

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

EVAN MILLIGAN, et al.,
Plaintiffs,

v.

WES ALLEN, et al.,
Defendants.

No. 2:21-cv-01530-AMM

MARCUS CASTER, et al.,
Plaintiffs,

v.

WES ALLEN, et al.,
Defendants.

No. 2:21-cv-01536-AMM

***MILLIGAN AND CASTER* PLAINTIFFS' RESPONSE TO COURT
INQUIRY REGARDING REMEDIAL PROCEEDINGS**

In its August 2 Order, the Court found David R. Ely to be “well qualified to serve as the Court’s expert cartographer.” ECF 204 at 4. The Court also offered the parties the opportunity to “submit any comments or objections to the appointment of Mr. David Ely as an expert cartographer.” *Id.* The *Milligan* and *Caster* Plaintiffs recommended Mr. Ely and, therefore, agree that he is a well-qualified expert. ECF 198.

Mr. Ely has served as special master for a federal court in a Voting Rights Act case against the State of Louisiana. See *Terrebonne Branch NAACP v. Jindal*, No. 3:14-CV-69-JJB-EWD, 2019 WL 4398509 (M.D. La. Apr. 29, 2019), *report and recommendation adopted* 399 F. Supp. 3d 608 (M.D. La. 2019). Furthermore, Mr. Ely has worked for both Plaintiffs and Defendants in civil rights litigation. See, e.g., *Luna v. Cnty. of Kern*, 291 F. Supp. 3d 1088, 1117 (E.D. Cal. 2018) (expert for Plaintiffs); *San Francisco NAACP v. San Francisco Unified School Dist.*, 59 F. Supp. 2d 1021, 1034 (N.D. Cal. 1999) (Defendants). Additionally, in a recent case, Mr. Ely offered map drawing and demographic expertise to support the § 2 claims brought by one group of Plaintiffs in a case that also included § 2 claims brought by the Republican Party. See *McConchie v. Scholz*, 577 F. Supp. 3d 842, 858 (N.D. Ill. 2021) (3-judge court).

Accordingly, the *Milligan* and *Caster* Plaintiffs support the appointment of Mr. Ely as a cartographer or joint special master with Mr. Allen to aid the Court in these remedial proceedings. Mr. Ely's experience will complement the experience of Mr. Allen and the pairing is well suited to a co-equal relationship and partnership in making recommendations to this Court.

Respectfully submitted,

/s/ Deuel Ross

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