

15:48 1 Q. And are these some of the needs that you believe would be
2 best served by local officials or members of Congress?

3 A. Yes, sir. I think that these exact needs that I just
4 mentioned would be best addressed by somebody who knows the
5 community, as well as the people who reside in it.

6 MR. SILVA: And now, can we please pull up
7 Demonstrative~Exhibit Uribe Harris County Precinct 2?

8 Q. (BY MR. SILVA) And so, here, we have a demonstrative
9 exhibit of Harris County Precinct 2. Are you familiar with the
10 neighborhoods in Harris County Precinct 2?

11 A. Yes, sir. A good amount of them, but not all of them.

12 Q. And can you tell us how you had become familiar with some
13 of the neighborhoods in Harris County Precinct 2?

14 A. Yes, sir. So as my work in the non-profit industry as an
15 employment coach, I used to provide employment services to
16 people from these communities.

17 In my current role as director of Workforce Planning
18 and Veterans Services, it's my responsibility to provide both
19 workforce development services and veterans services to the
20 constituents of the -- excuse me, of this community.

21 Q. And do you currently reside in Harris County Precinct 2?

22 A. Yes, sir. I've always resided in Precinct 2.

23 Q. And so looking at some of the neighborhoods and areas, can
24 you please tell me what a few of the neighborhoods and areas
25 are on the west side of Harris County Precinct 2?

15:50 1 A. On the west side from where I live, sir, you would have
 2 Park Place. Going north from Park Place, you would get into
 3 the Manchester area. Going north from there, you get into
 4 Magnolia Park, Second Ward. Then, when you keep going north
 5 from there, then you actually get into Near North Side, and
 6 then the Aldine area.

7 Q. And how about some neighborhoods and areas on the east side
 8 of Harris County Precinct 2?

9 A. Yes, sir. From east to where I stay or where I live, we
 10 have South Houston, Pasadena, La Porte, Deer Park, Webster,
 11 Clear Lake, Baytown, Channel View, and the North Shore area.
 12 Those are the ones I can remember off the top of my head.

13 Q. Thank you. And can you tell me who is the elected
 14 commissioner for Harris County Precinct 2?

15 A. Yes, sir, of course. The elected commissioner is
 16 Commissioner Adrian Garcia.

17 MR. SILVA: And now, can we please show
 18 Demonstrative Exhibit Uribe Harris County~C193 [sic]?

19 Q. (BY MR. SILVA) Mr. Uribe, can you identify Congressional
 20 District~29 in Plan~C2193?

21 A. Yes, sir, I can.

22 Q. And do you see any similarities between Harris County
 23 Precinct 2 and CD29, as it is presented here in Plan~C2193?

24 A. From my perspective, sir, it looks like Precinct 2
 25 encompasses most of District 29.

15:51 1 Q. Thank you. Mr. Uribe, I'd like to review the configuration
2 of CD29 from a few other previous maps.

3 First, can you tell me in which neighborhood was your
4 permanent address in the early 2000s?

5 A. Yes, sir, Meadow Creek Village.

6 Q. Thank you.

7 MR. SILVA: Can we please show Exhibit 1321 LULAC?
8 And can we please zoom in on CD29?

9 Q. (BY MR. SILVA) Mr. Uribe, are you able to see CD29?

10 A. It is blurry, but yes, sir, I am able to make it out.

11 Q. What do you observe about the general shape of CD29 here in
12 the early 2000s?

13 A. It seems to have the same general shape as the map you just
14 showed previously. And also, I would believe that most of this
15 29 is still encompassed by Precinct 2 boundaries.

16 Q. Okay. And, Mr. Uribe, where did you live in the late
17 2000s?

18 A. With my parents in Meadow -- Meadow Creek Village.

19 MR. SILVA: Can we please now show Exhibit 1319 LULAC,
20 the map of the 2006 to 2008 to 2010 elections?

21 Q. (BY MR. SILVA) Mr. Uribe, looking here at CD29, what can
22 you tell me about the shape of CD29 in the late 2000s?

23 A. Yes, sir. What I can tell from this map is that it has the
24 same general shape as the previous maps. It does look like 29
25 had a little more on the east side of Harris County in this

15:53 1 iteration.

2 MR. SILVA: Now, can we please show
3 Demonstrative Exhibit Uribe Harris County~C2100?

4 Q. (BY MR. SILVA) Are you able to identify CD29 here?

5 A. Yes, sir, I am.

6 Q. Mr. Uribe, what do you observe about the general shape of
7 CD29, as presented here in Plan C2100, used throughout the
8 2010s?

9 A. Yes, sir. It seems to keep the same general shape. It
10 does seem to have encompassed a little more of the southern
11 part of Harris County.

12 MR. SILVA: Now, can we please pull up the
13 Demonstrative Exhibit Uribe Harris County~C2193 from 2021?

14 Q. (BY MR. SILVA) Mr. Uribe, can you see CD29 on this map?

15 A. Yes, sir, I can.

16 Q. What do you observe about the general shape of CD29 in
17 Plan~C2193 from 2021?

18 A. It stayed about the same, in the same general shape, sir.

19 MR. SILVA: Next, can we please pull up Exhibit 1381,
20 LULAC, which is a side-by-side map?

21 Q. (BY MR. SILVA) Mr. Uribe, this -- this exhibit contains
22 Plan~C2193 from 2021, on your left-hand side, and Plan C2333
23 from 2025, on your right-hand side. Are you seeing that?

24 A. Yes, sir, I am.

25 Q. And, Mr. Uribe, what do you observe about the general shape

15:54 1 of CD29 in the Plan C233 map that was passed by the Legislature
2 this summer?

3 A. It's completely different from the previous maps that you
4 have shown me, sir.

5 MR. SILVA: Next, can we please pull up Exhibit 1380
6 LULAC.

7 Q. (BY MR. SILVA) Mr.~Uribe, have you ever seen the Houston
8 Super Neighborhoods map?

9 A. Yes, sir, I have.

10 Q. I'll represent to you that this is the Houston Super
11 Neighborhoods map with the boundaries of Plan C233 superimposed
12 over it. I'd like to draw your attention to the upper
13 left-hand corner of the map, where we have zoomed into the
14 boundaries of Congressional Districts 9, 18, and 36.

15 Can you tell us what your neighborhood is in this map?

16 A. In this map, it would be Meadow Creek, Allendale.

17 Q. And in which Congressional District is your neighborhood
18 located?

19 A. In this map, it's in Congressional District~9.

20 Q. And so, now, focusing on the boundary of Congressional
21 District~18 and 9, what similarities or differences exist
22 between Magnolia Park and Second Ward based on your lived
23 experience in the area?

24 A. Both neighborhoods are very much the same. They share a
25 lot of historical past. I mean, both of those neighborhoods,

15:56 1 from my perspective, have been the oldest Hispanic
2 neighborhoods in the South Side of Houston. Both Second Ward
3 and Magnolia Park have deep traditions and families that go
4 generations and generations living in those areas.

5 Here recently, in about the last ten years, a new
6 moniker has been brought up in Houston. It's called EaDo,
7 East Downtown, to try to rename Second Ward. The community is
8 greatly against it. They'll have shirts that say "Second Ward
9 Raised." "Second Ward Born." "Segundo Barrio, not EaDo."
10 Segundo Barrio is just the Spanish saying of Second Ward. So
11 I've always seen them as very connected communities since I've
12 ever known them.

13 Q. And following up on that moniker, "EaDo," and the
14 community's reaction, would you say that the community has a
15 strong identity as being the Second Ward?

16 A. Yes, sir, I would. I would greatly agree with that.

17 Q. And so looking at a few other neighborhoods in the area,
18 like Greater Eastwood and -- Greater Eastwood and Lawndale,
19 sorry, are those similar to Second Ward and Magnolia Park in
20 your opinion?

21 A. Yes, sir, they are. The families and the people who live
22 in all four of these neighborhoods travel throughout all the
23 neighborhoods, whether it's to go out to eat, whether there's a
24 community event. Some people will have family that live in
25 Second Ward and Lawndale at the same time.

15:57 1 So I've always seen these neighborhoods as places
2 where people kind of travel throughout.

3 Q. And looking at the top left corner here on your screen, are
4 the neighborhoods near the -- around the Near Northside area in
5 the same district as neighborhoods like Magnolia Park and your
6 neighborhood, Meadow Creek Village?

7 A. No, sir, they are not.

8 Q. And what has happened to the Latino neighborhoods that were
9 previously in the same district?

10 A. It looks like they're disjointed.

11 MR. SILVA: Next, can we please pull up Demonstrative
12 Exhibit~Uribe Harris County~2333?

13 Q. (BY MR. SILVA) Mr. Uribe, this is plan two -- Plan C2333
14 from 2025. Can you tell me in which Congressional District
15 you're located on this map?

16 A. It would be in Congressional District~9, sir.

17 Q. And, Mr. Uribe, can you describe the areas to the east of
18 Meadow Creek Village, your neighborhood, that are now in your
19 Congressional District, specifically, the cities of Deer Park
20 and La Porte?

21 A. So I don't know very much about each one of those cities.
22 From my work in workforce development, I know that the
23 community of Deer Park is heavily vested in oil and gas because
24 of the proximity to the oil refineries.

25 Now, La Porte has a beach, and we also, in Precinct 2,

15:58 1 have a community center or an event center there. So we've put
2 on events there. And I have gone to the beach -- Sylvan Beach,
3 which is in La Porte, but outside of those two things, I don't
4 know very much about them.

5 Q. Would you consider Deer Park and La Porte to be distinct
6 from Meadow Creek Village?

7 A. Yes, sir, I would.

8 Q. How about looking to the east, the city of Baytown? Would
9 you consider Baytown to be distinct from the city of Meadow
10 Creek Village?

11 A. Yes, sir, I would. I don't really have business in
12 Baytown. I rarely go to Baytown. And if I do, it's for an
13 event that we have for work.

14 Q. And, now, looking at the top right of this map, of
15 Plan C2333, do you see that the configuration of your district
16 now includes Liberty County?

17 A. Yes, sir, I can see that.

18 Q. Have you ever been to Liberty County?

19 A. No, sir. I've never visited Liberty County.

20 Q. Thank you.

21 MR. SILVA: No further questions. I'll pass the
22 witness.

23 JUDGE GUADERRAMA: Plaintiffs? Mr. Loomis?

24 MR. LOOMIS: No questions, Your Honor.

25 JUDGE GUADERRAMA: All right. May Mr. Uribe be

15:59 1 permanently excused?

2 MR. LOOMIS: Absolutely.

3 MR. SILVA: Yes.

4 JUDGE GUADERRAMA: Mr.~Uribe, thanks for coming in,
5 sir. You're excused and free to go.

6 THE WITNESS: Thank you, gentlemen.

7 (Witness permanently excused.)

8 JUDGE GUADERRAMA: Mr. Silva, it is 4:00. Time for
9 our afternoon break. Let's recess till 4:15. We'll be back
10 with your next witness.

11 MR. SILVA: Thank you.

12 (Recess.)

13 MS. COHAN: Your Honors, the plaintiffs intend to
14 proceed with playing Dr. Murray's deposition video. We
15 understand -- we just want to make this offer, however.
16 There's one witness that's left after this video, who will
17 testify on Monday, Dr. Duchin.

18 And we know that the State is not gonna begin its case
19 until Tuesday morning, so we did just want to offer to the
20 Court. We think there's plenty of time to play Dr. Murray's
21 video on Monday, if the Court would like to let staff go early
22 on a Saturday. We just wanted to make the offer.

23 JUDGE SMITH: We could use the rest of the day.

24 MS. COHAN: Okay. That's fine.

25 MR. DUNN: Shall I hit play?

16:18 1 JUDGE GUADERRAMA: Yes, sir.

2 MR. DUNN: All right. We're picking up with
3 five minutes and 24 seconds left of Volume 1.

4 JUDGE GUADERRAMA: In the whole video?

5 MR. DUNN: Sir?

6 JUDGE GUADERRAMA: In the whole video, is there only
7 five minutes left?

8 MR. DUNN: No, sir. I wish. This is just -- just the
9 first volume.

10 THE COURT: Oh, okay.

11 MR. DUNN: There appears to be five. But the good
12 news is some of them are only, I think, about 30 or 40 minutes
13 or so.

14 THE COURT: All right. Thank you.

15 (Video played.)

16 Q. (BY MR. BLEDSOE) Is the district more likely to elect a
17 candidate of choice of the Black voters or the Latino voters?

18 MR. BRYANT: Objection, vague.

19 A. In my opinion, the reconfigured 35th District now favors
20 the -- the opportunity for polarized Anglo voters against the
21 candidate preferred by the Latino voters. It has shifted the
22 balance dramatically to the newly added Anglo portions of the
23 district.

24 Q. (BY MR. BLEDSOE) And as to the 37th, what is the
25 significance in terms of your analysis of discrimination in

16:20 1 terms of the treatment of the 37th and C2333 as compared to the
2 treatment of C -- of District~C35 and C2333?

3 A. Well, 37, an Anglo-dominated district, entirely within
4 Travis County, was left effectively intact by -- by this map,
5 whereas 35 was totally removed from Travis County.

6 In this case, it's an Anglo-White who won. But Anglo
7 voters will continue to control 37th District, whereas the
8 Latino voters in East Travis County have now been pushed into
9 districts where they are really very much a political minority.

10 Q. If we look over to page 2 of your report, where you discuss
11 the [indiscernible] area, could you tell us the significance of
12 your analysis here in terms of your overall analysis in the DFW
13 Houston areas about vote dilution impacting negatively on the
14 African American, Latino communities?

15 A. Well, part of that shift that we've just talked about in
16 the 35th District was to move east -- the Travis County part of
17 the old District 35 into a new map with District 34, which runs
18 all the way across Coastal South~Central Texas down all the way
19 to Corpus Christi. So you've combined this predominantly
20 Latino area within Dallas -- within Travis County, with a whole
21 bunch of counties to the east, and it runs all the way down to
22 Corpus.

23 Meantime, most of Nueces County, Corpus Christi, is
24 added to the 34th District, but you take the most heavily
25 Latino part of Corpus Christi, Nueces County, and put them in

16:22 1 the district that's been reconfigured coming out of Travis
2 County, where these voters in Corpus Christi, predominantly
3 Latino, will have virtually no impact or influence.

4 Conversely, though, you remove them when you shift
5 Nueces County into existing District 34. You take -- you've
6 taken out the most heavily Latino part of it. So it looks to
7 me like very clear evidence of increased intentional
8 discrimination diluting the influence of Latino voters in
9 District 34.

10 80-something percent of the district is added to -- of
11 Nueces County is added to 34, but not the 15 percent that's
12 most heavily Latino. So that has to be, in my judgment,
13 intentional.

14 Q. Now, Doctor, I want to -- let's see -- pull up the Trump
15 DOJ letter, Exhibit 1, the Trump DOJ letter. Do you have it
16 there, Doc?

17 A. I apparently left it at home this morning.

18 MR. BLEDSOE: Okay. Does the court reporter have it
19 there or not?

20 THE REPORTER: No, I don't have it, but I could maybe
21 get the office to print it for him.

22 MR. BLEDSOE: Okay. Okay. Yeah, if you could get
23 them to print that and also print the letter from Vasut to
24 [indiscernible] appreciate that.

25 THE REPORTER: To who, sir?

16:24 1 MR. BLEDSOE: Vasut.

2 THE REPORTER: Okay. Got it. Okay. Can we go on a
3 break, then?

4 MR. BLEDSOE: Sure. All right.

5 THE VIDEOGRAPHER: We are off the record. The time is
6 11:36 a.m.

7 (Video concluded.)

8 MR. DUNN: That concludes Volume 1, proceeding to
9 Volume 2.

10 (Video played.)

11 THE VIDEOGRAPHER: We are back on the record. The
12 time is 11:54 a.m.

13 Q. (BY MR. BLEDSOE) So Exhibit 1, Doctor, is the letter that
14 was sent by the Department of Justice to Governor~Abbott and to
15 the Attorney General. You see it?

16 A. I do.

17 Q. And you've seen this letter before. Have you not?

18 A. I have.

19 Q. Okay. And the -- there are some specific districts that --
20 that are mentioned that -- in the first paragraph. Do we see
21 that [indiscernible] objection?

22 A. I do.

23 Q. Okay. And what districts are mentioned that they're
24 objecting to?

25 A. Texas District 9, 18, 29, and 33.

16:25 1 Q. And what is their complaint about those districts?

2 A. That they currently constitute unconstitutional, quote,
 3 coalition districts, unquote. And we urge the State of Texas
 4 to rectify these race-based considerations from their specific
 5 districts -- of these specific districts.

6 Q. Do you agree with their assessment?

7 A. No.

8 Q. Why?

9 A. District 9, 18, and 29, in the Houston area, are, in my
 10 opinion, not coalition districts, but are effective Opportunity
 11 Districts in the case of the 9th and the 18th for Black voters,
 12 and in the case of the 29th District for Hispanic voters.

13 District 33, in Dallas, as we noted in previous
 14 testimony, is a district that is -- was not intentionally drawn
 15 as a coalition district. But it is a district that, because of
 16 natural demographic shifts, has enabled Black and Latino voters
 17 to elect Congress members of their choice. But it was not
 18 drawn, in my understanding, as a coalition district by the
 19 federal court in 2011.

20 Q. The -- so, in some sense, would you agree with us that the
 21 [indiscernible] 33 drew a race-based map?

22 A. Well, I accept their characterization that their map
 23 reflected the naturally evolving population in the Dallas and
 24 Tarrant County areas.

25 Q. So would the -- would C2333 -- is it a redrawing of the

16:28 1 Texas Congressional Map, is that or is that not consistent with
2 the -- what's requested by the DOJ?

3 A. Well, I'm not sure, specifically, what the Department of
4 Justice was urging the State to do, but they certainly, in this
5 remap -- effectively, in Tarrant County, entered the history of
6 District 33 entirely by pushing it over into Dallas County, and
7 packing in Black and Hispanic voters to the newly configured
8 33rd District.

9 So it seems to me a bit ironic that in this letter
10 from the Department of Justice, they're complaining about
11 racially motivated district drawing, but pushing the State to
12 do exactly that by packing in racial minorities, so it's hard
13 for me to understand the underlying logic here.

14 I mean, if you don't like districts created with a
15 racial motivation, according to this letter of July 7th, but
16 you're pressing the State to pack minorities together and
17 then -- and crack them along clearly racial lines. So to me it
18 doesn't add up to a coherent position.

19 Q. So let's take -- you said packing of 33. Did you mean 33
20 when you said packing of Black and Brown voters, or did you
21 mean another district?

22 A. Yes. 33 reflects a packing, 32 a cracking.

23 Q. What about 30?

24 A. Very much a -- packing district, where you've gone into
25 Tarrant County, particularly, to take some of the substantial

16:30 1 black neighborhoods and add them to the already very effective
2 opportunity District that exists in -- mostly in Dallas County,
3 existing District 30.

4 Q. So the -- what you described in terms of what was done by
5 the State, what level of influence did race have in redrawing
6 of the map based upon your analysis?

7 A. My analysis is that race is much more evident and a factor
8 in the redrawn map than it was in the Enacted Map of 2021.
9 That map, too, in my opinion, reflected systemic discrimination
10 against Black and Hispanic voters. But the new map, 2333,
11 takes that to a greater extreme by much more aggressively
12 cracking, reaching far out from the Metro areas, for example,
13 to bring in counties with a very well-documented history of
14 polarized voting against racial minorities.

15 And needlessly increasing the Black percentages in
16 districts 18 and 30, which were already effectively performing
17 districts even under a conservative map enacted by the
18 Texas Legislature in 2021.

19 Q. So, Doctor, if we -- if we take a look at the 2333, could
20 you tell us if there were some substantial changes in any of
21 the districts from 2308, the one that was considered by the
22 Legislature earlier in the -- that first Special Session?

23 A. There were reported changes between 2308, the initially
24 released map [indiscernible] was considering, and the 2333 map,
25 which was enacted a couple of weeks later.

16:33 1 Q. And were there changes in specific districts that you've
 2 analyzed for the purposes of your testimony that were changed?
 3 A. Certainly, in the Houston area, where I'm more familiar
 4 with the voting patterns, we could see in Congressional
 5 District 2, the reuniting of the substantially White
 6 neighborhood of Kingwood, which had been split and 2308. But
 7 more importantly, the addition of Liberty County to the new
 8 reconfigured District 9, which reduced substantially, in my
 9 opinion, the opportunity for Hispanic voters to elect a
 10 candidate of their choice.

11 The other major change that I saw was the cracking of
 12 the 2308 District 9, which continued to -- or now, neighborhood
 13 District 18, which kept much of the -- there's only a county
 14 portion of existing District 9 in the redrawn District 18, that
 15 was removed by the remap of 2333, where that portion of
 16 Brazoria County was added to an East Texas dominated district.

17 MR. BRYANT: I want to state an objection and move to
 18 strike the previous testimony regarding Plan 2308, in that
 19 Dr. Murray's analysis of Texas Congressional Plan 2333, dated
 20 August 22nd, 2025, Exhibit 2, does not have any discussion of
 21 Plan 2308. So his testimony is beyond his expert opinion. It
 22 wasn't properly disclosed to the Defendants, as it affects
 23 2308.

24 UNIDENTIFIED SPEAKER: Well, that report was written
 25 before 2308, and the Special Session occurred, so that could

16:35 1 not have been in that report.

2 MR. BRYANT: In which case, perhaps, there should have
 3 been a supplement that would disclose to the Defendants what
 4 opinions Dr. Murray has that he is being presented to testify
 5 about.

6 UNIDENTIFIED SPEAKER: [Inaudible] report?

7 MR. BRYANT: This is the most recent report I'm aware
 8 of. If there's a new one, please let me know. If there's a
 9 new one after August 22nd, 2025, that's Exhibit Number 2.

10 MR. BLEDSOE: Okay. Thanks.

11 Q. (BY MR. BLEDSOE) So, Doctor, let's move on here. Let's
 12 talk about the different pieces of evidence that support your
 13 intentional discrimination and racial profiling. The -- was
 14 there anything of particular note in reference to the -- the
 15 schedule and the manner that the C2333 was handled by the
 16 Legislature?

17 A. I've been following Congressional Redistricting for more
 18 than 50 years. This was the most extreme case of, seems to me,
 19 hiding the ball from the affected populations across the state.
 20 We just had a long legislative session, a regular session, in
 21 early 2025, where the Legislature considered a whole bunch of
 22 contentious issues, and these were thoroughly debated and
 23 discussed, and some of them were left unresolved. But nobody
 24 discussed redistricting. It was off the table.

25 Obviously, the map that was enacted in 2021 was still

16:37 1 a subject of litigation, but to my knowledge, it was not a
2 subject of discussion or information being provided to Texans
3 about maybe a wholly new map that's about to come. The session
4 ends in May, and then you have, from Washington, a directive to
5 redraw the Texas map, clearly without initiative from the
6 Legislature that had just spent 140 days in session and never
7 brought it up.

8 So suddenly, we're pushed into a national debate about
9 redrawing districts across the country, led by Texas. And
10 there was a dearth of public hearings about the initial map,
11 2308, that was released, very little, if any opportunity, but
12 virtually none for the following map, the final enacted.

13 So in a state of 30 million people and, you know,
14 20 million registered voters, and all kinds of diverse
15 interests, no one's opinion in Texas was really solicited about
16 this map. It was an inside job pushed from Washington, D.C.,
17 and in my experience of Congressional Redistricting, this was
18 absolutely unprecedented.

19 Minimal opportunity for public influence. Maximum
20 opportunity for outside political pressure, as reflected in the
21 letter from the Department of Justice, I think, dated July 7th.
22 So this is off the charts in my experience of Congressional
23 Redistricting.

24 Q. Doctor --

25 MR. BRYANT: Objection. I want to object and move to

16:39 1 strike Dr. Murray's testimony regarding his opinions or
2 impressions of the procedures used by the special sessions of
3 the 2025 Texas Legislature, in that those were not in his
4 August 22nd, 2025 report -- that's Exhibit 2 -- were not
5 properly disclosed to the Defendants in this case.

6 Q. (BY MR. BLEDSOE) So, Dr. Murray, if we look at the
7 conclusion that you have, and take a look at the first
8 paragraph of the conclusion -- if we take a look at the first
9 paragraph of the conclusion, you first talked about the number
10 of seats that are being provided to White voters. Do you see
11 that first part of the first paragraph?

12 A. I do.

13 Q. And could you tell us, in terms of the overall power in the
14 state, how you assess the -- this map in the amount of power
15 that it gives to White voters?

16 MR. BRYANT: Objection, vague.

17 A. Well, as noted in this concluding paragraph, Texas Anglo
18 population, which was about 60 percent in 2000, is now
19 declining to an estimated less than 40 percent in two -- as of
20 July 1, 2024, by the Census Bureau.

21 So -- yet Anglo voters effectively elect candidates of
22 their choice in 28 of the 38 Congressional Districts. That's
23 about 74 percent. In my opinion, that total would increase to
24 30 seats if C2333 is used for the 2026 election. That would be
25 79 percent, or almost double the percentage of Anglo population

16:41 1 in the state.

2 Texas has added -- because of the census counts within
 3 our state compared to the national, nine new seats have been
 4 shifted to Texas. All of those seats are added because of
 5 minority population growth. If there were no minority -- no
 6 minority growth in Texas since 2000, the State would have lost
 7 two or three Congressional seats.

8 So we've been adding lots of Congressional
 9 representation, but now, with this map, we are significantly
 10 reducing the opportunity for minority voters, particularly
 11 Black and Hispanics, to elect candidates of their choice. And
 12 that, in my opinion, is intentionally discriminatory against
 13 minority voters.

14 Q. (BY MR. BLEDSOE) So --

15 MR. BRYANT: Objection, nonresponsive.

16 Q. (BY MR. BLEDSOE) If we take a look -- well, Doctor, did
 17 you tell me, then, in reference to the -- if you look at page 2
 18 of your report, where it says, Impact on Black Voters?

19 A. Yes.

20 Q. Okay. And can you tell us, in terms of your concern and
 21 your conclusion, about 30 or 38 seats being now controlled by
 22 White voters? Can you tell us the significance of your
 23 analysis here about the impact of the plan on Black voters?

24 A. Well, under the existing map the Legislature enacted, you
 25 had three Black Opportunity Districts, 8, 9, 18, and 30. Now,

16:43 1 you've got two under the remap. Just 18 and 30. 9 has
 2 disappeared or been removed as a Black Opportunity District.

3 Also, Black influence has been very substantially
 4 diminished in District 32. So pretty dramatic reduction of the
 5 opportunity for African American voters under this remap.

6 Q. And do you also mention the -- what occurred at 33 in your
 7 analysis of the impact on Black voters in this --

8 MR. BRYANT: Objection, vague.

9 Q. (BY MR. BLEDSOE) If we look at this paragraph on impact on
 10 Black voters, do you discuss Congressional District 33?

11 A. Yes. The District 33, again, was moved entirely into
 12 Dallas County, as we've noted. And the district added Anglo
 13 population and voters, and reduced the Black and Hispanic
 14 population in both cases. So it's a clear case, in my view, of
 15 dilution of minority voting influence compared to the current
 16 District 33 that the Legislature enacted.

17 MR. BRYANT: Objection, nonresponsive.

18 Q. (BY MR. BLEDSOE) So, Doctor, you have reached a conclusion
 19 in reference to the intentional discrimination and racial
 20 gerrymandering, but the State is saying this is about
 21 partisanship. And so, looking at the -- your analysis and your
 22 report, would you -- how would you distinguish the -- your
 23 conclusion that there is racial gerrymandering from the
 24 assertion that it's partisan gerrymandering?

25 A. Well, it will be because of the effect. It's very

16:45 1 difficult to determine, in pluralistic decisions with many
 2 decision-makers, what intent is. It's a lot easier to figure
 3 out what the effect is. And the effect is to significantly
 4 dilute minority voting influence in congressional elections in
 5 Texas.

6 You know, intentions, many different people can claim
 7 this or that or the other. Proof is hard to come by. Effect,
 8 based on historic and recent elections, that's a hell of a lot
 9 easier to measure. And the effects are discriminatory, in my
 10 opinion.

11 Q. And so as part of that, as you've analyzed, is there a
 12 different treatment of Black and White in a minority and White
 13 Democratic voters in the map?

14 A. Yes. And even looking at the sort of minimal changes from
 15 2000- -- Plan 2308 to 2333 in the Houston area, the
 16 accommodations were made for a White Congress member,
 17 Representative Crenshaw, by giving -- reuniting Kingwood. But
 18 at the same time, harming Latino voters by bringing Liberty
 19 County into the newly created District 9.

20 Side by side, these two districts were treated quite
 21 dramatically different. One, you know, with the incumbent
 22 Congress member that represented East Harris County, Sylvia
 23 Garcia's district, being effectively dismantled, and then
 24 having Liberty County added to it just to really make the point
 25 emphatically that we are reducing Latino opportunities in

16:47 1 Harris County while taking care of an incumbent White member's
 2 concern that his whole political base had been divided.

3 MR. BRYANT: Objection, nonresponsive.

4 Q. (BY MR. BLEDSOE) So if we take a look at the guide, the
 5 2021 redistricting in Texas, that was --

6 THE REPORTER: Okay. Repeat that question. You're
 7 trailing off.

8 MR. BLEDSOE: I'm sorry.

9 Q. (BY MR. BLEDSOE) I'm sorry. The guide, the 2021
 10 redistricting in Texas, which, I think, would be Exhibit 4 --
 11 and Dr. Murray, this is a document from the Texas Legislative
 12 Council. Have they been involved in redistricting during the
 13 time you've observed redistricting in Texas? As you say,
 14 you've been doing it since the '70s?

15 A. Yes. They are the professional staff that have been, you
 16 know, absolutely indispensable to the whole process of
 17 providing information to members and map drawers.

18 Q. Okay. And if you look over at page 2 of this document at
 19 the bottom -- and it says: The application Voting Rights Act
 20 and federal constitutional prohibitions against redistricting,
 21 that has the purpose or effective discriminating on the basis
 22 of race, color, or language, has been developed primarily
 23 through case law and has been the subject of extensive
 24 litigation.

25 In drawing new districts, the Legislature must

16:49 1 carefully consider how those districts affect the ability of
2 racial, ethnic, and language group voters to elect candidates
3 of their choice and must not use the arrangements of districts
4 to reduce or limit the ability of members of those groups to
5 elect candidates of their choice. Do you see that?

6 A. I do.

7 Q. Do you support the recommendation from that Council?

8 A. I think it is very -- a correct interpretation of the --
9 the general rules that apply to redistricting in Texas and
10 elsewhere.

11 Q. Okay. In your analysis of C2333, do you see evidence that
12 that occurred with the drafting of this map?

13 MR. BRYANT: Objection, vague.

14 A. I see evidence that this paragraph was ignored in the 2333
15 remap.

16 Q. (BY MR. BLEDSOE) Why do you say it was ignored?

17 A. Because the Legislature did not carefully consider how
18 these districts affect the ability of racial, ethnic, and
19 language groups to elect candidates of their choice. Quite the
20 reverse. It reduced, clearly reduced, their ability in the
21 arrangement of districts in this remap.

22 Q. Thank you.

23 MR. BLEDSOE: I will pass the witness.

24 MR. BRYANT: Thank you.

25

CROSS-EXAMINATION

16:51 1

2 **BY MR. BRYANT:**

3 Q. Dr. Murray, do you need to take a break, or are you okay to
4 continue?

5 A. I'm okay with continuing.

6 Q. Okay, great.

7 Let's talk a little bit about some of your testimony,
8 on direct, about Representative Crockett.

9 Now, if I understand correctly, your testimony,
10 Representative Crockett represents Congressional District 30
11 currently. Is that right?

12 A. Correct.

13 Q. And as a result of the adoption of Plan 2333, her residence
14 now is within the new Congressional District 33?

15 A. That is my understanding.

16 Q. Is that right?

17 A. That's my understanding, yes.

18 Q. Yeah. I assume you don't have personal knowledge of that,
19 but I also heard that somewhere. Do you have any personal
20 knowledge of it?

21 A. No.

22 Q. Okay. And is it correct that candidates for Congress can
23 run in districts where they don't reside?

24 A. As long as it's within the State, yes.

25 Q. That's right. So Representative Crockett would have the

16:53 1 option in 2026, if 2020 -- 2333 is the governing redistricting
 2 map, to run in either Congressional District 30 or
 3 Congressional District 33?

4 A. Yes.

5 Q. And is it your judgment that if she chose to run in
 6 Congressional District 30, she would be likely to be reelected?

7 A. Yes.

8 Q. And is it also your judgment that if
 9 Representative Crockett chooses to run in 2026 in Congressional
 10 District 33, she would also be likely to be reelected?

11 A. I would say she would probably have a 70 percent chance.
 12 Greater than majority, but not nearly as likely as in the
 13 current district that she represents.

14 Q. And if we look at your report dated August 22nd, 2025,
 15 which is Exhibit 2, if we look at that on page 3 where you
 16 discussed, the 33rd District.

17 Do you see that?

18 A. I do. The exhibit in front of me is dated August 24, not
 19 22, but, yes.

20 Q. Okay. Well, let me ask you about that. On the first page
 21 of Exhibit 2, at the top, it indicates a court filing date of
 22 August 26, '25 on my copy. Do you see that there as well?

23 A. I don't have an indication of when the Court filing
 24 occurred.

25 Q. Okay. Then I -- so that indicates that the Exhibit 2 that

16:55 1 I have is, at least, somewhat different than the Exhibit 2 you
2 have. Is the name of the document, or the title of the
3 document, Analysis of Texas Congressional Plan C2333,
4 August 22, 2025?

5 A. Correct. Except the date is -- that I have in front of me
6 is August 24. But the title is the same.

7 Q. Okay. And it says by Richard Murray?

8 A. Correct.

9 Q. Is it -- do you have that on you as well?

10 A. Yes.

11 Q. Okay. So I need to get you to help me, if you can, to
12 explain how it came about that you created the report that is
13 in front of you, which is dated August 24, 2025, when the one
14 that I have is dated August 22.

15 Do you recall that you authored a report in connection
16 with your work in this case that you did date August 22, 2025?

17 A. My recollection is that I provide -- prepared a draft,
18 probably dated the 22nd, but may have made some typographical
19 corrections a day or two later. It is reflected in the
20 August 24 dated paper. To my recollection, there's no
21 substantial change in the report other than looking for typos
22 and minor problems with the text.

23 Q. Okay. So you recall that there were two versions of your
24 report, one dated August 22, and one dated August 24?

25 A. That's my recollection.

16:57 1 Q. Okay. And do you know whether you went back and checked
2 any of the numbers so that maybe the typographical corrections
3 between the one that was dated August 22nd and the one that was
4 dated August 24th may have had any different numbers?

5 A. Possible. I'm not -- you know, my recollection -- this is
6 all a pretty hairy process. We just got the map and are
7 working under pretty extreme time pressure. So I can't
8 definitively say one way or the other.

9 Q. Okay. Let me ask a quick question of Mr. Bledsoe, if
10 he's -- if he is available, which is, do you know if the
11 August 24 version of Dr. Murray's report has been produced to
12 the Defendants in this case?

13 MR. BLEDSOE: No. We used the August 22 one. I can't
14 explain whether we got the 24th while we [inaudible].

15 THE REPORTER: Okay. I can barely hear you. Repeat
16 that please.

17 MR. BLEDSOE: Oh. I guess one thing we could do is
18 get a copy of the one with the date of the 24th so we can look.

19 MR. BRYANT: Well, I'm certainly open to taking a
20 break at some point and seeing if we can get copies here.
21 Since I'm in Bledsoe's office, we could both get copies at the
22 same time of the one on the 24th. But I don't know if that
23 will be practical or not. Let's go ahead and proceed, and I'll
24 proceed on the basis of Dr. Murray's testimony that he believes
25 that the changes between the two were typographical in nature.

16:58 1 Q. (BY MR. BRYANT) Right. So, Dr. Murray, you mentioned that
2 the preparation of the August 22 report that is Exhibit No. 2
3 was hurried, or rushed, in some way.

4 Could you explain more fully what you mean by that?

5 A. Well, I was not in Texas. I was working from California in
6 the summer of -- August. And of course, as we've been amply
7 covered in the press, this was a somewhat surprising, quick
8 unfolding process in Texas, to redraw. That had not been
9 previously discussed until after the Department of Justice
10 letter of July 7. So there wasn't a lot of information
11 released until the map 2000 -- 2308 was made public. So I
12 spent a good bit of time looking at the very substantial
13 changes that that map made in the existing districts.

14 And then before I wrote up any kind of report on -- or
15 just starting, suddenly that is replaced by the map 2333. So
16 this is a very compressed process. You know, historically,
17 most of the working in Congressional Redistricting happens in
18 regular sessions, following regular order. And this was
19 totally different in 2025.

20 For the Legislature, not Congress members, and for
21 analysts. So we were all dealing with a rapidly unfolding and
22 largely opaque process, where the actual work of drawing the
23 maps is not being revealed to the public, and the input, who
24 wants this and who wants that, because there just wasn't any
25 time or disclosure.

17:01 1 So it's a very unusual process, and especially as an
2 out of state observer, I'm very dependent on the data provided
3 by the Texas Legislative Council showing what the statistical
4 shifts are from these maps. So that's -- that's sort of where
5 I'm working from.

6 And I put a lot of effort into 2308 and then suddenly,
7 a lot of that is irrelevant. It's not the map.

8 Q. Okay. And I think I understand that. You had put a lot of
9 work into analyzing 2308, and suddenly, the Legislature comes
10 up with a different map and considers and passes that map.

11 How long did you have to analyze that map, 2333,
12 before you wrote your report dated August 22, 2025?

13 A. My recollection is about seven days or so.

14 Q. Okay. And did you actually write your report dated
15 August 22, 2025, on August 22, 2025?

16 A. That draft would have been written on -- finished up on
17 August 22, but I, obviously, did some revision a day or two
18 later.

19 Q. Okay. I guess my question, which is slightly different,
20 is, did you actually write up the document that is Exhibit 2
21 and dated August 22, 2025, on August 22, 2025, or on some other
22 dates?

23 A. Well, again, the document that I have in my hand and that's
24 labeled Exhibit 2 is dated August 24.

25 Q. Okay. So I guess I'm asking you from your memory,

17:03 1 whether -- when you actually wrote the document that you dated
2 August 22, 2025.

3 A. My recollection would be on the 21st or 22nd, or over a day
4 or two. Again --

5 Q. Okay.

6 A. Everything's working fast.

7 Q. And why were you working fast? Why did you feel like you
8 had to get that out very quickly at that point?

9 A. Because there were indications that the federal panel that,
10 of course, had been in existence for four years, looking at the
11 previous plan, was going to move fast on any new plan. So --
12 and you know, I'm quite cognizant of the electoral calendar in
13 Texas. That filing opens in a few weeks, in November, and
14 closes.

15 So because we're doing this so late, everything has to
16 be a lot more hurried, if it's going to apply to 2026. And we
17 all understand that, even though we're in the summer of 2025.
18 We don't have the luxury. Any of us, analysts, legislators,
19 the courts, of saying, Oh, we've got plenty of time to consider
20 this. So everything's moving at a much faster pace than
21 normal.

22 Q. All right, sir. Thank you.

23 Looking at what's been marked as Exhibit 2, which for
24 me is dated August 22, apparently for you, is dated August 24,
25 could you look at the third page of the report and the

17:04 1 paragraph that is headed the 33rd District? Do you see that
2 one?

3 MR. BLEDSOE: Maybe you might take a pause. Would you
4 rather try to get a copy of Dr. Murray's -- I've just checked.
5 I don't have a copy of the 24th. You might have a copy of it,
6 so...

7 MR. BRYANT: Okay. And so you don't have a copy of
8 it. The Defendants have not been provided a copy of it, but
9 the witness is testifying it. So -- from it. So I have no
10 objection, if you would like, to take a break so that maybe we
11 can all be discussing the same Exhibit 2.

12 MR. BLEDSOE: It just sounds like that would be more
13 plausible.

14 MR. BRYANT: That's fine with me.

15 THE VIDEOGRAPHER: All right. We are off the record.
16 The time is 12:34 p.m.

17 (Video concluded.)

18 MR. DUNN: That concludes Volume 2. Starting
19 Volume 3.

20 JUDGE GUADERRAMA: Yes, sir.

21 (Video played.)

22 THE VIDEOGRAPHER: We are back on the record. The
23 time is 1:02 p.m.

24 MR. BRYANT: Thank you.

25 Q. (BY MR. BRYANT) Dr. Murray, we've done some work on the --

17:06 1 trying to get all the same exhibits in front of us while we've
2 been off on a break. I now have a document that is dated
3 August 24, 2025, and marked Exhibit 2 in the front of me.

4 Do you have that same document?

5 A. I do. Mine is marked Exhibit 6.

6 Q. Do you also have Exhibit 2?

7 A. Yes.

8 Q. Okay. And so the Exhibit 2 that I have is dated August 24,
9 2025.

10 Is that the same as your Exhibit 2?

11 A. No. My -- mine is now marked Exhibit 2, August 22.

12 Q. Okay.

13 MR. BLEDSOE: I think what we've agreed to -- we had
14 the August 22 report. That's the one we had. And so we had
15 included that in Exhibit Number 2.

16 So I think, David, you proposed making the one
17 Dr. Murray had as Exhibit 6. So that's the way it should read.
18 It should be --

19 MR. BRYANT: Okay. Well, that's fine.

20 Q. (BY MR. BRYANT) Dr. Murray, so what you have marked as
21 Plaintiffs' Exhibit 6, what is the date on that one?

22 A. August 24.

23 Q. Okay. And the one that you have in front of you that is
24 marked Plaintiffs' Exhibit 2 is dated August 22?

25 A. August 22 for Exhibit 2.

17:07 1 Q. Okay. Thank you.

2 Now let's look briefly at Plaintiffs' Exhibit 6. That
3 is the document that has been the subject of your testimony up
4 till now, right?

5 A. That is correct.

6 Q. And on the version that I have, there are some markings on
7 the date at the top of the first page.

8 Do you have that, as well? Just looks like little
9 hand markings on -- around August 24.

10 A. Yeah. That's probably some doodles that I scribbled.

11 Q. Okay. So those are your markings, right?

12 A. That appears to be the case, yes.

13 Q. Okay. If you look at the second page of Plaintiffs'
14 Exhibit 6, do you also see some handwritten markings?

15 A. Yes.

16 Q. Could you describe those for the record?

17 A. It's my third page at the top. And the number is
18 2308/2333. Those, obviously, are referring to the plans that
19 were considered, or enacted.

20 And there's another marking after -- between
21 Districts 9 and 18.

22 Q. Okay. On the -- if you look at the second page in the
23 paragraph that is entitled Lower Rio Grande. Do you see
24 something circled?

25 A. Yes.

17:09 1 Q. Is that also something you circled?

2 A. I did.

3 Q. Do you recall why you circled it?

4 A. These were -- I thought this was just a personal document
5 and just -- you know, doodling. No -- no particular intent.

6 Q. Okay. Now, as you look at Plaintiffs' Exhibit 2, which is
7 the version of your report or your analysis dated August 22,
8 2025, do you also see the Court markings at the very top of
9 that first page?

10 A. I do.

11 Q. And you see that that is dated August 26, 2025?

12 A. I do.

13 Q. Okay. When we compare Plaintiffs' Exhibit 2 and
14 Plaintiffs' Exhibit 6, are you aware of any differences between
15 them other than the date and the handwritten markings that are
16 on Plaintiffs' Exhibit 6?

17 A. I am. Now that I have a physical copy of the 22nd in front
18 of me. My assumption was that the 24th, which was the final
19 draft I prepared, was the operative document. I'm surprised
20 that the document, August 22, was filed. You know, that's --
21 24th is a later revision. And my working assumption is that
22 that was what was filed with the Court. That appears to be an
23 error.

24 Q. And I think you testified, Doctor, that you thought that
25 the August 24 version included some corrections of

17:11 1 typographical errors there may have been in the August 22
2 version, which is Plaintiffs' Exhibit 2. Do you recall that
3 testimony?

4 A. I do.

5 Q. Do you know of any of those typographical or other
6 differences between the August 22 version that is Exhibit 2 and
7 the August 26 version that is Exhibit 6?

8 A. Well, by reviewing the two documents, my recollection has
9 been substantially improved. You know, after I moved on from
10 the 22nd and working fast to revise, I made more changes than I
11 recollected a few minutes -- or an hour or two ago.

12 So there were some pretty substantial revisions from
13 the draft of the 22nd, which I assumed was just a draft that
14 had not been filed with the Court. But obviously, that was an
15 error.

16 Q. Did you -- take whatever time you need to kind of go
17 through the August 24 version, which is Plaintiffs' Exhibit 6,
18 and describe the substantial changes. Not just typographical
19 errors, but the substantial changes between the August 22
20 version and the August 24 version that is Plaintiffs'
21 Exhibit 6?

22 A. Yes. Let's go paragraph by paragraph.

23 Q. Okay.

24 A. So on both documents, the opening paragraph is Impact on
25 Hispanic voters. And the first paragraph adds a phrase on

17:13 1 line 3. This is the August 24 final version in my report.
2 Changing the sentence to "This plan, in my opinion, greatly
3 reduces the opportunity for Hispanic voters in Texas to elect
4 candidates of their choice by a combination of cracking,
5 packing, and vote dilution." That cracking, packing and vote
6 dilution is an addition that was not in the earlier draft.

7 Q. Thank you.

8 A. The next paragraph titled, Harris County. Let's see. The
9 third sentence on the 24th report has been added, and that
10 reads, "The portion of existing CD29 -- CD29 retained in the
11 new CD29 has been merged with cohesive high turnout Black
12 voters move from existing CD18." The -- continuing, "The Black
13 voting population, VAP, according to the 2020 Census, is
14 increased from 14.8 to 27.2 percent, while the Hispanic VAP is
15 reduced from 74.5 to 58.5." That's...

16 Continuing with the revision, August 24, "Under the
17 new map, the Spanish survey on registered voter -- voter
18 registration, SSRV, is reduced from 56.6 percent to just
19 36.2 percent."

20 Next paragraph, the sentence is revised, "Primaries in
21 this new district, the effective election in the redrawn
22 district" -- excuse me. Go back. "African Americans have
23 constituted more than 60 percent of the vote in recent
24 Democratic primaries in this new district. The effective
25 election in the redrawn district -- the effective election

17:16 1 being the Democratic primary. That fact, plus the traditional
2 cohesion of Black voters in Texas means the preferred candidate
3 of Hispanic voters will be a distinct underdog in the new
4 29th District."

5 Q. Okay. That's a pretty significant change in addition to
6 that paragraph. How about the next paragraph?

7 A. Next paragraph has also been expanded and modified.
8 Probably best just to read the August 24 version, which is,
9 again, the version I assume had been submitted as my report, to
10 the August 22. "The other part of existing CD29, which
11 includes, heavily, Latino precincts in areas like Denver Harbor
12 and the East End is moved to a new CD9. Hispanics" --

13 Q. Let me ask you a quick question on that one, Dr. Murray.
14 In the August 22 version, you had described those precincts as
15 the highest-performing Latino precincts. And in the August 24
16 version, you just said, "Which includes heavily Latino
17 precincts." Do you recall why you made that revision?

18 A. No.

19 Q. Okay. Please continue.

20 A. "Hispanics placed in the Ninth District are no longer a
21 majority of registered voters. 43.5 percent of SSRV in 2024,
22 and have cast less than 30 percent of the vote in recent
23 general elections. Anglo areas placed in the new CD9, like
24 Deer Park in the southern part of Pasadena, featured both high
25 turnout and polarization against candidates preferred by

17:18 1 Hispanic voters. Hispanic vote in new CD9 is especially
2 diluted by the addition of Liberty County to the new district.

3 "Liberty County has a growing Hispanic population in
4 the colony ridge unincorporated area, but this community has a
5 very, very low percentage of Citizen Voting Age Latinos.
6 Liberty County's mostly Anglo electorate poses Latino-preferred
7 candidates by about a four-to-one ratio. In the 2024 November
8 general -- November election, for example, the Anglo-preferred
9 Congressional candidate got 23,983 votes in Liberty County.
10 The Hispanic-preferred candidate got 5,699. The effective
11 election in the new Ninth District will be the November general
12 election. And with its history of polarized voting, there is
13 little chance, in my opinion, the preferred candidate of
14 Hispanic votes can prevail."

15 Q. Okay. Can you --

16 A. I also --

17 Q. The next paragraph -- and tell me again just about the
18 substantial changes, not the typos.

19 A. This is an addition, not a change. "In contrast" --

20 Q. A new paragraph?

21 A. Yes.

22 Q. Okay.

23 A. "In contrast to the newly elected -- Enacted Map, it would
24 be quite possible, in my opinion, to draw two Hispanic
25 Opportunity Districts, italicized for emphasis. In Harris

17:19 1 County, given the county's Latino population of 2,034,700 in
2 2020. Such a map would require that Hispanic majority in the
3 two new districts are not combined with either high turnout,
4 Democratic primary Blacks or high-turnout general election
5 Anglos with a history of polarized voting against
6 Latino-preferred candidates. Drawing the two Hispanic
7 Opportunity Districts in the Houston area would not require
8 dismantling existing CD9 or CD18."

9 Q. Okay. So that was a new paragraph --

10 A. That's a new paragraph.

11 Q. The next paragraph -- is the next paragraph also a new
12 paragraph?

13 A. It's substantially modified.

14 Q. Okay.

15 A. Enacted Map --

16 Q. Substantial changes?

17 A. Enacted Plan C2333 does the opposite, eliminating the
18 single performing Hispanic Opportunity District in the Houston
19 area. If this map stands for the first time in three decades,
20 Hispanic voters in Harris County will be denied the opportunity
21 to elect a candidate of their choice in any local district.

22 Q. Okay. Are there any substantial changes in the next
23 paragraph of Plaintiffs' Exhibit 6 from Plaintiffs' Exhibit 2?

24 And this is the paragraph headed Bexar and Travis County.

25 A. Let me review that for a minute or two.

17:21 1 Q. Take whatever time you need.

2 A. We pick up with the fifth line of this report after naming
3 counties; Guadalupe, Wilson, and Karnes.

4 And the next paragraph. We have insert -- I've
5 inserted a new sentence, "Blacks who have supported the" --
6 that looks like a typographical error. "Blacks who have
7 supported the preferred candidate of Hispanic voters are
8 reduced from a VAP of 13.9 percent to 8.2. The percent change
9 is that the new map swaps Travis and Hays County Anglos, who
10 are not polarized against Hispanic-supported candidates."
11 Bottom line, The existing 35th District is an effective
12 coalition district, providing large margins of victory,
13 70 percent plus, to Hispanic supported candidates. That will
14 not be the case with the new map."

15 Q. Okay. About the fifth line, there is a sentence that
16 begins, "The Hispanic VAP has slightly increased from
17 51.3 percent, according to the 2020 Census, to 53.7 percent by
18 Plan C2333." Is that in your paragraph? Is --

19 A. Yeah, that's -- that's in both reports.

20 Q. Okay. Thank you. Please continue.

21 A. And that's -- the addition of the next sentence that I just
22 mentioned, about Blacks being reduced from a VAP of 13.9 to
23 8.2, that's the major change in this paragraph.

24 Q. All right. And do you see substantial changes, not just
25 typographical errors, in the paragraph entitled Lower

17:25 1 Rio Grande that are differences between Plaintiffs' Exhibit 6
2 and Plaintiffs' Exhibit 2?

3 A. No.

4 Q. Okay. Could you tell me where you next see substantial
5 changes between Plaintiffs' Exhibit 6 and Plaintiffs'
6 Exhibit 2?

7 A. I will. The paragraph headed Impact on Black Voters looks
8 to be substantially the same.

9 Moving to the Ninth District. That appears to be
10 substantially the same.

11 Q. All right.

12 A. Moving to the 18th District. The last two changes -- last
13 two sentences in this paragraph have been modified, starting
14 with "Whoever wins."

15 Now that next-to-last sentence, The August 24 version.
16 (Reading) The winner of the special election to represent the
17 currently vacant 18th District, apparently, almost certainly a
18 Black candidate, will probably then file in the new
19 29th District. That would set up a brutal and wholly
20 unnecessary Hispanic-Black face off in the March 2026 primary.

21 Additional paragraph after that: Meantime, with the
22 addition of growing Black areas previously in the 9th district,
23 the redrawn 18th provides a classic example of packing minority
24 voters into a district they will overwhelmingly dominate, while
25 redistricting -- while reducing African American ability

17:29 1 elsewhere to elect candidates of their choice.

2 Q. Okay. Is that the last paragraph that begins with the word
3 "Meantime," a new paragraph in the August 24 analysis that was
4 not present in the August 22 analysis?

5 A. That is correct.

6 Q. Okay. You can continue with any substantial changes in the
7 discussion of the 30th District in your reports.

8 A. Yes. Going to the -- the sentence that begins in the
9 August 22 draft, that says, "Black voters will continue to
10 dominate," has been changed.

11 Packing new -- in the August 24th: Packing African
12 American voters from Tarrant County into redrawn CD30 raised
13 the Black VAP from 41.9 to 46.6 percent.

14 In addition, that assures these voters will continue
15 to dominate the district for the foreseeable future. However,
16 this shift reduces Black voter opportunities elsewhere in the
17 Dallas-Fort Worth area.

18 Q. Okay. Is the language that you just read an addition that
19 exists in your August 24 report, Plaintiffs' Exhibit 6, that
20 did not exist in your August 22 report, which is Plaintiffs'
21 Exhibit 2?

22 A. Right. And again, let me --

23 Q. And a sentence was -- the last sentence from the August 22
24 document, Plaintiffs' Exhibit 2, was eliminated in the
25 August 26 -- I'm sorry, the August 24 version, which is

17:32 1 Plaintiffs' Exhibit 6?

2 A. Yes. And again --

3 Q. Okay, thanks.

4 A. -- I would not characterize the August 22 version as a
5 report. That was a draft.

6 Q. Okay. Could you continue with any substantial changes in
7 the portion of Plaintiffs' Exhibit 2 and Plaintiffs' Exhibit 6
8 under the title, The 33rd District, that are substantially
9 changed between the two versions?

10 A. The August 24 report, in contrast to the August 22 draft,
11 changes the sentence starting with (Reading) If
12 Congresswoman Crockett, whose home -- home was moved to the new
13 CD33, files in the district, she would be a strong candidate.
14 If she does not run, Black voters would likely have influence,
15 especially in the primary, but not nearly the impact they
16 currently have in the existing 33rd District due to the removal
17 of high-performing African American precincts in Tarrant
18 County.

19 Moving to the 32nd District --

20 Q. I'm sorry. I wanted to be sure you had a chance to answer
21 about the 33rd. I would like to ask you a question or two
22 about that.

23 A. Sure.

24 Q. In the August 22, what you referred to as a draft, which is
25 Exhibit 2 that was filed with the Court on August 26, you

17:35 1 stated, quote, If Ms. Crockett files in the new 33rd, she would
2 likely win both the primary and November election.

3 Do you see that?

4 A. I do.

5 Q. And that was changed to the August 24 version, stating that
6 simply, she would be a strong candidate?

7 A. Yes.

8 Q. And do you still -- is it still your testimony -- it's your
9 judgment, that if Ms. Crockett files in the new 33rd, she would
10 likely win both the primary and November election?

11 A. As my report indicated, I would change that to, "She'd be a
12 strong candidate."

13 Q. Well, are you saying that you no longer believe that she
14 would likely win both the primary and November election if she
15 chooses to run in the new 33rd Congressional District?

16 A. My -- you know, considered judgment was that she would be
17 better characterized as a strong candidate than a likely
18 winner. That's why I made the change.

19 Q. I understand. And I also -- I understand why, on further
20 consideration, you know, people have a different way of
21 phrasing it.

22 Would you believe that she would be unlikely to win in
23 the 33rd if she chooses to run, or that she would be -- have a
24 better than 50 percent chance of winning?

25 A. I think she'd have a better than 50 percent chance of

17:36 1 winning, but probably less than, say, 70 percent, just to put
2 some sign of probabilistic estimate out there.

3 Q. Okay. I think I didn't even ask you this, and perhaps
4 should have.

5 Between the time that you prepared your August 22
6 draft, which is Plaintiffs' Exhibit 2, and the time you
7 prepared your August 24 final analysis, that is Plaintiffs'
8 Exhibit 6, did you get any input from counsel about your
9 analysis?

10 A. I think there was some reaction to the report, is my
11 recollection.

12 Q. Okay. And who -- who reviewed the August 22 draft and
13 provided input to you that you considered in connection with
14 preparing the final analysis that is dated August 24th,
15 Plaintiffs' Exhibit 6?

16 A. My recollection is, I had some input from Gary Bledsoe.

17 Q. Okay. Do you recall input from anyone else?

18 A. No.

19 Q. Okay. And do you recall whether that input from
20 Mr. Bledsoe included input about your paragraph regarding the
21 33rd District?

22 A. I don't recall.

23 Q. Okay. Could you go ahead and tell me any substantial
24 changes that you are aware of between your August 22 draft --
25 that is, Plaintiffs' Exhibit 2 -- and your August 24 final

17:38 1 analysis related to the 32nd District?

2 A. No.

3 Q. Okay. And do you see any substantial changes in the
4 paragraphs headed, "Conclusion," between the August 22 draft,
5 which is Plaintiffs' Exhibit 2, and the August 24 final report
6 that's Plaintiffs' Exhibit 6?

7 A. The second sentence is modified. (Reading) Texas Anglo
8 population is less than 40 percent of the State total and
9 declining fast. Yet Anglo voters elect candidates of their
10 choice in 28 of the State's 38 Congressional Districts,
11 74 percent. That total would increase to as many as 30 seats
12 if C2333 is used for the 2026 election, 79 percent.

13 Q. So one thing that you did was, add the percentages --

14 A. Right.

15 Q. -- in that. And you also appear to have changed the
16 Number 25 to be 28 between August 22 and August 24. Do you see
17 that?

18 A. I do.

19 Q. And why did you make that change?

20 A. Because I reviewed the -- the map from the Texas
21 legislative counsel and the statistical data and concluded that
22 28 was the correct number, not 25.

23 Q. Okay. What other substantial changes do you see in the --
24 just the first paragraph under the heading Conclusion between
25 the August 22 draft and the August 24 final analysis?

17:42 1 A. The first paragraph, conclusion -- concluding sentence has
2 been added (Reading) In my opinion, this map is intentionally
3 discriminatory against minority voters.

4 Q. Okay. Was that a -- the addition of the sentence that you
5 just read, a result of any input from counsel between August 22
6 and August 24?

7 A. I don't recall.

8 Q. At the time you wrote the August 22 draft, did you have any
9 opinion as to whether or not the C233 map was or was not
10 intentionally discriminatory against minority voters?

11 A. I didn't opine on that, but that was my opinion at the
12 time.

13 Q. Okay. Could you describe any substantial changes that you
14 see between the August 22 draft and the August 24 final report
15 with respect to the final paragraph of the conclusion of the
16 two documents?

17 A. The second paragraph on the August 24 report has been added
18 (Reading) Case in point Harris County. All the districts
19 dominated by Anglo voters, including the 7th, where
20 Democrat Lizzie Fletcher is the incumbent, were made safer for
21 the sitting members. Meantime, the Minority Opportunity
22 Districts entirely -- are largely in Harris County; 9, 18, 29
23 were reduced from three to two. Parenthetically, 18 and 29.

24 (Reading) This loss of opportunity for minority voters
25 occurred despite the fact that Anglos account for only

17:44 1 27.7 percent of the county population in the 2020 Census. The
2 existing map and C2333 place nine Congressional Districts
3 wholly or partly in Harris County. Under the current map,
4 minority voters elect candidates of their choice in 33 percent
5 of the district. C2333 reduces that to 22 percent.

6 Q. Is that a wholly new paragraph?

7 A. Yes.

8 Q. In the August 24 final report, Plaintiffs' Exhibit 6, that
9 did not exist in the August 22 draft, which is Plaintiffs'
10 Exhibit 2?

11 A. Yes.

12 Q. And you -- why did you add that?

13 A. Because I did a little more calculation of what the numbers
14 were.

15 Q. Okay. What additional substantial changes, not just typos,
16 exist in the last part of the conclusion of your draft and
17 final analyses?

18 A. I split the second paragraph into two in the report I filed
19 on -- for August 24. The first part does not make much
20 changes. The second elaborates a bit more. And I'll just read
21 that now modified --

22 Q. Okay.

23 A. (Reading) It has been 60 years since a president from Texas
24 pushed through the Voting Rights Act. Ten years later, a new
25 Congresswoman from Houston led the effort to extend the special

17:46 1 provisions of the VRA to Texas. Currently, we have seen the
2 adoption of a mid-decade Congressional Map that, as noted,
3 greatly reduces the political influence of Hispanic and Black
4 voters.

5 The packing and cracking necessary to dilute these
6 voters' influence in the Enacted Map constitutes, in my
7 opinion, intentional discrimination. This discrimination
8 warrants the continuing need for federal protection of minority
9 voting rights in Texas.

10 The fight of Lyndon Johnson and Barbara Jordan for
11 fair opportunities for Black and Hispanic voters in Texas in
12 the Lone Star State continues in the third decade of the 21st
13 Century.

14 Q. Okay. Let's -- looking at the August 24 document, which is
15 Plaintiffs' Exhibit 6, the next-to-last paragraph, it appears
16 to state, quote, President Trump regained the White House in
17 large part by improving his performance among minority voters
18 in November 2024.

19 And then it says: Texas was the case in Texas?

20 A. It should be --

21 Q. End quote?

22 A. Yeah, obviously a typo. That was the case in Texas, should
23 be the correct rendering.

24 Q. Okay. And in the August 22nd draft, it says, quote, Texas
25 followed the national pattern, unquote.

17:48 1

Do you recall why you made those changes between the August 22 draft and the August 26 analysis that is Plaintiffs' Exhibit 6?

A. Just wanting to try to clean up the language, although obviously, still a major typo there.

Q. Okay. Would you agree with me that there are extensive changes between the August 22 draft, which is Plaintiffs' Exhibit 2, and the August 24th final analysis, that is Plaintiffs' Exhibit 6?

A. Could you repeat your question, please?

Q. Yeah. Would you agree that there are extensive differences between the two versions of your analysis that we've been talking about?

A. Upon review, yes.

Q. And is it true that in the August 22 draft, which was provided to the Defendants on August 26, you expressed no opinions about whether or not the C233 map was or was not intentionally discriminatory on the basis of race?

MR. BLEDSOE: Objection, form. Mischaracterizes the report.

MR. BRYANT: Well, I'm asking him if that is -- if that is a correct characterization, namely, that there were no opinions in the draft dated August 22 regarding whether or not C233 was intentionally discriminatory on the basis of race.

MR. BLEDSOE: Same objection, form.

17:50 1 THE WITNESS: I think that's a fair characterization.

2 Q. (BY MR. BRYANT) Okay. And is it correct that in
3 Plaintiffs' Exhibit 6, which is the final analysis dated
4 August 24, 2025, you did, on at least two occasions, express an
5 opinion as to whether Congressional Plan C2333 was
6 intentionally discriminatory against minorities in Texas?

7 A. Yes.

8 Q. When did -- when were you first asked to express an opinion
9 on whether or not the Plan C2333 was or was not intentionally
10 discriminatory on the basis of race against minority voters in
11 Texas?

12 A. As my analysis of the maps change continued, that
13 solidified my opinion.

14 Q. And my question was -- I guess I'll start it another way.

15 Did anyone ever ask you to express a view on whether
16 or not C2333 is or is not intentionally discriminatory against
17 minority voters in Texas?

18 A. Not to my recollection.

19 Q. Were you -- what assignment were you given that resulted in
20 your draft and final reports in this case that are Plaintiffs'
21 Exhibit 2 and Plaintiffs' Exhibit 6?

22 A. Just a general instruction to analyze the map. And I
23 started working on 2308, and then dropped that and moved on in
24 a hurry to 2333. Since I've been working on these maps off and
25 on, not just for this redistricting cycle, but others, I think

17:52 1 the assumption was that I was up to speed on what was expected.
2 And I don't recall any specific instructions to find any
3 particular aspects, but to do an overall review of the impact
4 of these -- these maps, with particular focus on the
5 consequences for Black and Hispanic voters.

6 Q. And so is it fair to say that that general assignment did
7 not include expressing an opinion about whether or not the map
8 was or was not intentionally discriminatory against minority
9 voters in Texas, but basically, to give your opinion about the
10 impact, or the effect, of the map on minority voters in Texas?

11 MR. BLEDSOE: Reform.

12 THE WITNESS: That is correct.

13 Q. (BY MR. BRYANT) Now, you talked a little bit on direct
14 about your methodology that you used, and my notes indicate you
15 of course used information from the Texas Legislative Council
16 in your analysis that led to your draft and final reports that
17 are Plaintiffs' Exhibit 2 and Plaintiffs' Exhibit 6. Is that
18 right?

19 A. That's correct.

20 Q. And you also said that you, I believe, referred to
21 databases that you have kept since 2000 of every voting
22 precinct and their ethnic and racial makeup, at least in Harris
23 County, may have been more than that.

24 Could you clarify what you referred to in doing your
25 work, that went beyond the Texas Legislative Council materials?

17:54 1 A. Yes. I have, independently of any litigation, maintained a
2 biennial analysis of every voting precinct in Harris County.
3 There are about 1100 of those, and their racial ethnic
4 composition, and that informed my opinion, for example, about
5 how racially polarized voting from areas like Deer Park, that
6 have been added into the new Ninth District.

7 Additionally, I, for many years, continue to rely
8 heavily on the Almanac of American Politics, in this case, the
9 2024 edition, which describes each of the existing districts in
10 Texas as created by the legislative redraw map of 2021.
11 Obviously, that almanac has nothing to say about -- there's two
12 maps; they are too recent.

13 So that would be the principal additions. Of course,
14 I also look at the -- Texas Secretary of State maintains an
15 archival record of voting in all elections, at least since
16 1990, that's accessible electronically. So when I wanted to
17 look at Liberty County voting in the 2024 Congressional
18 election, the office of Texas Secretary of State election
19 archives was the database that I accessed.

20 I also looked at the voting patterns in rural Texas
21 counties that -- I don't refer to those specifically in the
22 report, but those data are from the Secretary of State's
23 archival website.

24 Q. Okay. And with respect to your use of the databases that
25 you personally have accumulated since 2000, do those entirely

17:56 1 pertain to Harris County?

2 A. I also have data from Brazoria and Fort Bend County. I did
3 not rely upon them -- those data. They inform my general
4 understanding of what's going on in the metropolitan region.
5 But I did not specifically rely upon them in preparing this
6 report.

7 Q. And when you say that, you're referring to the databases
8 that pertain to the two counties outside Harris County, namely
9 Brazoria and Fort Bend?

10 A. That's correct, because they have been in the Ninth
11 District, which was a focus of my interest historically.

12 Q. Okay. But you did refer to the databases that you have
13 maintained for Harris County?

14 A. I did.

15 Q. Okay. And have you provided those databases to
16 Intervenors' counsel in this case?

17 A. No.

18 Q. And do you know if they've been provided to the Defendants
19 in this case?

20 A. No.

21 Q. But certainly, you haven't provided them to the Defendants,
22 and if you haven't provided them to Intervenors' counsel, do
23 you know any way that they could have been made available to
24 Defendants' counsel?

25 MR. BLEDSOE: Objection, calls for speculation.

17:58 1

THE WITNESS: Not to my knowledge.

2 Q. (BY MR. BRYANT) Okay. Now, we talked about the fact that,
3 during the time you did your work that resulted in the draft
4 and final reports that are Plaintiffs' Exhibit 2 and
5 Plaintiffs' Exhibit 6, you're in a much better place to be in
6 Texas -- in August, you were in California?

7 A. That's correct.

8 Q. Is that right?

9 A. That's right.

10 Q. And did you receive any information about any of the
11 proceedings in the Texas Legislature that occurred in the
12 summer of 2025 from anybody who's actually a member of the
13 Texas Legislature, either the House or the Senate?

14 A. No. I read press reports in the Texas Tribune and other
15 sources, but I have no personal contact with any member of the
16 Legislature.

17 Q. And would that also be true if I broadened it beyond
18 members of the Legislature to any of their staffs?

19 A. That would be true.

20 Q. Now, I think you mentioned in your analysis, some actions
21 of President Trump that pertain to this redistricting that
22 occurred in the summer of 2025.

23 Do you know -- do you recall, or know, what
24 President Trump did that had to do with the Texas Legislature
25 taking up redistricting in the summer of 2025?

18:00 1 A. The president's unusual actions were widely reported in the
2 press. I am a daily subscriber in both California and Texas to
3 the *New York Times*, which covered this story rather
4 extensively. It was also frequent until other media. So, you
5 know, President Trump is a very public person in his political
6 maneuvers. And he made his intentions perfectly clear, that he
7 wanted this map substantially revised. And that is widely
8 known and appreciated.

9 Q. And what did you understand was President Trump's motive,
10 or -- motivation or purpose in communicating his views as to
11 the Texas Congressional Redistricting?

12 MR. BLEDSOE: Object, calls for speculation on the
13 part of the witness.

14 MR. BRYANT: Just want to know his understanding.

15 MR. BLEDSOE: Object, calls for speculation.

16 THE REPORTER: Okay. Speak up on your objections,
17 Counsel.

18 MR. BLEDSOE: Object. Calls for speculation on the
19 part of the witness.

20 (Video concluded.)

21 MR. DUNN: That concludes Volume 3 with 59 minutes and
22 23 seconds remaining.

23 JUDGE GUADERRAMA: Thank you, Mr. Dunn. We're gonna
24 recess until Monday morning at 9:00.

25 Mr. Kercher, your State's exhibits have exceeded the

18:01 1 breadth of your Exhibit List. Is there any way you could
2 file --

3 MR. KERCHER: You're right ahead of me, Judge. That's
4 the first thing I want to take up. Everybody's got kind of
5 these rolling exhibits and we don't want to just pile the
6 docket with amended and second amended and third amended. We
7 are aware of that. We will address that this weekend.

8 The other thing is, just in terms of timing, if we
9 only have another hour left of Dr. Murray's deposition, I think
10 there's only one witness left from Plaintiffs, Dr. Duchin, on
11 Monday. We had discussed maybe having a hard stop when
12 Plaintiffs are done on Monday. It looks like that will be
13 awfully early right now. So, in an effort to try and make
14 things efficient, State are trying to get their witnesses out
15 here early so that we can have a more productive day on Monday,
16 if we can.

17 We will continue to confer with them. We are reaching
18 out to our witnesses and learning what we can make happen. If
19 we can get some of the witnesses who we think we'll be able to
20 fit in what time we have left on Monday, we'll absolutely try
21 to do that.

22 JUDGE SMITH: Well, you definitely need to do that.

23 MR. KERCHER: Yes, Your Honor. I thought that might
24 be important.

25 JUDGE GUADERRAMA: We appreciate that. Does that plan

18:02 1 in any way impact the arrangements you had with --

2 MR. KERCHER: No, Your Honor. I think if -- if what
3 winds up happening is that we are in the middle of one witness
4 at the end of Monday, and we just need to do what we did last
5 time for Dr. Trende, for example, and we just put another
6 witness in, in order to get through any witnesses who may have
7 security concerns. Then I think we'll be able to confer with
8 Plaintiffs' Counsel and address it that way.

9 But it will be our goal to fill up as much of Monday
10 as possible.

11 JUDGE GUADERRAMA: All right. Very well. Thank you.
12 We appreciate that.

13 Recess until Monday at 9:00.

14 (Evening recess.)
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C E R T I F I C A T E

I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter. I further certify that the transcript fees and format comply with those prescribed by the Court and the Judicial Conference of the United States.

Signature: /s/Leticia Perez Date: October 17, 2025
Leticia Perez