 2018) – defended State of Georgia against claims related to the voter-registration database.

- *Martin v. Crittenden*, 347 F. Supp. 3d 1302, 1304 (N.D. Ga. 2018) – defended Gwinnett County against challenge to Georgia absentee-ballot processes.

- *Georgia State Conf. of the NAACP v. Fayette County Bd. of Comm'rs*, 775 F.3d 1336 (11th Cir. 2015) – defended Fayette County at-large election system against claims under Section 2 of the Voting Rights Act.

- *Brnovich v. Democratic Nat'l Comm., et al.*, No. 19-1257 (S. Ct.). Submitted *amicus* brief on behalf of South Dakota Governor Kristi Noem in case addressing the reach of Section 2 of the Voting Rights Act.

- *Shelby Cnty. v. Holder*, No. 12-96 (S. Ct.). Submitted *amicus* brief on behalf of Project 21, the National Leadership Network of Black Conservatives, in case challenging application of Section 5 of the Voting Rights Act.

- *N.Y. State Bd. of Elections, et al. v. Lopez Torres, et al.*, No. 06-766 (S. Ct.). Submitted *amicus* brief on behalf of the Republican National Committee in case challenging New York's statutory scheme requiring state political parties to nominate candidates through a convention.

- *Riley v. Kennedy*, No. 07-77 (S. Ct.). Submitted *amicus* brief on behalf of former State Court Justices Charles Fried and Thomas Phillips in case brought under Section 5 of the Voting Rights Act.

- *Hoffman v. Knutson*, No. 08A138 (S. Ct.). Submitted emergency stay application on behalf of independent candidate for the United States Senate from Maine in case where the state challenged the candidate's signatures on a nomination petition.

- *Wagner v. Cruz*, No. 2:16-cv-55 (D. Utah). Represented Senator Ted Cruz in case challenging his eligibility to run for president due to his birth in Canada.

- *Diaz v. Hood*, No. 04-15539 (11th Cir.). Represented Florida Secretary of State in case challenging Florida's voter registration requirements.

- *Susan B. Anthony List v. Driehaus, et al.*, No. 13-193 (S. Ct.). Submitted *amicus* brief on behalf of Ohio Attorney General in case challenging State of Ohio's false-statement laws (affecting "false statements concerning a candidate" and "false statements" concerning a ballot proposition or issue).

Additionally, Schaerr Jaffe attorneys have routinely submitted *amicus* briefs in cases involving campaign finance. *See, e.g.*, *Randall v. Sorrell*, No. 04-1528 (S. Ct.) (brief on behalf of Center for Competitive Politics, and other non-profit organizations); *Fed. Election Comm'n v. Wis. Right to Life*, No. 06-969 (S. Ct.) (brief on behalf of Center for Competitive Politics, and other non-profit organizations); *Davis v. Fed. Election Comm'n*, No. 07-320 (S. Ct.) (brief on behalf of Center for Competitive Politics); *McConnel v. Fed. Election Comm'n*, No. 02-1674 (brief on behalf of the Cato Institute and the Institute for Justice). And Scherr Jaffe partner Erik

Jaffe is the Chairman of the Executive Committee of the Federalist Society's Free Speech and Election Law Practice Group, through which he frequently discusses election and speech-related topics.

With this experience, Schaerr Jaffe and Taylor English are prepared to provide the expert legal and advisory services identified in the Request for Proposals ("RFP"). As noted above, Schaerr Jaffe and Taylor English attorneys have represented clients in many cases involving Sections 2 and 5 of the Voting Rights Act. Additionally, firm attorneys regularly represent clients in cases involving other constitutional, statutory, and regulatory claims. Through the firms' extensive work representing state government officials, we are keenly aware of the unique needs held by state government clients. We understand that those clients are operating as representatives of the public and that many considerations go into their decision making. With significant experience representing clients in election-related matters, and extensive experience representing state government clients, our attorneys are uniquely positioned to provide the services requested in the RFP.

We provide the following list of four major cases on which members of the firms have worked:

1. *State of South Carolina v. United States*, No. 12-cv-0203 (D.D.C.)
    a. Co-counsel: Alan Wilson, South Carolina Attorney General, 1000 Assembly Street, Room 519, Columbia, SC 29201, 803-734-3970; Christopher Coates, 934 Compass Point, Charleston, SC 29412, 843-609-7080; Karl Bowers, Bowers Law Office, 1419 Pendleton St., Columbia, SC 29201, 803-753-1099.
    b. Opposing Counsel: Bradley Heard, U.S. Department of Justice; Garrard Beeney, Sullivan Cromwell LLP.

2. *Kitchen v. Herbert*, No. 13-4178 (10th Cir.)
    a. Co-counsel: John Bursch, Warner, Norcross & Judd, 150 Ottawa Ave., NW, Grand Rapids, MI 49503, 616-752-2000; Parker Douglas, Office of the Attorney General for the State of Utah, 160 East 300 South, 6th Fl., Salt Lake City, UT 84114, 801-366-0100; Monte Stewart, Stewart, Taylor & Morris, 12550 West Explorer Drive, Suite 100, Boise, ID 83713, 208-345-3333.
    b. Opposing Counsel: David Codell, National Center for Lesbian Rights; James Magleby, Magleby, Cataxinos & Greenwood.

3. *Musacchio v. United States*, No. 14-1095 (S. Ct.)
    a. Co-counsel: Joe Kendall, Kendall Law Group, 3232 McKinney Ave., Dallas, TX 75204, 214-744-3000.
    b. Opposing Counsel: Roman Martinez, U.S. Department of Justice.

4. *Fair Fight Action, Inc. v. Raffensperger*, 413 F. Supp. 3d 1251, 1264 (N.D. Ga. 2019)
    a. Co-counsel: Josh Belinfante and Vincent Russo, Robbins Ross Alloy Belinfante Littlefield LLC, 500 14th Street, Atlanta, GA 30318, 678-701-9381.
    b. Opposing Counsel: Allegra J. Lawrence, Lawrence & Bundy, LLC; Andrew D. Herman, Miller & Chevalier Chartered; Dara Lindenbaum, Sandler Reiff Lamb Rosenstein & Birkenstock, P.C.; Jeremy Hale Ershow, Jenner & Block LLP; Matthew G. Kaiser, KaiserDillon, PLLC.

Also, as requested in Section X of the RFP, we provide the following list of four "past or current clients where the Offeror has demonstrated its qualifications in any or all of the areas requested under this RFP."

1. Georgia General Assembly, Contact: Spiro Amburn, Chief of Staff to Speaker David Ralston, 332 State Capitol, Atlanta, GA 30334, 404-656-5020, spiro.amburn@house.ga.gov.

2. Office of the Attorney General, Contact: Russ Willard, Senior Assistant Attorney General, 40 Capitol Square, Atlanta, GA 30334, 404-656-3300, rwillard@law.ga.gov.

3. Alan Wilson, South Carolina Attorney General, 1000 Assembly Street, Room 519, Columbia, SC 29201, 803-734-3970, info@scag.gov (cell phone number available upon request).

4. Thomas Fisher, Indiana Solicitor General, 302 W. Washington St., 5th Floor, Indianapolis, IN 46204, 317-232-6201, Tom.Fisher@atg.in.gov.

4. Conflicts of Interest

We have reviewed Section 4 of the RFP and confirm that we are not aware of any actual, or potential, conflicts of interest. Additionally, none of the attorneys listed in Section 1 has been subject to any disciplinary proceedings or been sanctioned by a court.

5. Fee Arrangements

Schaerr Jaffe and Taylor English propose to bill on an hourly basis for the work described in the RFP. The firms believe that this will ensure a greater alignment of work performed to fees paid. To that end, the firms are willing to reduce their hourly fees by 10% for this matter, if selected. A proposed rate sheet accompanies this submission at Appendix B.

Respectfully submitted,

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Suite 900
Washington, DC 20006
Tel: 202.787.1060

/s/ Bryan Tyson
Bryan Tyson
TAYLOR ENGLISH DUMA LLP
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Atlanta, Georgia 30339
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Appendix A – Firm Biographies

Gene Schaerr
Partner

Gene Schaerr specializes in handling civil appeals, writ proceedings and similar matters, both in appellate courts and in the kind of law-focused proceedings at the trial-court or agency level that often determine success or failure on appeal. He has argued and won dozens of cases in a variety of forums—including the U.S. Supreme Court (where he has argued seven cases), every federal circuit, and numerous federal district courts and state appellate courts. His win rate in the dozens of federal appeals he has argued in the past several years is over 75 percent.

He was a coordinator of Sidley Austin's appellate practice from 1993 until 2005, and from 2005 until 2014 was the chair of the nationwide Supreme Court and appellate practice at Winston & Strawn—a practice he led to numerous recognitions in such publications as the Appellate Hot List. His personal practice successes have won him repeated recognition in such publications as Best Lawyers in Washington, D.C., Legal 500, D.C. Superlawyers, and Best Lawyers in America. In January 2014, Mr. Schaerr formed his own boutique litigation firm so that he could serve his clients without the conflicts and inefficiencies inherent in big-firm law practice.

Substantively, Mr. Schaerr's experience includes virtually every area of federal law, including every area of constitutional law, as well as antitrust, defamation, higher education law, immigration, insurance coverage, labor and employment, patent and trademark, privacy, product liability, warranty, tax, and general statutory interpretation. He has represented clients in virtually every sector, including automotive, communications, energy, financial services, health care, higher education (including religious higher education), insurance, maritime, pharmaceuticals, technology and state and local government. He also teaches courses in Supreme Court litigation, religious freedom litigation, constitutional law, and advanced litigation skills as an adjunct professor at the Brigham Young University law school.

Mr. Schaerr began law practice in 1987 following clerkships on the U.S. Supreme Court (for Chief Justice Warren Burger and Justice Antonin Scalia) and on the U.S. Court of Appeals for the D.C. Circuit (for then- Judge Kenneth Starr). He graduated in 1985 from the Yale Law School, where he was Editor-in-Chief of the Yale Journal on Regulation and Senior Editor of the Yale Law Journal. From 1991 to 1993, he served in the White House as Associate Counsel to the President, where he had responsibility for a wide range of constitutional and administrative-law issues, including those involving economic regulation, higher education, separation of powers, federalism and religious freedom.

Education

- Yale Law School (J.D.)
- Yale University (M.A. and M.Phil in Economics)
- Brigham Young University (B.S. in Economics)

Clerkships

- U.S. Supreme Court, Chief Justice Warren Burger
- U.S. Supreme Court, Justice Antonin Scalia
- D.C. Circuit, Judge Kenneth W. Starr

Admissions

- U.S. Supreme Court
- All federal circuit courts
- District of Columbia – local and federal district courts

H. Christopher Bartolomucci
Partner

Chris Bartolomucci is a litigator who has represented major corporations, government entities, and individuals on appeal and in trial court. Chris has handled a wide range of cases involving constitutional law, product liability and tort, federal statutory issues, and other areas of law.

An accomplished appellate lawyer, Chris has presented oral argument in the U.S. Supreme Court and won. As a short-listed candidate for nomination to a judgeship on the U.S. Court of Appeals for the Fourth Circuit, the Virginia State Bar gave Chris its highest rating of "Highly Qualified." The Seventh Circuit referred to Chris in a published opinion as "first rate counsel." Chris has argued and won on appeal for his clients in state supreme courts and federal circuit courts.

At the trial court level, Chris served as lead trial counsel and presented the closing oral argument for the State of South Carolina in the successful defense of its voter ID law before a three-judge federal court. Chris has represented in federal district court parties such as the U.S. House of Representatives; the world's second-largest elevator company; prominent institutions of higher education; the leading industry association for franchise businesses; and foreign nationals. Chris has represented individuals seeking to obtain a presidential pardon through the executive clemency process.

Chris served in the White House Counsel's Office as Associate Counsel to President George W. Bush. His other government service includes experience as Associate Special Counsel to the U.S. Senate Whitewater Committee; as a Bristow Fellow in the Solicitor General's Office of the U.S. Department of Justice; and as Counsel to the D.C. Inspector General. After law school, Chris clerked for Judge Will Garwood of the U.S. Court of Appeals for the Fifth Circuit in Austin, Texas.

Chris has been a litigation partner in both large and boutique law firms in D.C. for two decades. Prior to joining Schaerr Jaffe, Chris was a partner at Kirkland & Ellis, at the Bancroft law firm, and at Hogan Lovells.

Chris graduated from Harvard Law School, where he was an Editor of the *Harvard Law Review*. He received his undergraduate degree from Dartmouth College.

Education

- Harvard Law School (J.D.)
- Dartmouth College (A.B.)

Clerkship

- U.S. Court of Appeals, Fifth Circuit, Judge William L. Garwood

Admissions

- Virginia
- District of Columbia
- U.S. Supreme Court
- Every U.S. Circuit Court of Appeals
- U.S. District Courts in D.C., Virginia, and elsewhere

Erik S. Jaffe
Partner

Erik Jaffe has been involved in appeals on a broad range of legal issues, including First Amendment challenges to campaign finance reform, Commerce Clause challenges to Health Care Reform and other federal legislation, Equal Protection Clause challenges to affirmative action in education, First Amendment challenges to school vouchers, Fifth Amendment challenges to takings of property, Second Amendment challenges to restrictions on gun ownership, and a wide variety of cases involving patents, copyrights, ERISA, securities fraud, federal preemption, environmental regulation, and other state and federal constitutional and statutory matters. He has represented businesses and non-profit groups, Judges, Senators, former government officials, Nobel Prize winners, and a broad cross-section of private individuals. Mr. Jaffe has been involved in over 100 Supreme Court matters, including filing 30 cert. petitions, representing half-a-dozen parties on the merits, and filing over 60 amicus briefs at both the cert. and merits stages.

A 1990 graduate of the Columbia University School of Law, Mr. Jaffe was a law clerk to Judge Douglas H. Ginsburg of the United States Court of Appeals for the District of Columbia Circuit from 1990 to 1991. Following that clerkship he spent five years in litigation practice with the Washington, D.C. law firm of Williams & Connolly. In the summer of 1996 he left Williams & Connolly to clerk for Supreme Court Justice Clarence Thomas. At the end of that clerkship he started his own practice, and he was a sole practitioner from 1997 to 2018. He joined the firm in 2018.

Education

- Columbia University School of Law (J.D.)
- Dartmouth College (B.A.)

Clerkships

- U.S. Supreme Court, Justice Clarence Thomas
- U.S. Court of Appeals for the District of Columbia

Admissions

- District of Columbia
- New York
- U.S. Supreme Court
- U.S. Courts of Appeals for the D.C., Second, Third, Fourth, Fifth, Seventh, Ninth, Eleventh, and Federal Circuits

Brian Field
Senior Counsel

Brian Field has significant experience litigating cases spanning an array of subject areas in trial and appellate courts. Brian has handled class actions, contract disputes, tort claims, constitutional claims, and cases involving the interpretation of federal statutes and regulations. Through that work, Brian has developed an expertise representing clients throughout the discovery process, motions practice, and at trial. Brian has also briefed and argued many cases in appellate courts.

Before joining Schaerr Jaffe, Brian served as an Assistant United States Attorney in the U.S. Attorney's Office for the District of Columbia. In that role, Brian represented the United States in all stages of civil litigation, with an emphasis on defending the United States against employment discrimination, FOIA, Federal Tort Claims Act, Administrative Procedure Act, immigration, and Bivens claims. Brian handled multiple jury and bench trials and argued several cases before the U.S. Court of Appeals for the D.C. Circuit. Brian also received numerous merit-based awards for exceptional achievement.

Before serving as an Assistant United States Attorney, Brian was an Associate at Bancroft PLLC, where his work included representing publicly traded companies against False Claims Act allegations and shareholder class actions, representing state political parties in regulatory challenges, and representing the State of South Carolina at trial in defense of its voter ID law. Brian also participated in representing clients before state and federal appellate courts, including briefing several cases before the U.S. Supreme Court. Brian also assisted the firm's corporate governance work, advising clients on statutory and regulatory matters, participating in due diligence for potential acquisitions, and counseling clients through internal and federal investigations.

Earlier in his career, Brian served as a political appointee at the Department of Defense during the George W. Bush administration. Brian is a graduate of Case Western Reserve University School of Law and Messiah College.

Brian has also published scholarly works in the *University of Pennsylvania Journal of International Economic Law*, the *University of Iowa Journal of International Law and Contemporary Problems*, and for the Federalist Society for Law and Public Policy Studies.

Education

- Case Western Reserve University School of Law
- Messiah College

Admissions

- District of Columbia
- Illinois (inactive)
- U.S. Supreme Court
- U.S. Court of Appeals for the D.C. Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. District Court for the District of Columbia

Sohan Dasgupta
Senior Counsel

On behalf of our clients, Dr. Sohan Dasgupta helps litigate commercial, international, constitutional, statutory, regulatory, and other matters in agencies and courts nationwide. He also leads investigations; regulatory affairs; alternative dispute resolution; and international trade and arbitration issues important to our clients. Prior to joining the firm, Dr. Dasgupta served as the Deputy General Counsel of the United States Department of Homeland Security (DHS). Dr. Dasgupta also served as Special Counsel of the United States Department of Education (ED).

In government, Dr. Dasgupta played a prominent leadership role in numerous consequential, emergent, and exigent matters involving our national security, intelligence, domestic policy, international trade, and international affairs. There he led various aspects of the litigation; investigations; regulatory affairs; the Committee on Foreign Investment in the United States (CFIUS) and mergers and acquisitions; trade; and other portfolios and worked closely with principals at the highest levels of the United States Government. Dr. Dasgupta also played a vital role in drafting the positions of the Executive Branch of the United States on urgent, impactful, and high-stakes matters. Furthermore, he helped negotiate critical security and trade agreements on behalf of the United States.

Before his service in the Executive Branch, Dr. Dasgupta was an attorney at an international law firm with a global footprint. He worked on trial and appellate litigation and investigations; and he has filed *amicus* briefs before the Supreme Court of the United States and elsewhere in the Federal Judiciary. Dr. Dasgupta earned his Ph.D. in the law of international trade and arbitration at the University of Cambridge. His resultant book *International Interplay: The Future of Expropriation Across International Dispute Settlement*offered constructive solutions for improving this field. Its *Foreword*was authored by a renowned jurist in that space. Dr. Dasgupta is an adjunct law professor at George Mason University's Antonin Scalia Law School and speaks globally on constitutional, international, administrative, national security, and trade law issues. In addition, Dr. Dasgupta served as the Chief Draftsman of the Proposed Constitution of Tunisia on behalf of a think tank.

Dr. Dasgupta was honored to serve as a law clerk to Judge Consuelo M. Callahan at the United States Court of Appeals for the Ninth Circuit and to Judge David A. Faber at the United States District Court for the Southern District of West Virginia. In addition to his Ph.D., Dr. Dasgupta earned his undergraduate degree from Columbia University; his law degree from Boalt Hall at the University of California at Berkeley (Order of the Coif); and his M.Sc. from the University of Oxford.

Education

- University of California at Berkeley School of Law (J.D.)
- University of Cambridge (Ph.D.)
- University of Oxford (M.Sc.)
- Columbia University (B.A.)

Clerkships

- U.S. Court of Appeals for the Ninth Circuit, Judge Consuelo M. Callahan
- U.S. District Court for the Southern District of West Virginia, Judge David A. Faber

Admissions

- District of Columbia
- New York
- Missouri
- U.S. Courts of Appeals for the D.C., Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, and Eleventh Circuits

BRYAN P. TYSON

PROFESSIONAL EXPERIENCE

TAYLOR ENGLISH DUMA LLP, Atlanta, Georgia (March 2019 to the present), *Partner*
TYSON STRATEGIES LLC, Atlanta, Georgia (August 2018 to the present), *Principal*
STRICKLAND BROCKINGTON LEWIS LLP, Atlanta, Georgia (August 2018 to February 2019), *Counsel*

- Providing political and legal strategy, with a practice focused on election litigation.
- Representative clients include the Governor, the Secretary of State, State Election Board, and multiple county boards of election in defense of cases brought against Georgia's election system.
- Also advise candidates, PACs, independent efforts, and corporate clients on campaign finance issues.

GEORGIA PUBLIC DEFENDER COUNCIL, Atlanta, Georgia (April 2015 to July 2018), *Executive Director*

- Appointed by Governor to manage $58.2 million in state funds and $24 million in county funds to provide quality representation to indigent criminal defendants in the state of Georgia.
- Led more than 800 employees and 200 contract lawyers in more than 50 offices across the state.
- Lobbied legislature and Governor and secured more than $10 million in additional funds from legislature.
- Initiated first-ever annual training conference for all public defenders throughout the state.

STRICKLAND BROCKINGTON LEWIS LLP, Atlanta, Georgia (January 2007 to April 2015), *Associate*

- Civil litigation practice included appellate litigation, business and university litigation, and election and political law.
- Represented the State of Georgia and county governments in litigation matters, including appointment as a Special Assistant Attorney General for the 2011 statewide redistricting.

OFFICE OF CONGRESSMAN LYNN A. WESTMORELAND (R-GA), Washington, DC (January 2005 to December 2006), *Legislative Assistant*

- Handled policy matters for Congressional office and met with stakeholders on judiciary, healthcare, Social Security, immigration, and redistricting issues.
- Testified before General Assembly committees regarding 2005 Georgia Congressional redistricting plan.

Spearheaded office's policy efforts regarding renewal of the temporary provisions of the Voting Rights Act in 2006.

WESTMORELAND FOR CONGRESS, Newnan, Georgia (April 2004 to December 2004), *Staffer*

Developed policy, assisted with campaign finance compliance, and voter contact for Congressional campaign.

GEORGIA HOUSE REPUBLICAN CAUCUS, Atlanta, Georgia (January 2001 to March 2004), *Director of Policy and Research*

Handled policy development and redistricting for minority caucus in Georgia General Assembly.

Assisted with candidate recruitment and operated campaign efforts during 2002 elections.

REDISTRICTING EXPERIENCE

SOFTWARE AND DATA

- Over twenty years of experience using Maptitude for Redistricting.
- Extensive experience working with large databases and integrating those data files into Maptitude's base geographic functions for use in drawing plans.
- Drawn hundreds of complete statewide plans for multiple states.

2001 CYCLE

- Drew redistricting plans for Georgia House, Senate, and Congressional districts.
- Advised minority party on redistricting plans throughout cycle.
- Admitted as expert witness in Walker County Superior Court in *Neal v. Snow*.
- Testified to federal three-judge court in *Larios v. Cox* trial, qualified to give lay opinion on mapdrawing.
- Drew 2005 Congressional plan adopted by newly Republican-majority legislature, including testifying on plan to legislative committees.
- Litigated preclearance and Voting Rights Act cases as associate at Strickland Brockington Lewis LLP

2011 CYCLE

- Advised Georgia General Assembly on legal requirements of mapdrawing.
- Handled preclearance filings with Obama Justice Department that resulted in first-ever approval of Georgia House, Senate, and Congressional plans on the first attempt.
- Drew sample maps for New York and California districts as part of academic exercise.

- Litigated multiple Voting Rights Act cases for counties and the State of Georgia as a partner at Taylor English Duma LLP.

2021 CYCLE

- Retained by Georgia General Assembly to advise on legal requirements of mapdrawing.
- Spoke on redistricting to events for Fair Lines America, the University of Georgia, and American Legislative Exchange Conference.

EDUCATION AND BAR ADMISSIONS

- Oak Brook College of Law, J.D. *magna cum laude*, 2005.
- Admitted to practice in all state courts of Georgia and California, the Georgia Court of Appeals, the Georgia Supreme Court, the U.S. District Courts in the Northern and Middle Districts of Georgia, the U.S. Court of Appeals for the Eleventh Circuit, and the U.S. Supreme Court.

OTHER SERVICE

- Governor's Appellate Jurisdiction Review Commission, Member 2015-2016.
- Appellate Practice Section, State Bar of Georgia, Member 2009-present; Chair 2014-2015.
- Indigent Defense Committee, State Bar of Georgia, Member 2015-present.
- Criminal Justice Coordinating Council, Member 2015-2018.
- Crime Victim Compensation Appeal Board, Member 2015-2018, Vice-Chair 2017-2018.
- Georgia Resource Center, Board Member 2019-present

OTHER MEMBERSHIPS AND COMMUNITY SERVICE

- Federalist Society, member 2007-present, Executive Board of Atlanta Chapter 2019-present
- American Enterprise Institute Leadership Network, Member 2017-present
- Emory University Board of Visitors, Member 2017-2019
- Republican National Lawyers Association, Member 2007-present
- Bleckley Inn of Court, Barrister 2012-2013.

LOREE ANNE PARADISE

PROFESSIONAL EXPERIENCE

Taylor English Duma, LLP - Atlanta, GA
Attorney January 2020 – present

- Provide legal and strategic analysis into complex state and federal campaign finance issues
- Litigate cases involving Georgia elections, including legal research, assisting with deposition preparation, and drafting briefs
- Help to create and manage compliance variety of nonprofit and political organizations, including 501(c)(3) Educational Organizations, 501(c)(4) Advocacy Organizations, federal SuperPACs, Georgia Political Action Committees, and Georgia Independent Committees
- Attend multiple redistricting seminars and training courses, including training from Fair Lines America; National Conference of State Legislatures; National Republican Redistricting Trust
- Handle local government issues, including general legal advice, drafting ordinances and policies, and attending and advising on meeting procedure

Battleground Connect, LLC - Atlanta, GA
Vice President of Operations & General Counsel July 2018 - present

- Manage logistics and corporate structure for a national grassroots company working primarily in Georgia, Mississippi, Kansas, and Missouri
- Oversee compliance with statutes, rules, and regulations in multiple states relating to grassroots operations for peer-to-peer phone calls, text messages, and voter-outreach platforms
- Advise on continuous changes to the Telephone Consumer Protection Act (TCPA)

Attorney General Josh Hawley (Missouri) - Jefferson City, MO January 2017 - June 2018
Chief of Staff

- Managed approximately 400 AGO employees, including attorneys and support staff
- Oversaw all aspects involved in operating the top law-enforcement entity in Missouri
- Strategically executed top legislative priorities and initiatives of the Attorney General's Office
- Participated as co-counsel on various criminal prosecutions, Sunshine law (open records) complaints, and appellate cases

Deputy Chief of Staff

- Interacted daily with other senior staff members to ensure robust communication amongst departments
- Coordinated press, constituent services, legislative, and operations departments

Hawley for Missouri - Columbia, MO November 2015 - December 2016
Finance Assistant

- Assisted with planning and coordinating strategic fundraising events on a competitive, statewide campaign
- Communicated the candidate's views and campaign updates on a daily basis with both Missouri and national donors

Council for Superior Court Judges - Atlanta, GA January 2014 - March 2014
Legal Intern

- Tracked legislation of interest to the judiciary during the 2014 legislative session for trial court judges in Georgia
- Summarized highlighted bills and monitored movement of bills within committees
- Communicated legislative updates to judges throughout the state

Congressman Doug Collins (GA-09) - Gainesville, GA March 2012 - August 2014
Campaign Manager and Finance Director

- Administered all campaign finances, daily expenditures, and payroll
- Executed daily and long-term political strategy for first-time candidate and again during candidates' re-election bid

Communications Director for Official Congressional Office

- Constructed all operations of Congressional press department for first-time Member of Congress; including preparing talking points on legislative priorities and managing tactical interactions with members of both national and local press
- Contributed to major policy discussions and decisions as part of the Congressman's senior staff

Campaign Press Secretary

- Implemented tactical political and media strategies alongside general and media consultants
- Communicated campaign's message throughout a 20-county Congressional district, as well as statewide media markets

Congressman David McKinley (WV-01) - Washington, D.C. December 2011 - March 2012
Press Secretary
Crafted and dispatched media plan for Member in one of the nation's top swing districts
Worked with aides to communicate legislative issues monitored by the House Energy and Commerce Committee

Congressman John Culberson (TX-07) - Washington, D.C. March 2011 - November 2011
Press Secretary
Scheduled all radio, television, and print interviews for local and national press outlets
Researched federal policy with legislative staff to draft op-eds, official statements and newsletters

EDUCATION

University of Kansas School of Law Graduated December 2016
Juris Doctor

University of Georgia, Grady College of Journalism Graduated May 2011
Bachelor of Arts in Journalism, Minor in Music *Cum Laude*

BAR ADMISSIONS

- Georgia
- Missouri

COMMUNITY INVOLVEMENT

American Enterprise Institute Leadership Network Class of 2021

- Chosen to join a nationwide group of leaders in the business, non-profit, and public service sectors to discuss and advocate for the principles of free enterprise, global leadership, and American strength.

Conservative Policy Leadership Institute Class of 2021

- Selected to join a group of statewide leaders to focus and promote individual responsibility, fiscal restraint, and smaller government

Appendix B – Proposed Rate Sheet

Schaerr Jaffe

- Christopher Bartolomucci - $945 (after 10% discount from standard rate of $1,050)
- Gene Schaerr - $1,100 (after 10% discount from standard rate of $1,225)
- Erik Jaffe - $945 (after 10% discount from standard rate of $1,050)
- Brian Field - $720 (after 10% discount from standard rate of $800)
- Sohan Dasgupta - $585 (after 10% discount from standard rate of $650)
- Associates - $450 (after 10% discount from standard rate of $500)
- Paralegals - $225 (after 10% discount from standard rate of $250)

Taylor English

- Bryan Tyson - $405 (after 10% discount from standard rate of $450)
- Loree Anne Paradise - $315 (after 10% discount from standard rate of $350)