

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF LOUISIANA—MONROE DIVISION

PHILIP CALLAIS, LLOYD PRICE,)
BRUCE ODELL, ELIZABETH ERSOFF,)
ALBERT CAISSIE, DANIEL WEIR,)
JOYCE LACOUR, CANDY CARROLL)
PEAVY, TANYA WHITNEY, MIKE)
JOHNSON, GROVER JOSEPH REES,)
ROLFE MCCOLLISTER,)

Plaintiffs,)

v.)

Case No. 3:24-cv-00122

NANCY LANDRY, IN HER OFFICIAL)
CAPACITY AS LOUISIANA)
SECRETARY OF STATE,)

Defendant.)

INTERVENOR DEFENDANT THE STATE OF LOUISIANA’S SECOND AMENDED WITNESS AND EXHIBIT LIST

Pursuant to Federal Rule of Civil Procedure 26(a)(3)(A), the Court’s February 21, 2024, Scheduling Order, (ECF No. 63), and the agreement of the parties as discussed at the March 22, 2024, Status Conference, (ECF No. 130), Attorney General Elizabeth Murrill, on behalf of the State of Louisiana (the “State”), submits this amended disclosure. The state does not intend to proffer any fact witness at this time.

The State reserves the right to call any witness listed on any other party’s witness lists. The State reserves this right regardless of whether the witness is called by the party who listed the witness or not. The State further reserves the right to rely on any exhibit listed on any other party’s exhibit list.

The State submits this disclosure solely in compliance with the Federal Rules of Civil Procedure and this Court’s orders, and this disclosure is solely for the purpose of this action.

Exhibit #	Joint Exhibit #	Description	Docket # (if previously filed)
State 1	JE1	Legislative History Summary of HB1	17-4, filed 2/7/24
State 2	JE2	Louisiana Legislature Joint Rule No. 21	17-5, filed 2/7/24
State 3	JE3	HB 1 Road Show Schedule	17-6, filed 2/7/24
State 4	JE4	HB 1 Original Bill Text	17-7, filed 2/7/24
State 5	JE5	HB 1 Population and VAP by Congressional District	17-8, filed 2/7/24
State 6	JE6	US Census Data, BVAP	17-9, filed 2/7/24
State 7	JE7	Jeff Landry January 8, 2024, Press Release	17-11, filed 2/7/24
State 8	JE8	Jeff Landry Call and Convene January 23, 2024	17-12, filed 2/7/24
State 9	JE9	Jeff Landry January 16, 2024, Press Release	17-13, filed 2/7/24
State 10	JE10	Legislative History Summary of SB8	17-14, filed 2/7/24
State 11	JE11	SB8 Original Text	17-15, filed 2/7/24
State 12	JE12	SB8 Enacted Text	17-16, filed 2/7/24
State 12a	JE13	Jeff Landry January 19, 2024, Press Release	17-17, filed 2/7/24
State 14	JE14	SB8 Map	17-18, filed 2/7/24
State 15	JE15	Act 2 District Summaries	17-19, filed 2/7/24
State 16	JE16	Act 5 Statewide Map	17-20, filed 2/7/24
State 17	JE17	SB 8 Maps by Parish	17-21 through 17-31, filed 2/7/24

State 18		January 8, 2024 Article, “Gov. Landry calls special session on redistricting as new legislature takes office”	17-32, filed 2/7/24
State 19		Transcripts from January 15, 2024, Louisiana House of Representatives Governmental Affairs Committee	Excerpts of Transcripts at: <ul style="list-style-type: none"> • 3:12 to 78:13
State 20		Transcripts from January 16, 2024, Louisiana Senate Governmental Affairs Committee	Excerpts of Transcripts at: <ul style="list-style-type: none"> • 1:1 to 16:15 • 27:22 to 29:19
State 21		Transcripts from January 17, 2024, Louisiana Senate Floor Debate	Excerpts of Transcripts at: <ul style="list-style-type: none"> • 3:9 to 24:16
State 22		Transcripts from January 18, 2024, Louisiana House of Representatives Governmental Affairs Committee	Excerpts of Transcripts at: <ul style="list-style-type: none"> • 5:4 to 12:2 • 17:19 to 19:15 • 24:16 to 28:5 • 88:12 to 89:5 • 94:16 to 97:3
State 23		Transcripts from January 18, 2024, Louisiana House of Representatives Floor Debate	Removed
State 24		Transcripts from January 19, 2024, Louisiana House of Representatives Floor Debate	Excerpts of Transcripts at: <ul style="list-style-type: none"> • 2:16 to 8:22 • 9:3–9 • 10:25 to 11:8
State 25		Transcripts from January 19, 2024, Louisiana Senate Floor Debate	Excerpts of Transcripts at: <ul style="list-style-type: none"> • 10:12 to 12:22
State 26 ¹		Expert Report of Anthony Fairfax	3:22cv211 (consolidated with 3:22cv00214) Exhibit 1 to Doc 41–2, filed 4/15/22

¹ The Court may take judicial notice of State exhibits 26–36 and 38–39 because they are offered for the fact of their existence as documents filed in other courts and are not offered for the truth of the matters asserted therein. *See Giles v. City of Dall.*, 539 F. App'x 537, 542 n.1 (5th Cir. 2013) (“A court may take judicial notice of a document filed in another court ‘not for the truth of the matters asserted in the other litigation, but rather to establish the fact of such litigation and related filings.’”) (citation omitted).

State 27		Preliminary Expert Report of Dr. Lisa Handley	3:22cv211 (consolidated with 3:22cv00214) Exhibit 2 to Doc 41-2, filed 4/15/22
State 28		Expert report of William Cooper	3:22cv211 (consolidated with 3:22cv00214) Doc 43, filed 4/15/22
State 29		Exhibits to Expert Report of William Cooper	Removed
State 30		Exhibits to Expert Report of William Cooper, continued 1	Removed
State 31		Exhibits to Expert Report of William Cooper, continued 2	Removed
State 32		Expert Report of Dr. Maxwell Palmer	3:22cv211 (consolidated with 3:22cv00214) Doc 47, filed 4/15/22
State 33		Rebuttal Expert Report of William Cooper	3:22cv211 (consolidated with 3:22cv00214) Doc 120-2, filed 5/2/22
State 34		Rebuttal Expert Report of Dr. Maxwell Palmer	3:22cv211 (consolidated with 3:22cv00214) Doc 120-3, filed 5/2/22
State 35		Supplemental Expert Report of Anthony Fairfax	3:22cv211 (consolidated with 3:22cv00214) Exhibit 1 to Doc 123, filed 5/2/22
State 36		Supplemental Expert Report of Dr. Lisa Handley	3:22cv211 (consolidated with 3:22cv00214) Exhibit 2 to Doc 123, filed 5/2/22
State 37		Transcripts from January 15, 2024, Louisiana Special Joint Session ²	Excerpts of Transcripts at: <ul style="list-style-type: none"> • R005-002 to R005-003 • R005-008 to R005-0013
State 38		June 6, 2024, Preliminary Injunction Order of United States District Court for the Middle District of Louisiana	3:22cv211 (consolidated with 3:22cv00214) Doc 173
State 39		November 10, 2023, Opinion of the United State Court of Appeals for the Fifth Circuit	22-30333 (5th Cir) Doc 336-1

² State exhibit 37 was included in *Robinson* Intervenors' previous exhibit list. ECF No. 143.

Dated this 7th day of April, 2024

Respectfully submitted,

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*admitted *pro hac vice*

***pro hac vice* motion forthcoming

CERTIFICATE OF SERVICE

I do hereby certify that, on this 7th day of April, 2024, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which gives notice of filing to all counsel of record.

/s/ Jason B. Torchinsky
Jason B. Torchinsky

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