



ONE-WEEK TRANSCRIPT TURNAROUND

Digital Transcripts • Internet Realtime • HD Legal Video • Picture-in-Picture Depositions
Remote Depositions • Designation Editing • Nationwide Scheduling • HD Videoconferencing

In the Matter of:

WASHINGTON COALITION FOR OPEN GOVERNMENT

VS

STATE OF WASHINGTON

PAUL GRAVES

January 11, 2022

Thank you for choosing BA Litigation Services for your court reporting, legal video, and deposition technology needs. It is always our goal to provide you with exceptional service. If there is anything we can do to assist you, please don't hesitate to let us know.

Sarah Fitzgibbon, CCR
Vice President



The Premier Advantage™
PDF transcript bundle contains:

- Full-size and condensed transcripts
- Printable word index
- Hyperlinked selectable word index
- Embedded printable exhibit scans
- Hyperlinked selectable exhibit viewing
- Common file formats: txt, lrf, mdb
accessed via *paperclip* icon

WASHINGTON COALITION FOR OPEN GOVERNMENT vs STATE OF WASHINGTON
Graves, Paul - January 11, 2022

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THURSTON COUNTY

WASHINGTON COALITION FOR OPEN)
GOVERNMENT, a non-profit,)
nonpartisan Washington)
organization,)
)
Plaintiff,) No. 21-2-02069-34
)
v.)
)
THE STATE OF WASHINGTON, a state)
government, acting through THE)
WASHINGTON STATE REDISTRICTING)
COMMISSION, a Washington State)
Agency, et al.,)
)
Defendants.)

VIDEOCONFERENCE DEPOSITION OF PAUL GRAVES

January 11, 2022

Taken Remotely via Zoom

Reporter: John M.S. Botelho, CCR, RPR

1 APPEARANCES

2 (All parties appearing remotely.)

3 For Plaintiff Washington Coalition for Open
4 Government:

5 Joan K. Mell
6 III Branches Law
7 1019 Regents Boulevard
8 Suite 204
9 Fircrest, Washington 98466-6037
10 253.566.2510
11 253.664.4643 Fax
12 joan@3brancheslaw.com

13 Plaintiff Arthur West, Appearing Pro Se:

14 Arthur West
15 Pro Se
16 120 State Avenue Northeast
17 #1497
18 Olympia, Washington 98501-1131
19 360.593.4588
20 awestaa@gmail.com

21 For Defendant Washington Redistricting
22 Commission:

23 Zachary J. Pekelis
24 Gregory J. Wong
25 Christina E. Jaccard
Pacifica Law Group
1191 Second Avenue
Suite 2000
Seattle, Washington 98101-3404
206.245.1700
206.245.1750 Fax
zach.pekelis@pacificallawgroup.com
greg.wong@pacificallawgroup.com
christina.jaccard@pacificallawgroup.com

1 APPEARANCES (Continuing)

2 For Defendant State of Washington:

3 Brian H. Rowe
4 Office of the Attorney General
5 800 Fifth Avenue
6 Suite 2000
7 Seattle, Washington 98104-3188
8 206.464.7744
9 206.464.6451 Fax
10 brian.rowe@atg.wa.gov

11 Also Present: Francis Muniz-Nava
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EXAMINATION INDEX

EXAMINATION BY:	PAGE NO.
Ms. Mell	7
Mr. West	226

EXHIBIT INDEX

EXHIBIT NO.	DESCRIPTION	PAGE NO.
Exhibit No. 3	1-page messaging screenshot. Labeled RC000891.	240
Exhibit No. 4	1-page messaging screenshot. Labeled RC000525.	240
Exhibit No. 5	1-page messaging screenshot. Labeled RC000527.	240
Exhibit No. 6	1-page messaging screenshot. Labeled RC000526.	240
Exhibit No. 7	1-page messaging screenshot. Labeled RC000528.	240
Exhibit No. 8	1-page messaging screenshot. Labeled RC000529.	240
Exhibit No. 9	1-page messaging screenshot. Labeled RC000530.	240
Exhibit No. 10	1-page messaging screenshot. Labeled RC000532.	240
Exhibit No. 11	1-page messaging screenshot. Labeled RC000537.	240
Exhibit No. 12	1-page messaging screenshot. Labeled RC000536.	240
Exhibit No. 13	1-page messaging screenshot. Labeled RC000533.	240
Exhibit No. 14	1-page messaging screenshot. Labeled RC000534.	240

EXHIBIT NO.	DESCRIPTION	PAGE NO.
Exhibit No. 15	1-page messaging screenshot. Labeled RC000535.	240
Exhibit No. 16	1-page messaging screenshot. Labeled RC000538.	240
Exhibit No. 17	1-page messaging screenshot. Labeled RC000531.	240
Exhibit No. 18	1-page messaging screenshot. Labeled RC000539.	240
Exhibit No. 19	1-page messaging screenshot. Labeled RC000540.	240
Exhibit No. 20	1-page messaging screenshot. Labeled RC000541.	240
Exhibit No. 21	1-page messaging screenshot. Labeled RC000544.	240
Exhibit No. 22	1-page messaging screenshot. Labeled RC000543.	240
Exhibit No. 23	1-page messaging screenshot. Labeled RC000542.	240
Exhibit No. 24	1-page messaging screenshot. Labeled RC000545.	240
Exhibit No. 25	1-page messaging screenshot. Labeled RC000546.	240
Exhibit No. 26	1-page messaging screenshot. Labeled RC000547.	240
Exhibit No. 27	1-page messaging screenshot. Labeled RC000548.	240
Exhibit No. 28	1-page messaging screenshot. Labeled RC000549.	240
Exhibit No. 29	1-page messaging screenshot. Labeled RC000550.	240

EXHIBIT NO.	DESCRIPTION	PAGE NO.
Exhibit No. 30	1-page messaging screenshot. Labeled RC000551.	240
Exhibit No. 31	1-page messaging screenshot. Labeled RC000552.	240
Exhibit No. 32	1-page messaging screenshot. Labeled RC000553.	240
Exhibit No. 33	1-page messaging screenshot. Labeled RC000554.	240
Exhibit No. 34	1-page messaging screenshot. Labeled RC000555.	240
Exhibit No. 35	1-page messaging screenshot. Labeled RC000557.	240
Exhibit No. 36	1-page messaging screenshot. Labeled RC000556.	240
Exhibit No. 37	1-page messaging screenshot. Labeled RC000558.	240
Exhibit No. 38	1-page messaging screenshot. Labeled RC000559.	240
Exhibit No. 39	1-page messaging screenshot. Labeled RC000560.	240
Exhibit No. 40	13 pages of e-mail correspondence. Labeled RC000393 - RC000405.	240

1 BE IT REMEMBERED that on Tuesday,
2 January 11, 2022, at 11:12 a.m. Pacific time, before
3 JOHN M.S. BOTELHO, Certified Court Reporter, appeared
4 PAUL GRAVES, via videoconference, the witness herein;
5 WHEREUPON, the following
6 proceedings were had, to wit:

7

8

<<<<< >>>>>

9

10 PAUL GRAVES, having been first duly sworn
11 by the Certified Court
12 Reporter, deposed and
13 testified as follows:

14

15

EXAMINATION

16 BY MS. MELL:

1:12:32L

17 Q State your name for the record.

1:12:34L

18 A My name is Paul Graves.

1:12:36L

19 Q What is your address?

1:12:41L

20 A A good address for me is PO Box 1469, Auburn,
21 Washington 98071.

1:12:50L

22 Q Can you give me an address where I can serve you --
23 absent your attorney indicating he will accept
24 service -- personal service for you in this action?

1:13:00L

25 A You can serve it at that address.

11:13:021 Q At the PO box?

11:13:032 **A Yes.**

11:13:043 Q Are you accepting service by mail as opposed to
11:13:104 personal service when personal service is required?

11:13:165 MR. PEKELIS: We'll accept service
11:13:176 on behalf of Mr. Graves.

11:13:197 Q (By Ms. Mell) Okay. Telephone number?

11:13:208 **A (206) 818-5607.**

11:13:259 Q Is that a personal phone or work phone?

11:13:310 **A Personal phone.**

11:13:311 Q Did you have a phone assigned to you as a commissioner?

11:13:312 **A Yes, I did.**

11:13:413 Q What was that phone number?

11:13:414 **A I don't know.**

11:13:415 Q Did you use that phone?

11:13:416 **A Only once or twice.**

11:13:517 Q And how did you use that phone?

11:13:518 **A I think I only texted my staff with the phone number.**

11:14:019 Q And when you say texted staff with the phone number,
11:14:020 who are your staff in that context?

11:14:021 **A Anton Grose, Stephanie Barnett, and Evan Mullen.**

11:14:222 Q The last name was Evan? Is that what you said?

11:14:223 **A Mullen.**

11:14:324 Q Mullen. Okay.

11:14:325 And where does Anton Grose work?

11:14:361 **A He now works for the House Republican policy caucus.**

11:14:432 **Q And when you refer to him as your staff, where was he**
11:14:503 **working?**

11:14:504 **A During the course of this year, he was -- I think his**
11:14:575 **title was mapping analyst for the House Republican**
11:15:026 **Redistricting Commission.**

11:15:037 **Q Does Anton Grose have policy assignments other than**
11:15:128 **redistricting in his work for the caucus?**

11:15:149 **A He does as of yesterday.**

11:15:170 **Q Okay.**

11:15:211 **A Or to correct it, perhaps he did as of, I think a month**
11:15:242 **and a half ago, he joined the policy caucus for the**
11:15:273 **House Republicans.**

11:15:304 **Q Okay. Stephanie Barnett. Where does she work?**

11:15:315 **A She was a policy analyst for the House Republican**
11:15:376 **caucus.**

11:15:377 **Q And then assigned to the Redistricting Commission, or**
11:15:408 **to you, in particular?**

11:15:419 **A I don't know if "assigned" is the right word. She was**
11:15:420 **the member of the policy staff who I regularly**
11:15:521 **communicated with when I needed to communicate with --**

11:15:522 **Q Okay.**

11:15:523 **A -- the policy staff of the House Republicans.**

11:16:024 **Q Okay. And Evan Mullen?**

11:16:025 **A He was a communications analyst for the House**

11:16:081

Republican commissioner.

11:16:092

Q What was your title relative to the Redistricting Commission?

11:16:263

11:16:264

A I was a commissioner.

11:16:275

Q Who selected you to be a commissioner?

11:16:316

A I was appointed by J.T. Wilcox.

11:16:347

Q And who is J.T. Wilcox?

11:16:378

A J.T. Wilcox is a state representative in the Washington State House of Representatives.

11:16:419

11:16:420

Q Did you have a Senate counterpart?

11:16:421

A There were two commissioners appointed by members of the State Senate.

11:16:512

11:16:513

Q Along partisan lines?

11:17:024

A Each -- one was appointed by a Republican. One was appointed by a Democrat.

11:17:075

11:17:096

Q And who was the Republican appointee, and who was the Democrat appointee?

11:17:117

11:17:118

A Joe Fain was appointed by the -- John Braun, a state senator, Republican. And Brady Walkinshaw was appointed by the -- Andy Billig, the Senate majority leader.

11:17:189

11:17:220

11:17:221

11:17:222

Q What's your highest level of education?

11:17:323

A I have a law degree.

11:17:324

Q Where did you get that?

11:17:325

A Duke University in Durham, North Carolina.

11:17:421 Q When?

11:17:432 A **June of 2007.**

11:17:493 Q Are you a member of the state bar in any state?

11:17:554 A **Yes, I am.**

11:17:565 Q What states are you --

11:18:006 A **Washington State.**

11:18:007 Q Are you licensed to practice in Washington?

11:18:038 A **Yes, Washington State.**

11:18:049 Q And are you in practice in Washington?

11:18:010 A **Yes, I am.**

11:18:011 Q Where do you work?

11:18:012 A **I work for Oak Harbor Freight Lines.**

11:18:113 Q Are you in-house counsel?

11:18:114 A **I'm general counsel for Oak Harbor Freight Lines.**

11:18:215 Q (Videoconference technical difficulties) agreement on

11:18:316 metrics on November 15th, 2021, with respect to

11:18:407 legislative districts?

11:18:418 A **Sorry. I did not get the first part of your question.**

11:18:419 Q Did you reach an agreement on metrics?

11:18:420 MR. PEKELIS: Object to form.

11:18:521 THE WITNESS: **I'm not sure exactly**

11:18:522 **what you mean. Could you help me understand what**

11:18:523 **you're asking?**

11:18:524 Q (By Ms. Mell) I'm wondering -- I'll strike that.

11:18:525 On November 15th, 2021, did you and the other

11:19:081 commissioners come to an agreement about political
11:19:102 metrics that would correspond with legislative or
11:19:153 congressional district maps?

11:19:174 MR. PEKELIS: Object to form.

11:19:225 **THE WITNESS: We voted for a**
11:19:246 **framework that could be directly translated into**
11:19:277 **legislative and congressional maps.**

11:19:318 Q (By Ms. Mell) So do you have an understanding of the
11:19:349 word "metrics"?

11:19:310 **A It has a lot of different meanings, in my experience.**

11:19:311 Q In your experience on the Redistricting Commission, did
11:19:412 you use the term "metric"?

11:19:413 **A I probably did, yes.**

11:19:414 Q When you were using the term on the commission, what
11:19:515 did you mean?

11:19:516 **A It could mean different things in different**
11:19:517 **circumstances.**

11:19:518 Q How did you use it specific to congressional or
11:20:019 legislative districts?

11:20:120 MR. PEKELIS: Object to form;
11:20:121 foundation.

11:20:122 **THE WITNESS: Over the course of the**
11:20:123 **year, when I was both analyzing the current maps, the**
11:20:224 **2012 to 2020 maps, and when I was -- when negotiating**
11:20:325 **with April Sims, my House Democratic counterpart, to**

11:20:381

see if we could come up with a proposal for the

11:20:412

commission on the legislative maps, it most often

11:20:453

referred to recent election results.

11:20:524

Q (By Ms. Mell) What do you mean by "recent election

11:20:555

results"?

11:20:566

A **Results from elections. I think for the different kind**

11:21:057

of metrics that we were discussing, typically limited

11:21:108

to the years between 2016 and 2020.

11:21:139

Q When you talk about election results, are you

11:21:220

indicating -- was the metrics -- metric indicating who

11:21:281

won an election or was it just simply reporting the

11:21:312

political status of the individual who prevailed?

11:21:313

A **I'm not sure I understand the question. Could you ask**

11:21:414

it again?

11:21:415

Q I'm trying to understand what "election results"

11:21:476

actually means in terms of a metric.

11:21:497

Does it mean partisan election results, or does it

11:21:578

mean a person?

11:21:589

A **It would depend on which election results you're**

11:22:020

looking at.

11:22:021

Q Okay. So which election results were you using when

11:22:022

you refer to the term "metrics" for purposes of

11:22:103

legislative and congressional district maps?

11:22:124

A **There were a number of them over the course of a year.**

11:22:205

Q A number of different election results?

11:22:231 **A Yes.**

11:22:242 **Q** Okay. On November 15th, prior to voting on
11:22:293 congressional or legislative districts, what kind of
11:22:344 election result metrics were you using to formulate an
11:22:415 agreement?

11:22:426 **A I should clarify. I was not negotiating congressional**
11:22:477 **districts.**

11:22:498 **Q** So tell me what you're trying to say.

11:22:539 **A You asked me which metrics I was using for legislative**
11:22:510 **and congressional districts, and I was not negotiating**
11:23:021 **congressional districts.**

11:23:032 **Q** Did you have to vote on a congressional district?

11:23:073 **MR. PEKELIS:** Object to form.

11:23:114 **THE WITNESS:** I did vote for a
11:23:125 **congressional district plan, yes.**

11:23:146 **Q** (By Ms. Mell) So how did you know what you were voting
11:23:167 for?

11:23:178 **A** On the congressional --

11:23:219 **Q** Correct.

11:23:220 **A** -- district?

11:23:221 I knew what Brady said -- sorry -- Commissioner
11:23:322 Walkinshaw said in our public meeting in which he
11:23:323 described the general geographies in the proposal that
11:23:324 he and Commissioner Fain were bringing to the
11:23:425 commission for our consideration.

11:23:491 And I had --

11:23:512 Q Go ahead.

11:23:523 A Yeah, and I had had general discussions with
11:23:594 Commissioner Fain about what my priorities were when it
11:24:035 came to the congressional map.

11:24:116 Q On November 15th, how did you know what congressional
11:24:157 district you were voting on?

11:24:168 MR. PEKELIS: Object to form.

11:24:189 MS. MELL: Strike that.

11:24:180 Q (By Ms. Mell) On November 15, 2021, how did you know
11:24:261 what congressional districts you were voting to
11:24:292 approve?

11:24:303 A I knew the general geographies of the district as
11:24:424 Commissioner Walkinshaw laid them out.

11:24:415 So the 1st congressional district was going to be
11:24:466 consolidated in a northeastern King County corridor
11:24:507 Snohomish County district.

11:24:528 I knew that the 2nd was going to be therefore
11:24:519 largely a northern Puget Sound to the Cascades
11:24:520 district.

11:25:021 I knew that the 4th and the 5th districts east of
11:25:022 the Cascades were going to largely maintain their
11:25:023 north-south orientation rather than their east-west
11:25:124 orientation as some had suggested.

11:25:125 I knew that the 3rd district was going to remain

11:25:181

with the geographies largely as they currently were.

11:25:252

And I knew that the -- the 8th was going to still cross over the Cascades.

11:25:293

11:25:324

I knew the 7th was going to be largely the Seattle district, the Seattle proper district.

11:25:365

11:25:386

That the 9th was a south King County and south Seattle district.

11:25:427

11:25:438

And the 6th was going to gain the population that it needed in both Tacoma and in west Thurston County.

11:25:469

11:25:510

Q How did you have this knowledge?

11:25:511

A Brady said it in our public -- sorry. Commissioner Walkinshaw said it in our public meeting.

11:26:012

11:26:013

Q When?

11:26:014

A Approximately 10:30 or 11:00 at night.

11:26:115

Q Is it your testimony that you voted on congressional districts based solely on what Commissioner Walkinshaw said in the public meeting on November 15th?

11:26:216

11:26:307

11:26:318

MR. PEKELIS: Object to form.

11:26:319

THE WITNESS: Can you ask that

11:26:320

again?

11:26:401

Q (By Ms. Mell) Is it your testimony that your knowledge of the congressional districts on November 15th was -- when you took a vote was limited to what was said on the public record?

11:26:422

11:26:423

11:26:524

11:27:025

MR. PEKELIS: Object to form.

11:27:031 THE WITNESS: Said in the public

11:27:042 record. Maybe the way I can answer that is the --

11:27:063 Commissioner Fain moved the adoption of the framework

11:27:104 to draw the maps, and based on that moving, along with

11:27:165 the general geographic descriptions as Commissioner

11:27:206 Walkinshaw stated them, is what I base my vote on.

11:27:267 Q (By Ms. Mell) What precisely did Commissioner Fain say
11:27:318 with respect to a motion? Do you remember what the
11:27:379 motion actually was?

11:27:380 A I don't recall exactly.

11:27:401 Q Do you know if Commissioner Fain actually articulated a
11:27:432 motion or whether or not he said "so moved"?

11:27:513 A I don't -- again, I think there's a transcript of it
11:27:514 that we can probably look at.

11:27:515 Q Have you looked at the transcript?

11:27:516 A I have looked at it.

11:27:517 Q When did you last read the transcript?

11:28:018 A Last week.

11:28:019 Q Why did you read the transcript?

11:28:020 MR. PEKELIS: Object to form.

11:28:021 And, actually, I instruct the witness not to
11:28:102 answer on the basis of attorney-client privilege.

11:28:123 Q (By Ms. Mell) Are you going to refuse to answer that
11:28:124 question based on the objection and instruction of your
11:28:205 attorney?

11:28:211 **THE WITNESS: I will take my**

11:28:222 **attorney's instruction, yes.**

11:28:263 Q (By Ms. Mell) Did you review the transcript for any
11:28:344 other reason unrelated to communications with counsel?

11:28:405 A **Yes. I had not read it since it happened, and I was**
11:28:516 **interested in what it had to say.**

11:28:527 Q Did you read it to prepare for today?

11:28:558 A **In part.**

11:28:589 Q When you read it, did the transcript read as you
11:29:040 recalled?

11:29:051 A **Sort of. It was a chaotic time, and I had been awake**
11:29:112 **for a very long time. And I also have a now**
11:29:213 **six-month-old, then three-month-old, who was also not**
11:29:264 **sleeping. And so it was -- I don't know if my memory**
11:29:315 **was as sharp as it has been at other points in my life.**

11:29:346 Q So would you agree that you're necessarily relying on
11:29:417 the transcript for your recollection of what transpired
11:29:468 that night?

11:29:489 MR. PEKELIS: Object to form.

11:29:520 **THE WITNESS: No. I also have my**
11:29:521 **own memory.**

11:29:522 Q (By Ms. Mell) With regard to the actual words
11:29:523 communicated in open public session, would you defer to
11:30:024 the transcript or would you rely on your testimony?

11:30:025 Which do you think is more accurate at this point?

11:30:091 A I --

11:30:112 MR. PEKELIS: Object to form.

11:30:143 THE WITNESS: It would also depend
11:30:144 on there were technical issues with some people
11:30:175 connecting and things like that. So I don't -- I
11:30:206 haven't gone back and audited the transcript to see if
11:30:237 it reflected some of those things and whether there
11:30:268 were parts of that meeting that were -- had technical
11:30:299 issues. So I don't exactly know how to answer the
11:30:310 question.

11:30:311 Q (By Ms. Mell) Do you believe that there's content not
11:30:412 reflected in the transcript that was communicated to
11:30:413 you on November 15th?

11:30:414 A What do you mean by "content"?

11:30:505 Q Communication of any kind.

11:30:516 A I had communications on the 15th that were not in the
11:31:017 transcript. I was talking to people.

11:31:078 Q Outside the public, correct?

11:31:109 A Like when I talk with my wife that day, you mean?

11:31:120 Q No. Well, I mean, I suppose.

11:31:201 I'm actually just wanting to know right now with
11:31:222 respect to the publicized portion of the meeting that
11:31:223 would be reflected in the transcript.

11:31:224 Were there communications to you that are not
11:31:325 reflected in the transcript? Communications to you

11:31:361
11:31:402
11:31:433
11:31:454
11:31:495
11:31:566
11:32:027
11:32:048
11:32:079
11:32:110
11:32:111
11:32:112
11:32:213
11:32:214
11:32:315
11:32:316
11:32:317
11:32:318
11:32:319
11:32:420
11:32:421
11:32:422
11:32:523
11:32:524
11:33:025

during the televised time.

MR. PEKELIS: Object to form.

THE WITNESS: I can't recall if I received a text message or an e-mail during that time.

Q (By Ms. Mell) When you were in the public Zoom meeting, were you receiving and sending text?

A No.

Q When you were in the public meeting, were you communicating with anyone via instant messaging?

A No.

Q Were you e-mailing during the public meeting?

A No. In fact, I had my -- I was on that meeting on my phone, which is my primary communication device. So I feel pretty confident saying that I was not, myself, texting or sending e-mails or things like that when I was on camera.

Q What phone were you on? Your personal phone or your work phone or your commission phone?

A My personal phone.

Q What kind of personal phone do you have?

A I have an iPhone.

Q Do you back up your text communications and digital data on a cloud?

A I think so.

Q Have you done anything to retrieve the text messages

11:33:071 that are commission-related from your cloud?

11:33:112 **A I took screenshots of all the text messages that**

11:33:213 **related to redistricting over the course of the year.**

11:33:254 Q Did you go to your cloud and try to get a transcript of

11:33:285 those text messages?

11:33:316 **A I think I tried to use whatever Apple has to do that in**

11:33:397 **a way that was simpler than screenshots. And I even**

11:33:438 **spent a little bit of time trying to research how you**

11:33:459 **might do that and found a lot of research saying**

11:33:480 **there's no real way to do that and screenshots, as**

11:33:511 **cumbersome as they might be, are in fact the best way**

11:33:512 **to retrieve and produce text messages.**

11:34:003 Q Did you try to find out whether or not the State had

11:34:024 the software that downloads them into a transcript?

11:34:055 **A No, I did not do that.**

11:34:106 Q Okay. I probably will ask that that happen.

11:34:117 Have you preserved the text messages other than by

11:34:148 the screenshots? Do you have them in their original

11:34:219 digital form still?

11:34:220 **A Yes.**

11:34:221 MR. PEKELIS: Object to form.

11:34:302 Q (By Ms. Mell) Okay. Have you deleted any text

11:34:323 messages from the time frame of the 12th to the 16th?

11:34:424 **A No.**

11:34:425 Q I know I have outstanding discovery, so I'm just going

11:34:501 to ask that you make sure and retain and not alter any
11:34:532 of the digital data, because we'll try to get it in a
11:34:563 more native format.

11:34:574 So where were you during the public portion of the
11:35:055 Zoom meeting on the 15th and 16th?

11:35:076 **A I was at the Hampton Inn in Federal Way.**

11:35:147 Q Why were you at the Hampton inn?

11:35:208 **A Because that's where I -- where we had meeting space**
11:35:249 **available on the 14th and 15th.**

11:35:320 Q Were you actually staying at the Hampton Inn?

11:35:311 **A No. They just happened to have the -- some of the only**
11:35:412 **available office space in Federal Way.**

11:35:413 Q Did you request that the meeting occur in Federal Way?

11:35:414 **A I don't think so.**

11:35:515 Q Do you know that the commission rules require your
11:36:016 meetings to occur in Olympia?

11:36:017 MR. PEKELIS: Object to form; calls
11:36:018 for a legal conclusion.

11:36:019 **THE WITNESS: I haven't studied**
11:36:120 **the -- any rules along those lines recently.**

11:36:121 Q (By Ms. Mell) Have you ever read the commission rules?

11:36:122 **A Do you mean the Washington Administrative Code rules**
11:36:223 **that we adopted?**

11:36:224 Q Correct.

11:36:225 **A Yes, I have.**

11:36:271 Q When did you last read the rules?

11:36:362 A Sometime in the second quarter of the year.

11:36:383 Q In what context did you read the rules?

11:36:444 A I reviewed them before we adopted them.

11:36:515 Q Were there rules in existence prior to action you took
11:36:556 to adopt rules?

11:37:007 MR. PEKELIS: Object to form.

11:37:038 THE WITNESS: You're asking if there
11:37:059 were Washington Administrative Code provisions that
11:37:010 related to the Redistricting Commission before we
11:37:011 adopted ours this year?

11:37:122 MS. MELL: Correct.

11:37:113 THE WITNESS: I don't know.

11:37:114 Q (By Ms. Mell) Do you remember whether or not you were
11:37:115 presented with a rule proposal? Usually they're called
11:37:216 CSRs. I don't know if you know what those are.

11:37:307 But did you see an actual rule proposal that
11:37:318 contained interlineations, or was it all new language?

11:37:319 A I don't recall as I sit here right now.

11:37:420 Q What did you do relative to the rules? What was your
11:37:521 involvement in the creation and adoption of them?

11:37:522 MR. PEKELIS: Object to form.

11:37:523 THE WITNESS: I did not create them.
11:37:524 I received them by e-mail and reviewed them. I can't
11:38:025 recall if I suggested any proposed revisions.

11:38:101 And then at a public meeting in, again I think it
11:38:142 was the second quarter of this year, I voted to adopt
11:38:173 them.

11:38:324 Q (By Ms. Mell) And at the time you adopted them, do you
11:38:345 believe that you read them in their entirety?

11:38:376 A **Yes.**

11:38:387 Q Did you have any objections to them?

11:38:438 A **I don't recall if I suggested proposed revisions or had
11:38:529 objections.**

11:38:520 Q Did you pay attention to the open government provisions
11:38:591 of the rules adopted?

11:39:012 MR. PEKELIS: Object to form.

11:39:013 **THE WITNESS: Yes, I did.**

11:39:044 Q (By Ms. Mell) What do you recall about the open
11:39:075 government provisions of the rules you adopted?

11:39:106 A **I recall that we committed ourselves to an open and
11:39:117 transparent process that was designed not only to
11:39:118 comply with the Open Public Meetings Act and the Public
11:39:219 Records Act but to hold ourselves to a very high
11:39:220 standard of openness and transparency.**

11:39:221 Q Do you remember believing that the rules you were
11:39:322 adopting -- strike that.

11:39:323 Is it your position that the rules you voted to
11:39:424 adopt committed the commission to open government
11:39:425 standards above and beyond OPMA and the Public Records

11:39:531 Act?

11:39:532 MR. PEKELIS: Object to form; calls
11:39:543 for a legal conclusion.

11:39:574 THE WITNESS: I don't know what the
11:39:595 other commissioners exactly thought about them. I
11:40:026 don't know what the -- exactly how to answer that
11:40:067 question.

11:40:068 But I, myself, believe in open and transparent
11:40:119 government. And I hold myself to a very high standard
11:40:110 of openness and transparency whenever I'm involved in
11:40:111 government affairs.

11:40:212 Q (By Ms. Mell) In terms of the standard you hold
11:40:213 yourself to, is it correct, then, that you don't limit
11:40:304 your commitment to openness and transparency to the
11:40:315 technical requirements of OPMA and/or the Public
11:40:316 Records Act, that your standard is beyond that?

11:40:417 A I absolutely try to go above and beyond that. I was
11:40:418 one of the very few legislators to vote against a bill
11:40:519 that would have shielded legislative records from
11:40:520 public review.

11:40:521 I turned over my records even when I didn't have
11:40:522 to in the legislature.

11:40:523 I proposed bills that would require legislative
11:41:024 records to be open and public.

11:41:025 And I believe that when the people, themselves,

11:41:051

adopted those laws, they were doing a very good thing.

11:41:072

And they were instructing government officials not only

11:41:093

to follow them but to act in the spirit of those laws.

11:41:164

Q Have you been a member of the Washington Coalition of Open Government?

11:41:195

11:41:226

A I can't recall if I ever actually joined. I attended

11:41:277

several meetings and breakfasts, but I don't know if I

11:41:298

was ever formally admitted as a member, to the extent

11:41:329

there's a formal admission process.

11:41:350

Q Okay. But you don't have any objections to the

11:41:391

organization in terms of its goals and objectives?

11:41:422

MR. PEKELIS: Object to form.

11:41:413

THE WITNESS: I have deep affection

11:41:414

for that organization and strongly believe in its

11:41:415

goals.

11:41:496

Q (By Ms. Mell) When you talked about adopting laws,

11:42:017

were you in the legislature?

11:42:018

A Yes, I was.

11:42:069

Q When?

11:42:020

A 2017 to 2019.

11:42:121

Q In what capacity?

11:42:122

A I was a state representative.

11:42:123

Q For what district?

11:42:124

A The 5th legislative district.

11:42:225

Q Have you served in any other government role?

11:42:281 **A** I serve on the board of one of the state's first public
11:42:342 charter schools.

11:42:443 And this year as well, I was appointed to the King
11:42:484 County Council Redistricting Commission.

11:42:525 **Q** Have you completed your work there?

11:42:546 **A** Yes.

11:43:027 **Q** Do you have a general understanding of what it means to
11:43:168 take a secret vote?

11:43:199 **A** Under the Public Meetings Act?

11:43:210 **Q** Do you know whether or not secret vote is a prohibition
11:43:281 in the commission's own rules?

11:43:302 **MR. PEKELIS:** Object to form; calls
11:43:323 for a legal conclusion.

11:43:314 **THE WITNESS:** I don't recall if we
11:43:315 use the -- that exact phrase.

11:43:376 **Q** (By Ms. Mell) So assuming "secret vote" is contained
11:43:427 within the statute rules applicable to the
11:43:468 Redistricting Commission, what do you understand
11:43:509 "secret vote" to mean?

11:43:520 **MR. PEKELIS:** Object to form.

11:43:521 **THE WITNESS:** I don't know if that
11:43:522 phrase is -- is in there in that -- in that particular
11:44:023 phraseol- -- as that particular phrase.

11:44:024 **Q** (By Ms. Mell) Okay. So I'm asking you to assume that
11:44:125 "secret vote" is contained in the statute for the

11:44:171 Redistricting Commission.

11:44:182 What do you understand it to mean?

11:44:193 MR. PEKELIS: Object to form; calls
11:44:214 for a legal conclusion.

11:44:235 THE WITNESS: Whether -- again,
11:44:276 whether it's a secret vote or a straw vote, I think
11:44:317 there's something along those lines in -- in the Public
11:44:358 Meetings Act. And I understand it to be that there's a
11:44:389 prohibition on survey or an advance discussion among
11:44:410 members of a public body about how they're going to
11:44:511 vote on something. And you can't do that. You have to
11:44:512 have those discussions in -- in public.

11:44:513 Q (By Ms. Mell) Is there a difference between a secret
11:44:514 vote and a straw vote as you've used those terms?

11:45:025 MR. PEKELIS: Same objection.

11:45:016 THE WITNESS: Probably if I were to
11:45:117 use them in standard conversation, I would probably use
11:45:118 them interchangeably.

11:45:219 Q (By Ms. Mell) Did you take a secret vote in your
11:45:320 service as a Washington State redistricting
11:45:321 commissioner?

11:45:322 A No.

11:45:323 Q Did you take a straw vote in your role as a Washington
11:45:424 State redistricting commissioner?

11:45:525 A No.

11:45:571 Q Did you participate in communicating your willingness
11:46:012 to affirm metrics discussed privately with respect to a
11:46:083 legislative district?

11:46:114 MR. PEKELIS: Object to form.

11:46:125 **THE WITNESS: I'm not sure I**
11:46:146 **understand the question.**

11:46:157 Q (By Ms. Mell) Did you communicate with other voting
11:46:198 commissioners about legislative district metrics or
11:46:249 metrics to formulate a legislative district privately?

11:46:310 MR. PEKELIS: Object to form.

11:46:311 **THE WITNESS: Commissioner Sims and**
11:46:312 **I had discussions in which we were trying to come up**
11:46:413 **with a proposal for the rest of the commission. And**
11:46:414 **part of that proposal involved recent election results**
11:46:515 **and how they would be applied to potential legislative**
11:46:516 **districts.**

11:46:517 Q (By Ms. Mell) So what did you communicate on November
11:47:018 15th with regard to what you would agree to relative to
11:47:019 a legislative district?

11:47:120 MR. PEKELIS: Object to form.

11:47:121 **THE WITNESS: With whom?**

11:47:122 MS. MELL: With anyone.

11:47:123 **THE WITNESS: I talked to Anton**
11:47:224 **Grose, who was my mapping analyst, about different**
11:47:225 **potential proposals and which ones I might want to**

11:47:341

consider proposing to the rest of the commission.

11:47:492

Q (By Ms. Mell) Anyone else?

11:47:553

MR. PEKELIS: Object to form.

11:47:564

THE WITNESS: I talked to

11:48:005

Commissioner Sims about, again, trying to -- the two of

11:48:106

us to come up with a proposal that we could submit for

11:48:147

the commission's consideration.

11:48:168

Q (By Ms. Mell) Anyone else?

11:48:259

MR. PEKELIS: Same objection.

11:48:270

THE WITNESS: Could you ask the --

11:48:401

exactly anybody else, who I communicated what again?

11:48:412

Q (By Ms. Mell) Did you communicate with anyone other

11:48:443

than Anton Grose or Commissioner Sims about what

11:48:484

legislative districts you would agree to on November

11:48:525

15th outside the public meeting?

11:48:556

MR. PEKELIS: Object to form.

11:48:597

MS. MELL: What's the objection as

11:49:008

to form?

11:49:029

MR. PEKELIS: It's extremely

11:49:020

convoluted.

11:49:021

MS. MELL: Okay.

11:49:022

Q (By Ms. Mell) Can you answer the question?

11:49:123

A Osta Davis as well. We had -- was in -- when we were

11:49:224

discussing the potential proposal for a legislative

11:49:325

map.

11:49:351 Q Did you reach agreement on a potential proposal for a
11:49:412 legislative map outside the public meeting on November
11:49:443 15th prior to voting?

11:49:474 MR. PEKELIS: Object to form.

11:49:485 THE WITNESS: Commissioner Sims and
11:49:506 I reached the point where we felt comfortable proposing
11:49:597 a legislative plan to the full commission.

11:50:028 Q (By Ms. Mell) What time did you reach a point where
11:50:129 you were prepared to propose a legislative plan to the
11:50:160 full commission?

11:50:161 A Approximately 8:45 p.m.

11:50:212 Q Did you communicate Commissioner Sims' and your
11:50:293 proposal to the full commission?

11:50:314 A As hand-fistedly as I did in that meeting, yes.

11:50:415 Q I didn't hear what you used as your modifier there. As
11:50:456 what?

11:50:467 A Hand-fistedly. It was a -- it was a chaotic meeting,
11:50:518 and I was trying to get across what our proposal was.
11:50:519 And not exa- -- exactly proud of exactly how -- how
11:51:020 well or not well I explained it in the public meeting,
11:51:021 but I tried to communicate within all that chaos about
11:51:122 what that framework would be and had the hope that --
11:51:123 that we might even have the framework turned into maps
11:51:224 before midnight, which ultimately ended up not
11:51:225 happening.

11:51:29 1 Q Okay. So did you -- well, what do you remember saying
11:51:36 2 publicly about the legislative plan to the full
11:51:44 3 commission publicly?

11:51:46 4 A A couple of different things.

11:51:52 5 I remember communicating -- we faced this math
11:51:57 6 challenge on the legislative map. If you add up the
11:52:00 7 populations of all the counties east of the Cascades
11:52:03 8 and you divide by 157,200, which is the number that
11:52:08 9 each legislative district has to include, you'll find
11:52:11 10 yourself with a remainder of about 60,000 people, which
11:52:11 11 meant that no matter how we did it, you have to have
11:52:21 12 60,000 people from some west-side district or districts
11:52:21 13 and some east-side district or districts.

11:52:21 14 And that was one of the biggest questions that we
11:52:31 15 faced. And I proposed that we go largely over Highway 2
11:52:31 16 in Snohomish County, the 12th legislative district, and
11:52:41 17 also taking up part of the Snoqualmie Valley in
11:52:41 18 crossing over the mountains there.

11:52:41 19 I think I talked about taking into account
11:52:52 20 proposals from Native American tribes with whom we
11:52:52 21 consulted.

11:53:02 22 I don't recall which other ones, which other
11:53:02 23 aspects of the plan I was able to communicate then.

11:53:02 24 Q (By Ms. Mell) How did you know what the Native
11:53:10 25 American tribes wanted?

11:53:111 **A** They sent us letters, and some commissioners had
11:53:192 meetings with some of them. I attended a meeting with
11:53:223 the Yakama tribe, for example.

11:53:264 **Q** Was Chair Augustine authorized to act on the
11:53:325 commission's behalf before the tribes?

11:53:346 **MR. PEKELIS:** Object to form.

11:53:367 **THE WITNESS:** It's been a while
11:53:398 since I read our tribal consultation policy. I can't
11:53:449 recall what it authorizes Commissioner Augustine to do
11:53:410 in particular.

11:53:501 **Q** (By Ms. Mell) Did you adopt as a -- did you -- strike
11:53:512 that.

11:53:513 What are you referring to as the tribal
11:54:014 consultation policy?

11:54:015 **A** Our commission for the first time adopted an official
11:54:016 tribal consultation policy so we could conduct
11:54:107 government-to-government discussions with our sovereign
11:54:118 tribal partners in the state. And we adopted that as a
11:54:119 commission.

11:54:220 **Q** And did you act on information obtained from tribal
11:54:221 government?

11:54:322 **A** We heard information from them. And they, like many
11:54:323 members of the public, made suggestions or requests for
11:54:424 the way some of the districts might look. And we
11:54:425 certainly took that -- I -- and we certainly took that

11:54:501

into account.

11:54:512

Q Did you hear from Commissioner Augustine what tribes wanted?

11:54:563

11:54:574

A I heard directly from tribes, themselves, what they wanted.

11:55:045

11:55:046

Q Which tribes?

11:55:057

A With the caveat that I might not get all of them right

11:55:128

now while I'm sitting here, the Lummi Nation, the

11:55:209

Nooksack nation, the Confederated Band of the Yakama

11:55:210

Nation, the Kalispell, the Colville nation, the Tulalip

11:55:421

Tribe, I think the Puyallup Tribe, if I recall. The

11:55:412

Muckleshoots.

11:55:513

There may be others that I'm forgetting as I'm sitting here right now.

11:55:514

11:55:515

Q And when you said that you heard directly from the

11:55:516

tribes, I thought I understood you only attended one

11:56:017

meeting; is that correct? One meeting with a tribe?

11:56:078

MR. PEKELIS: Object to form.

11:56:019

THE WITNESS: I attended one meeting with the Yakama tribe.

11:56:120

11:56:121

Q (By Ms. Mell) So when you say that you knew directly from the tribes what they wanted, what did you mean?

11:56:222

11:56:223

A The other tribes sent us -- sorry.

11:56:324

To answer the last question, I think there was one other virtual meeting with a tribe that I attended in

11:56:325

11:56:411 the Chehalis area. I'm being very disrespectful by
11:56:482 forgetting exactly which tribe it was.

11:56:503 But from the other tribes, we received written
11:56:534 communication at our public comment e-mail address from
11:56:565 the other tribes about their preferences for
11:57:016 legislative or congressional districts.

11:57:047 Q Was your virtual meeting with the Chehalis tribe --
11:57:118 recognizing that may not be the right name of the
11:57:159 tribe, with all due respect -- was that public?

11:57:200 A I don't think it was a noticed public meeting.

11:57:271 Q How about the meeting you went to with the Yakama
11:57:302 tribe?

11:57:303 A I don't recall if that was noticed as a public meeting
11:57:374 either from the commission side or from the tribe side.

11:57:415 Q So back to the question I originally asked.

11:57:476 Was Chair Augustine sharing information with you
11:57:517 at any time about what the tribes wanted or what any
11:57:548 one tribe wanted?

11:57:519 A No. I heard from the tribes directly, themselves,
11:58:020 again mostly with written communication to our
11:58:021 comment@redistricting.wa.gov e-mail address.

11:58:022 Q Okay. So just to be clear, you did not hear anything
11:58:123 from Chair Augustine about what any tribe wanted?

11:58:124 A I don't think -- I can't recall a single conversation
11:58:225 along those lines.

11:58:231 Q Did Chair Augustine have the authority to act from your
11:58:452 perspective on behalf of the commission before the
11:58:483 tribes?

11:58:494 **A I'm not sure what you mean by "act."**

11:58:555 Q Well, was it within her position as a commissioner to
11:59:056 meet with tribes and communicate with tribes?

11:59:117 **A We as a commission adopted a tribal consultation
11:59:178 policy. And I can't recall if it only authorized our
11:59:229 chair or if it authorized any commissioner to request
11:59:210 government-to-government discussions.**

11:59:271 Q But you would turn to that document to know what
11:59:302 authority was given to the chair to communicate with
11:59:313 tribes?

11:59:314 **A I would certainly rely on the document for what the --
11:59:415 what our tribal consultation policy exactly provided.**

11:59:416 Q Was that a document adopted in public?

11:59:417 **A Yes, it was.**

11:59:418 Q Is it publicly available?

11:59:519 **A I believe it is.**

11:59:520 Q Do you have any reason to believe -- strike that.

12:00:021 Is there any reason why contact with the tribes
12:00:122 would be done privately as opposed to publicly noticed?

12:00:123 **A I think that it would probably be similarly treated --
12:00:324 I would at least treat it similarly from a Public
12:00:325 Meetings Act point of view as I would any meeting that**

12:00:391 I personally would have over the course of the year
12:00:432 with anybody who wanted to talk with me about
12:00:463 redistricting.

12:00:554 Q So I'm not sure that I follow.

12:00:575 Were you of the position that -- well, let me ask
12:01:026 it a different way.

12:01:037 So to the best of your knowledge, there was no
12:01:068 barrier to publicly noticing a meeting with tribes, the
12:01:129 commission meeting with tribes, any tribe?

12:01:160 A I don't know whether there would be, just because we
12:01:201 would be -- those particular meetings would involve
12:01:212 meetings with other sovereign governments. At least
12:01:213 the Yakama meeting that I attended was in person, and I
12:01:324 don't know whether there might be tribal sovereignty
12:01:315 issues that might preclude such a notice.

12:01:506 Q Was the meeting that you attended a meeting with one
12:01:577 individual tribal leader, or was it a tribal council
12:02:018 meeting?

12:02:029 A I attended a tribal council meeting of the Yakama
12:02:020 Nation.

12:02:021 Q Do you know if the public was able to observe the
12:02:122 tribal council meeting?

12:02:123 A I don't know.

12:02:224 Q Is a map essential to a plan, a redistricting plan?

12:02:425 MR. PEKELIS: Object to form.

12:02:471 **THE WITNESS: That was the goal of**
12:02:562 **what we were working toward, was legislative and**
12:03:003 **congressional maps.**

12:03:024 Q (By Ms. Mell) Okay. So when the measure was before
12:03:045 you in the public meeting, what measure was it specific
12:03:096 to legislative or congressional districts?

12:03:127 MR. PEKELIS: Object to form.

12:03:138 **THE WITNESS: You use the term**
12:03:189 **"measure"? What do you mean by that?**

12:03:200 Q (By Ms. Mell) What do you call a motion?

12:03:211 A A motion.

12:03:242 Q Okay. So do you recall a motion to adopt a legislative
12:03:323 district?

12:03:314 A A district? No.

12:03:385 Q Districts?

12:03:316 A I don't know if that was the phrase we used.

12:03:417 Q Okay. What do you recall about any public vote you
12:03:478 took as to legislative districts?

12:03:519 A I recall a motion and a second to approve a legislative
12:03:520 redistricting plan.

12:03:521 Q Okay. And is it correct that there was no complete
12:04:022 plan at the time that you affirmed the motion?

12:04:023 A We had a framework that we could translate directly
12:04:124 into maps, but the maps themselves were not completed
12:04:125 by the time of the vote.

12:04:20 1 Q Is it correct -- well, strike that.

12:04:24 2 I guess I assume that you voted affirmatively. We

12:04:28 3 should probably get that on the record.

12:04:29 4 When the motion was made with regard to

12:04:31 5 legislative districts, did you make the motion?

12:04:34 6 **A I don't recall.**

12:04:36 7 Q Do you recall what you said in response to the motion?

12:04:42 8 **A I voted "yes."**

12:04:46 9 Q Was there any discussion on the motion?

12:04:49 10 **A It was so chaotic, I genuinely don't recall.**

12:04:51 11 Q When you voted on legislative -- you call it a legis- --

12:05:01 12 you said the motion was to adopt a legislative district

12:05:10 13 map or plan?

12:05:11 14 **A I think the phrase was a legislative redistricting**

12:05:15 15 **plan.**

12:05:16 16 Q Okay. So when you voted to adopt a legislative

12:05:21 17 redistricting plan, what was the plan?

12:05:31 18 **A It had a number of different facets that -- but that**

12:05:41 19 **could be translated into the map that was released on**

12:05:42 20 **Tuesday the 16th.**

12:05:50 21 Q How many different facets?

12:05:52 22 **A Depending on how you count, 49 or millions.**

12:06:00 23 Q And what's the condition between those numbers that the

12:06:00 24 numbers --

12:06:02 25 **A 49 is the number of legislative districts. Millions**

12:06:121 would be the particular precincts contained within each
12:06:182 district.

12:06:203 Q I just didn't hear the word that you used right before
12:06:244 you started the word "precincts." "Would be the
12:06:295 precincts."

12:06:296 What was the word that you used? The "millions"?

12:06:317 A Yes.

12:06:318 Q Okay. Is it correct that the only way to identify the
12:06:399 boundaries of a precinct is with a map?

12:06:510 A No.

12:06:511 Q How else can you do it?

12:06:522 A With a legal description.

12:06:543 Q And how did the Redistricting Commission do it?

12:06:574 A What do you mean?

12:07:015 Q At the time of the vote, how did the Redistricting
12:07:066 Commission express the legislative districts and
12:07:107 precincts?

12:07:118 A We didn't express precincts. The precincts are
12:07:189 provided to us by the U.S. Census Bureau, I think.

12:07:220 Q So at the time that you voted to adopt a legislative
12:07:281 redistricting plan, how did you identify the
12:07:322 legislative districts you were approving?

12:07:323 A Well, through the -- some of the things that I
12:07:424 mentioned about crossing over largely Highway 2 in the
12:07:525 Snoqualmie Valley. Trying to take into account the

12:07:561 feedback we received from the public, including the
12:08:032 input that we received from our tribal partners.

12:08:063 And then we -- part of it as well, there were
12:08:174 partisan performance considerations that you could then
12:08:225 use directly to draw the districts, themselves.

12:08:286 Q So was that all in your head when you voted?

12:08:317 A I had that all in my head when I voted, yes.

12:08:378 Q Did you have it expressed anywhere in writing?

12:08:419 A No.

12:08:450 Q Had you communicated what you had in your head to
12:08:491 anyone before you voted?

12:08:522 A Communicated with Commissioner Sims, because this was
12:08:513 our proposal to the commission.

12:09:014 Q Was there more than one proposal to the commission when
12:09:055 you voted on legislative districts?

12:09:086 A No.

12:09:117 Q Why not?

12:09:158 MR. PEKELIS: Object to form.

12:09:189 THE WITNESS: Because we just
12:09:220 proposed one proposal.

12:09:221 Q (By Ms. Mell) Is that a proposal that you knew you had
12:09:222 agreement on when you proposed it?

12:09:303 MR. PEKELIS: Object to form.

12:09:324 THE WITNESS: Commissioner Sims and
12:09:325 I, I think I moved and she seconded it. But I have no

12:09:461 **idea how the other commissioners were going to vote on**
12:09:492 **it.**

12:09:513 Q (By Ms. Mell) Do you have any idea how the other
12:09:574 commissioners knew what was in your head at the time
12:10:005 they voted on it?

12:10:026 MR. PEKELIS: Object to form.

12:10:037 **THE WITNESS: Commissioner Sims**
12:10:078 **certainly knew. We had been discussing this proposal**
12:10:119 **for a very long time.**

12:10:140 Q (By Ms. Mell) Had you actually looked at a map that
12:10:171 reflected what was in your head prior to voting on it?

12:10:202 A **I don't think I'd seen a map that had the exact final**
12:10:303 **districts as we proposed them. But they're reflected**
12:10:314 **in the maps that were produced on Tuesday and that all**
12:10:375 **the commissioners agreed on Thursday at the press**
12:10:426 **conference were the maps that we considered ourselves**
12:10:457 **to have voted on.**

12:10:468 Q How do you know?

12:10:479 A **How do I know what?**

12:10:480 Q How do you know that the maps reflected what was in
12:10:521 your head?

12:10:522 A **Because I saw them.**

12:10:523 Q When?

12:10:524 A **Tuesday afternoon, the 16th.**

12:11:025 Q Where?

12:11:021 **A I received an e-mail from Anton Grose, my mapping**
12:11:102 **staffer, with a link to the map.**

12:11:163 **Q What did you do with that e-mail?**

12:11:184 **A I opened the link and reviewed the map.**

12:11:225 **Q Then what did you do?**

12:11:246 **A Closed it and went to sleep.**

12:11:327 **Q Did you communicate whether or not the map reflected**
12:11:358 **what was in your head at the time you voted?**

12:11:379 **A I don't know if I did that day, but I certainly**
12:11:410 **believed that it reflected what I voted for. And,**
12:11:521 **again, when we had the press conference on Thursday the**
12:11:512 **18th, all four commissioners also said that was the map**
12:12:013 **that reflected their votes.**

12:12:044 **Q So do you know if you communicated whether or not you**
12:12:165 **approved the final map to anyone prior to the -- well,**
12:12:216 **strike that.**

12:12:217 **When, if ever, did you communicate with anyone**
12:12:218 **that you approved the final maps?**

12:12:289 **MR. PEKELIS: Object to form.**

12:12:320 **THE WITNESS: I think we --**

12:12:321 **MS. MELL: Strike that. Just a**
12:12:322 **second. That was confusing. Just a second. Let me**
12:12:403 **re-ask that.**

12:12:404 **Q (By Ms. Mell) When, if ever, did you communicate with**
12:12:425 **anyone that you approved the legislative district map**

12:12:471 in its final form?

12:12:502 MR. PEKELIS: Object to form.

12:12:513 THE WITNESS: It's a little bit
12:12:594 ambiguous. Because we as a commission considered
12:13:055 ourselves not to have met our deadline. But on the
12:13:116 Thursday press conference, the 18th, I expressed there
12:13:157 that the maps that had been public for two days were
12:13:198 indeed the maps that I voted for.

12:13:229 Q (By Ms. Mell) So is that the first time you
12:13:260 communicated your approval of the map in its final form
12:13:311 for the legislative districts?

12:13:352 MR. PEKELIS: Same objection.

12:13:413 THE WITNESS: I think I talked to
12:13:414 Commissioner Augustine after reviewing the map probably
12:13:515 on Wednesday the 17th, saying that, yes, those were
12:13:516 the -- the maps as I voted for them.

12:14:017 Q (By Ms. Mell) Do you know whether any of the other
12:14:018 commissioners similarly communicated approval of the
12:14:119 final maps?

12:14:120 A All four commissioners said that the legislative and
12:14:121 the congressional maps were the maps that they voted
12:14:222 for at our press conference on the 18th.

12:14:223 Q Was the press conference publicly noted?

12:14:324 A Yes, it was.

12:14:325 Q And how could the public attend the press conference?

12:14:381 **A I think there was a link to sign up on the**
12:14:422 **Redistricting Commission's website.**

12:14:473 **Q Was it -- how was it televised, or how was it**
12:14:534 **broadcast?**

12:14:545 **A I don't know.**

12:15:036 **Q Who made the decision to hold the press conference?**

12:15:087 **A If I recall correctly, Commissioner Augustine noted the**
12:15:188 **press conference.**

12:15:229 **Q Did you agree to the press conference?**

12:15:250 **A Did I agree to hold a press conference?**

12:15:311 **Q Did you agree to attend the press conference?**

12:15:352 **A Yes.**

12:15:363 **Q And when did you express your agreement to attend the**
12:15:384 **press conference?**

12:15:405 **A I had -- we had a planned press conference on Tuesday**
12:15:416 **morning, the 16th, and I think that had been scheduled**
12:15:517 **for some time. And because of the late night that we**
12:16:018 **all had on the 15th, I think it was Commissioner**
12:16:019 **Augustine who decided to move the press conference from**
12:16:120 **Tuesday to Thursday.**

12:16:121 **Q Did you have any communications with Commissioner**
12:16:122 **Augustine about moving the press conference from**
12:16:203 **Tuesday to Thursday?**

12:16:224 **A She asked whether that time on Thursday would work for**
12:16:325 **me, and I said "yes."**

12:16:331 Q When did she ask you that?

12:16:352 A **Either Tuesday afternoon or Wednesday morning.**

12:16:443 Q Did you reach an agreement on November 16th to cancel
12:16:504 the press conference scheduled that day?

12:16:525 A **I don't know -- I don't recall whether there was an
12:16:586 agreement or whether Commissioner Augustine just
12:17:017 canceled it on her own.**

12:17:028 Q Do you remember having a conversation about not
12:17:069 communicating with the press on the 16th?

12:17:080 A **No, I don't recall a conversation like that.**

12:17:111 Q On the 16th, were you in an event room at a hotel with
12:17:212 all other commissioners?

12:17:213 A **Did you say on the 16th?**

12:17:214 Q Yes.

12:17:215 A **On the 16th, after the vote at midnight, I went to --
12:17:316 one of the rooms that we had in Federal Way was a big
12:17:417 maybe 200-foot-by-200-foot room. And I was in there,
12:17:518 trying to turn the framework that we had -- turn the
12:17:519 framework that we had into the maps that were produced
12:18:020 later that day.**

12:18:021 MR. PEKELIS: Ms. Mell, it seems
12:18:022 like you've jumped to a new topic. I wonder -- we've
12:18:023 been going over an hour now. I think if this is a
12:18:024 convenient time for a break, that'd be great.
12:18:125 Otherwise, hopefully in the next couple of minutes

12:18:141
12:18:142
12:18:153
12:18:174
12:18:185
12:18:196
12:18:227
12:18:318
12:18:339
12:18:360
12:18:391
12:18:412
12:18:443
12:18:494
12:18:515
12:18:536
12:19:017
12:19:068
12:19:089
12:19:120
12:19:121
12:19:122
12:19:223
12:19:224
12:19:325

you'll find one.

MS. MELL: Yeah, let me just ask this one question.

MR. PEKELIS: Sure.

Q (By Ms. Mell) Who was in that room? The other commissioners?

A I was there for seven hours or so. And there were various people who were in and out over the course of those seven hours.

Q During the seven hours you were in the event -- what's the name of the hotel?

A I think it's the Hampton Inn.

Q Okay. And can we agree, when I say "the event room," that it's the room you were in for seven hours?

A We can agree to that.

Q Okay. So when you were in the event room for seven hours, were you in that room with all of the other voting commissioners at any time?

A Oh, I -- I should clarify. There was maybe a 45-minute stretch between maybe 3 and 4 in the morning when I went to a different room and tried to lay down and see if I could get some sleep and I was unsuccessful.

And to answer your question, I think there was some time where the other voting commissioners were also in the room.

12:19:321 Q And was Chair Augustine in the room?

12:19:372 A She was in and out, if I recall correctly.

12:19:403 Q Do you know how much time you were collectively
12:19:434 together in that room, all of the commissioners?

12:19:455 A I don't know. But even then, it was large enough that
12:19:556 I primarily interacted with Commissioner Sims; Osta
12:20:037 Davis, her mapping staffer; and Anton Grose, my mapping
12:20:078 staffer, and was not involved in the conversations with
12:20:099 other commissioners or staff.

12:20:110 Q But you were all in the same room?

12:20:111 A It was a big room so that we were kind of separated out
12:20:112 into different sections.

12:20:203 Q What do you mean you were separated out into different
12:20:214 sections?

12:20:215 Were you assigned different areas to stay in the
12:20:216 room?

12:20:217 A No. We just -- my main focus then was to work with
12:20:318 Commissioner Sims and our mapping staff to try to
12:20:319 translate our framework as quickly as we could into the
12:20:320 maps that were produced later that day.

12:20:421 And Commissioner Fain and Walkinshaw were on the
12:20:422 other side of the room where I couldn't hear or see
12:20:523 what they were doing.

12:20:524 But there was no assignment along those lines.
12:20:525 It's just naturally how we were working.

12:21:011 Q And Fain and Walkinshaw --

12:21:032 MR. PEKELIS: Ms. Mell, I'm sorry.

12:21:053 If I may interject. You said you had one more
12:21:064 question, and I think you've asked probably ten now.

12:21:085 MS. MELL: I'm going to take a
12:21:106 break. Just a second. Let me just finish.

12:21:127 Q (By Ms. Mell) Fain and Walkinshaw were of the same
12:21:148 party? Or why were they working together?

12:21:169 A Commissioners Fain and Walkinshaw were -- one's a
12:21:210 Republican, and one's a Democrat.

12:21:211 Q Were they assigned to work in a dyad?

12:21:212 A They had been trying to negotiate to come up with a
12:21:313 proposal on the congressional maps.

12:21:314 Q Okay. And so then the other -- the other two of you
12:21:415 were an R entity as well?

12:21:416 A I'm a Republican. And I was appointed by the House
12:21:417 Republican leader, and Commissioner Sims was appointed
12:21:518 by the speaker of the House, who's a Democrat.

12:21:519 Q And you were the ones assigned to do the legislative
12:21:520 district map?

12:21:521 MR. PEKELIS: Object to form.

12:22:022 THE WITNESS: I don't know if
12:22:023 "assigned" is the word. That's how we broke up the
12:22:024 work.

12:22:025 MS. MELL: Okay. All right. Let's

12:22:051

take a break.

12:22:052

(Pause in proceedings from

12:22:053

12:22 p.m. to 12:54 p.m.)

12:22:054

12:54:535

Q (By Ms. Mell) On November 16th, when you were in the

12:54:556

hotel, in the event room at the Hampton, did you have

12:55:027

any communications with anyone other than -- with any

12:55:088

of the commissioners other than Sims?

12:55:169

A At some point over the course of that morning, I had at

12:55:210

least one conversation with other commissioners.

12:55:211

Q What do you recall about conversing with a commissioner

12:55:212

other than Sims in the seven hours you were in the

12:55:313

event room?

12:55:314

A Talked with Commissioner Fain about our scheduled 10:00

12:55:415

press conference.

12:55:416

Q What did you say?

12:55:417

A With the caveat at this point I've been awake for 24

12:55:518

hours, so things are a little foggy: I think I said

12:56:019

that we should consider whether to push back that press

12:56:020

conference.

12:56:021

Q What did he say?

12:56:122

A I think he agreed it was a good idea.

12:56:123

Q Did you then communicate your conversation with Fain to

12:56:224

anyone?

12:56:225

A About the -- rescheduling the press conference?

12:56:331 Q Correct.

12:56:332 A **Not that I recall.**

12:56:353 Q Do you know whether or not Commissioner Fain
12:56:394 communicated with anyone else what you and he spoke
12:56:435 about?

12:56:446 A **I don't know.**

12:56:477 Q When you were speaking to Commissioner Fain about
12:56:568 moving back the press conference, was the press
12:56:599 conference scheduled for 10:00?

12:57:010 A **Yes.**

12:57:011 Q Did the press conference finally get moved?

12:57:012 A **It was moved to Thursday from Tuesday.**

12:57:113 Q What happened between the time you spoke to
12:57:164 Commissioner Fain and the scheduled time of the press
12:57:205 conference at 10:00 that resulted in the press
12:57:226 conference being rescheduled as you had requested?

12:57:217 A **I don't know if I'd say I requested it. I think I
12:57:318 mentioned that it would probably be a good idea.**

12:57:419 Q Okay. With that clarification, what's your answer to
12:57:420 the question?

12:57:421 A **Can you remind me of the question?**

12:57:422 Q What happened between the time you suggested that the
12:57:523 press conference should be rescheduled to Commissioner
12:57:524 Fain and he agreed and 10:00 when the press conference
12:57:525 was scheduled?

12:57:591 **A I think Commissioner Augustine postponed the press
12:58:062 conference.**

12:58:073 **Q Do you know whether or not Commissioner Augustine
12:58:104 received information about your desire that the press
12:58:165 conference be rescheduled and acted on that?**

12:58:206 **A I don't think so.**

12:58:267 **Q Why?**

12:58:268 **A I don't remember talking with her about it. And I
12:58:329 don't think I would have needed to, because it was such
12:58:310 an obvious thing that we needed to do.**

12:58:311 **We'd all been awake for more than 24 hours, and
12:58:422 there was substantial confusion about what, you know,
12:58:413 the impact of the vote that we took. And in those
12:58:514 circumstances, it -- I think it was just a natural
12:58:515 decision on our part.**

12:59:026 **Q Did you have an opportunity to object or agree?**

12:59:017 **A I don't recall if I did.**

12:59:148 **Q Was anyone else present in the conversation between you
12:59:219 and Commissioner Fain?**

12:59:220 **A Paul Campos, his mapping staffer, I think may have been
12:59:321 there for that conversation.**

12:59:322 **Q Do you know if either Paul Campos or his mapping
12:59:423 staffer -- or Paul Campos was Fain's mapping staffer.
12:59:504 Is that what you're saying?**

12:59:525 **A Paul Campos was the mapping staffer for Commissioner**

12:59:571

Fain.

12:59:572

Q Okay. Did you have a mapping staffer with you?

12:59:593

A I had a mapping staffer as a commissioner, yes.

13:00:054

Q Did you have a mapping staffer with you when you were communicating with Fain?

13:00:085

13:00:106

A I don't think so.

13:00:157

Q Do you know if Paul Campos communicated the content of your conversation with Fain to anyone?

13:00:198

13:00:259

A I don't know.

13:00:250

Q Did you make your wishes regarding continuation of the press conference known to anyone other than Commissioner Fain?

13:00:301

13:00:312

13:00:313

A I don't recall.

13:00:424

Q Did you communicate with any of the other commissioners about any subject other than moving the press conference on the 16th when in the event room at the Hampton Inn?

13:00:455

13:00:516

13:00:517

13:00:518

A I had sort of a reminiscing session with Commissioner Sims about the year and about the work that we'd done, some of the challenges that we faced together.

13:01:129

13:01:120

13:01:221

Q How did you know what was happening with regard to the congressional maps? Map. I guess I should say "map."

13:01:222

13:01:323

How did you know what was happening with regard to finalizing the congressional map?

13:01:324

13:01:325

A I think at 3 or 4 in the morning, Paul Campos, I think,

13:01:481

said, We've got the congressional map done.

13:01:542

Q Did you say, "We've got the congressional map done"?

13:01:573

A I -- that's not an exact quote. Just a general, The

13:02:014

map is -- the congressional map is done.

13:02:045

Q He said that out loud to you?

13:02:076

A Something along those lines.

13:02:107

Q Who else was present?

13:02:118

A Commissioner Sims was near me.

13:02:209

Q Anyone else?

13:02:210

A I think Anton Grose and Osta Davis.

13:02:291

Q Anyone else?

13:02:302

A Not that I recall.

13:02:313

Q And so Paul Campos was the staffer for Fain?

13:02:314

A For Commissioner Fain, yes.

13:02:395

Q And Fain and -- who's the other commissioner that was

13:02:476

working with Fain on the congressional district map?

13:02:527

A Commissioner Walkinshaw.

13:02:548

Q Okay. So Walkinshaw.

13:02:559

So at the time Paul Campos told Commissioner Sims

13:03:020

and you, Commissioner Graves, that the congressional

13:03:021

map was done, Commissioner Walkinshaw and Commissioner

13:03:122

Fain knew the congressional map was done, correct?

13:03:123

A I don't know what they knew.

13:03:124

Q Well, did you -- when Paul Campos told you the

13:03:225

congressional map was done, was it your expectation

13:03:241
13:03:282
13:03:303
13:03:394
13:03:425
13:03:476
13:03:497
13:03:588
13:04:009
13:04:010
13:04:111
13:04:122
13:04:183
13:04:214
13:04:215
13:04:316
13:04:317
13:04:418
13:04:419
13:04:420
13:04:521
13:04:522
13:04:523
13:05:024
13:05:025

that the congressional map was done by staff without the input of Walkinshaw or Fain?

A I don't know whether they had input on turning their framework into the map, itself.

Q Did you observe Walkinshaw and Fain working with Paul Campos on mapping when you were in the event room?

A Saw them over there, hunched over a computer.

Q What do you think they were doing?

A Translating the framework that they had into the congressional maps that you saw at 4 or 5 in the morning.

Q Okay. And you and Sims were with your staff at a computer, doing the same with regard to the legislative district map, correct?

A We were -- it's generous to say that Commissioner Sims and I were doing much of anything. We were hovering over the shoulders of Anton and Osta, who were taking our framework and turning it into maps.

But it became pretty clear pretty quickly that we didn't need to provide input or guidance or anything like that, because what we had agreed to was directly translatable by the staff into the maps.

Q Are you telling me that you never made any decision about where the boundaries should go when you were working on the legislative district map after you

13:05:101
13:05:112
13:05:133
13:05:194
13:05:215
13:05:266
13:05:267
13:05:308
13:05:339
13:05:380
13:05:381
13:05:412
13:05:413
13:05:504
13:05:515
13:05:516
13:05:517
13:06:018
13:06:019
13:06:020
13:06:121
13:06:122
13:06:223
13:06:224
13:06:225

voted?

A I was reviewing what they were doing and making sure that the -- the districts conformed with what we -- with what our framework was.

Q So did any staffer ever ask you, "Is this what you mean?"

A Sorry. Did you say, is this what I mean?

Q Yeah. "Is this right?" "Does this look right?" Something to that effect. Ask for your input on the map.

A Not input. But, you know, here's the 26th district. And I checked and confirmed that it indeed was in conformance with our framework.

Q I feel like we're kind of playing a word game here.

Why would you say that wasn't input? Seems to me what you describe is input.

Is there a reason why you say it's not input?

A Well, I don't mean to play a word game. The only hesitation maybe you're sensing from me is just that, by "input," it wasn't as if I was saying, Choose these precincts to include in the 26th but not those ones.

It was just Anton and Osta were drawing them to meet what we had voted on. And then when it was completed, I would take a look at it and confirm that it --

13:06:311 Q But how did Anton and Osta know what you voted on?

13:06:372 A I told Anton.

13:06:413 Q Did you ever express what you voted on in writing?

13:06:494 A No. It's funny. We didn't need to by that point.

13:06:525 Q Why?

13:06:536 A Anton and I put in hundreds of hours over the course of
13:07:017 the year, drawing all different kinds of versions of
13:07:048 maps and particular districts. And it got to the point
13:07:089 where we could just communicate and say, if the 26th is
13:07:110 going to -- if you're maybe using the treasurer's race
13:07:211 or something -- going to be at the same -- the partisan
13:07:212 performance as it currently is, I -- I just knew what
13:07:213 that district had to look like to conform to that.

13:07:314 Q Do you know where all the boundaries had to fall?

13:07:315 A Yes.

13:07:316 Q When you say you knew what the district had to look
13:07:407 like, are you talking about performance metrics
13:07:418 politically or are you talking about actual boundary
13:07:419 lines?

13:07:420 A Both.

13:07:501 Q So how did you know what the political performance
13:07:522 metrics were at the time you voted?

13:07:523 A 'Cause those had been the subject of my discussions
13:08:024 with Commissioner Sims.

13:08:025 Q Did you share your requirements on political

13:08:141 performance metrics with anyone other than -- any
13:08:172 commissioner other than Sims?

13:08:243 **A For our final proposal?**

13:08:274 **Q Well, at any time before you voted.**

13:08:355 **MR. PEKELIS: Object to form.**

13:08:376 **THE WITNESS: We had a series of**
13:08:407 **ongoing discussions, some of which involved election**
13:08:448 **performance, particular districts. And we had been**
13:08:499 **operating under kind of a broad framework for**
13:08:510 **especially some of the swing districts.**

13:09:011 **And I had told Senator Fain -- or told**
13:09:112 **Commissioner Fain about, you know, the general broad**
13:09:113 **framework that we were talking about.**

13:09:114 **Q (By Ms. Mell) What were the political metrics in the**
13:09:215 **proposal you put before the commission for vote on the**
13:09:216 **15th?**

13:09:217 **A For the legislative map?**

13:09:318 **Q Correct.**

13:09:319 **A We were using the results of the 2020 state treasurer's**
13:09:320 **race.**

13:09:421 **Q Okay. What does that mean? What were the metrics?**

13:09:422 **A For every precinct in the state, the secretary of state**
13:09:523 **has publicly available the results for every state race**
13:09:524 **in that precinct. And so if there's a particular**
13:10:025 **precinct that voted 25 for the Republican nominee and**

13:10:071 25 people for the Democratic nominee, it would show you
13:10:102 as a 50 percent/50 percent district.

13:10:143 Q Okay. So what were the political metrics that were
13:10:204 applicable to the proposal you voted on?

13:10:235 A For the -- they were primarily focused on the districts
13:10:376 that currently -- and by "currently," I mean under the
13:10:407 previous maps -- were swing districts, those that were
13:10:458 within 5 percentage points in that 2020 treasurer's
13:10:529 race of 50/50.

13:10:540 Q So what were they?

13:11:011 A Oh. They were largely zero change from status quo with
13:11:112 the exceptions of the 28th and the 44th legislative
13:11:113 districts. Both of those got modestly more Democratic.

13:11:214 Q What were the metrics that you proposed for the 28th
13:11:215 legislative district?

13:11:316 A That it would improve its Democratic performance from
13:11:317 status quo by three-quarters of a point.

13:11:418 Q So what did that mean?

13:11:419 A That meant that if you take the current 28th and you
13:11:420 take all the precincts in there and you use the results
13:11:521 from the 2020 treasurer's race, it performed at that
13:12:022 particular -- it went around 53 percent for the
13:12:023 Democratic nominee. And under the new district, it
13:12:124 performed whatever that number was plus .75.

13:12:125 Q So where were the boundaries drawn?

13:12:241 **A** They were drawn to remove all of Tacoma from the 28th.
13:12:292 In the old map, it had parts of south Tacoma. It was
13:12:323 drawn to then add population both by taking in most of
13:12:394 the city of Lakewood and then areas southeast of Joint
13:12:465 Base Lewis-McChord.

13:12:466 **Q** Do you know that the final maps actually put Lakewood
13:12:557 in its entirety in the 28th?

13:12:578 **A** It wasn't the entirety, but it was most of Lakewood.

13:13:009 **Q** What was excluded?

13:13:010 **A** Sorry?

13:13:081 **Q** What was excluded? What part of Lakewood was excluded
13:13:142 from the 28th?

13:13:163 **A** Certain portions of east Lakewood.

13:13:204 **Q** What certain portions?

13:13:215 **A** I don't know the street geographies of Lakewood well
13:13:306 enough to describe it right now.

13:13:317 **Q** So is it correct that you didn't know where the
13:13:318 boundaries would be specifically in Lakewood when you
13:13:359 voted on legislative district map?

13:13:320 **A** I didn't know the street address of exactly where the
13:13:421 line was going to be cut.

13:13:422 **Q** Do you know that the line had to be cut by partisan
13:13:503 staff who were making decisions as to how to obtain the
13:13:524 metric that you designated?

13:13:525 **A** They had to draw it in a way where it met that -- that

13:14:071

.75 Democratic performance improvement.

13:14:122

Q Depending upon where they drew the line, certain voters would be within the 28th and certain voters would not, correct?

13:14:153

13:14:184

13:14:185

A **It's true wherever you drew a line.**

13:14:216

Q Okay. And you didn't know where the lines were when you voted?

13:14:237

13:14:238

A **I knew where they were going to be.**

13:14:289

Q How did you know where they were going to be if you hadn't designated them yet?

13:14:310

13:14:311

A **Over the course of the year, I probably drew the 28th many, many times, and so I knew what it would look like with a .75 Democratic performance improvement.**

13:14:312

13:14:413

13:14:414

Q How many options did you have to choose from when creating a three-quarter-point shift in the 28th district with regard to where the boundaries would be designated?

13:14:525

13:14:566

13:15:007

13:15:018

A **I think one.**

13:15:069

Q Pardon?

13:15:020

A **I think one.**

13:15:021

Q So you think that you had to draw the Lakewood district many, many, many, many, many times, as you said, when there was only one option for that metric?

13:15:122

13:15:123

13:15:124

MR. PEKELIS: Object to form.

13:15:225

THE WITNESS: I drew it many times

13:15:221 with many -- where it would meet many different --
13:15:272 where it would meet many different numbers, but .75 is
13:15:323 what we -- what April and I agreed to propose to the
13:15:364 commission.

13:15:365 Q (By Ms. Mell) Okay. So is it your testimony that
13:15:396 there was only one option to get a .75 metric in the
13:15:447 28th district in terms of where the legislative
13:15:488 district boundary would be designated?

13:15:519 A In theory, there could have been potentially more than
13:16:010 one. If, you know, for example, you had a precinct to
13:16:011 the north side that's at, you know, 48.75 and a
13:16:102 precinct to the south side that was 48.75 and they were
13:16:113 exactly the same and that was exactly kind of the last
13:16:114 precinct that you needed, in those circumstance, I
13:16:115 think in theory, there could be more than one. But
13:16:206 really to draw it to that particular number, there's
13:16:217 kind of one way you have to do it.

13:16:218 Q Well, my question is: Was there more than one option
13:16:319 for your approval if the metric was .75 for the 28th
13:16:420 district?

13:16:421 A No, there wasn't a -- there wasn't any kind of, Here
13:16:422 are two options; choose from them.

13:16:423 Q Okay. But the option that was selected wasn't defined
13:16:524 when you voted, correct?

13:16:525 A It was defined to be the 28th that would lose Tacoma,

13:17:041 that would add most of Lakewood, and that would be --
13:17:062 that would improve Democratic performance under the
13:17:103 2020 treasurer's race by .75 points.

13:17:144 Q So if Ali O'Neil testified that all of Lakewood was
13:17:185 included in the 28th, would you say that she's
13:17:226 incorrect about that?

13:17:247 A I would go to the map, itself, to determine the answer
13:17:278 to that.

13:17:289 Q So do you know as you sit here today whether or not
13:17:320 your statement is correct, that all of Lakewood -- that
13:17:351 parts of Lakewood were excluded from the 28th?

13:17:382 A Can't recall if it was every single precinct in
13:17:413 Lakewood. I think it was almost all of Lakewood, but
13:17:514 I -- it's funny. Of the 49 districts, I -- I -- I
13:17:585 can't recall as I sit here right now whether there were
13:18:026 precincts in Lakewood that were ultimately outside of
13:18:057 the 28th.

13:18:088 Q All right. So if Ali O'Neil testified that all of the
13:18:129 precincts and all of the city of Lakewood was within
13:18:160 the 28th, would you defer to her?

13:18:191 A No. I would go to the map, itself.

13:18:222 Q Okay. Is it correct that as you sit here today, you
13:18:253 don't know whether or not all of the city of Lakewood
13:18:284 is within the 28th?

13:18:295 A I would have to look at the map.

13:18:321 Q And when you say, "I have to look at the map," what map
13:18:372 would you look at?

13:18:383 **A The one that was released on Tuesday the 16th.**

13:18:424 Q Okay. Do you know what, if any, changes were made to
13:18:495 the 28th between -- well, strike that.

13:18:576 What would you -- strike that.

13:19:057 What did you see in terms of a map, if any, at the
13:19:098 time you voted?

13:19:099 **A There were not maps that were produced by the time we**
13:19:110 **voted.**

13:19:111 Q And there was nothing in writing that you voted on?

13:19:212 **A That's correct.**

13:19:213 Q Is it correct that the other -- that you had a common
13:19:314 understanding of what the legislative district and
13:19:405 congressional districts were from the negotiations when
13:19:416 you voted?

13:19:417 **A I had -- from the legislative map, I certainly knew**
13:19:518 **what the framework was and what the maps that would**
13:19:519 **result from it would be.**

13:20:020 Q Okay. And what about the congressional maps? Did you
13:20:021 have a common understanding of what was put in front of
13:20:022 you to vote on?

13:20:123 **A I wish I had more information on the congressional**
13:20:224 **maps. I knew the general boundaries, the general**
13:20:225 **geographies of the districts. And I knew that**

13:20:291 Commissioner Fain and I were quite aligned on our
13:20:322 priorities. And so when he moved to adopt it, he's a
13:20:413 very good negotiator. And, again, we were very
13:20:454 aligned, so I felt comfortable voting for it. But in
13:20:485 an ideal world, I -- I wish I would have had the actual
13:20:526 map, itself, before voting.

13:20:597 Q And had Fain communicated to you what he was proposing
13:21:058 you vote on with regard to the congressional district
13:21:089 map?

13:21:080 A Commissioner Walkinshaw did in the meeting.

13:21:131 Q But in the meeting, did you know what Fain thought
13:21:192 about it?

13:21:213 A Not -- not specifically.

13:21:234 Q Well, did you know from communications with him
13:21:265 generally what his thoughts were on it, what was before
13:21:336 you?

13:21:317 A Well, I knew that his priorities were the -- were the
13:21:378 same as mine, and I knew that he had been negotiating
13:21:409 zealously for those priorities.

13:21:420 And, again, I wish I would have had more details.
13:21:421 But when he moved to adopt it, I felt comfortable in
13:21:522 that moment voting for it as well.

13:21:523 Q Okay. Because your understanding was because he was
13:22:024 moving whatever it was he was moving that was not
13:22:025 expressed, that as long as he was moving it, you were

13:22:071

good with it?

13:22:082

MR. PEKELIS: Object to form.

13:22:083

THE WITNESS: No, I wouldn't put it

13:22:104

that way. I would -- I would say that it was -- you

13:22:165

know, it was a chaotic meeting, and we had a midnight

13:22:196

deadline. And in an ideal world, I would have -- I

13:22:227

would have had more information. But when he moved, I

13:22:298

felt comfortable voting "yes."

13:22:339

Q (By Ms. Mell) Okay. Would you agree that you voted on

13:22:350

a theoretical idea and not an actual congressional map?

13:22:411

MR. PEKELIS: Object to form.

13:22:412

THE WITNESS: I wouldn't call it a

13:22:413

theoretical idea.

13:22:414

Q (By Ms. Mell) Why not?

13:22:415

A Because within a couple of hours, it was translated

13:22:516

directly into the maps that you see.

13:22:517

Q Okay. But at the time you voted, it was a theory. It

13:22:518

wasn't real?

13:22:519

MR. PEKELIS: Object to form.

13:22:520

THE WITNESS: It was -- I consider

13:23:021

it to be -- to have been a framework that you could

13:23:022

translate into the maps that you saw a couple of hours

13:23:023

later.

13:23:024

Q (By Ms. Mell) Okay. And so what was the framework?

13:23:125

A It involved the 1st district, which under the old maps

13:23:191 went from Lake Washington up to the Canadian border
13:23:242 being consolidated into a much more dense northeast
13:23:283 corridor, northeast Lake Washington corridor district.

13:23:344 It involved the 2nd being a northern Puget Sound
13:23:375 to the Cascades district.

13:23:406 It involved the 3rd having largely the geographies
13:23:457 that it currently has because the 3rd grew pretty close
13:23:508 to the state average over the course of the decade and
13:23:549 so did not need to gain or lose too much population.

13:23:580 It involved the 4th and the 5th maintaining their
13:24:021 north-south division rather than being an east-west
13:24:062 configuration.

13:24:073 It involved the 6th taking the population that it
13:24:114 needed to grow by in both Tacoma and in west Thurston
13:24:155 County.

13:24:186 It involved the 7th being the, you know, the
13:24:217 Seattle City proper district.

13:24:248 It involved the 8th continuing to be a district
13:24:289 that was the Central Puget Sound eastern suburbs and
13:24:320 then over the Cascades district.

13:24:321 The 9th being -- that's south King County and
13:24:422 south Seattle district.

13:24:423 And the 10th being the Olympia to south Tacoma and
13:24:484 Joint Base Lewis-McChord district.

13:24:525 Q Anything else?

13:24:521 **A I'm sorry. I don't remember exactly what the question**
13:25:022 **was, the previous question.**

13:25:043 **Q The question is: How did you know what the**
13:25:094 **congressional districts were when you voted?**

13:25:135 **A Oh. Because Commissioner Walkinshaw described them.**

13:25:226 **Q When you say Commissioner Walkinshaw had described**
13:25:277 **them, you're talking about anything Commissioner**
13:25:318 **Walkinshaw said during the discussion section of the**
13:25:339 **meeting on the 15th?**

13:25:370 **A Anything he said. I think that he sort of walked**
13:25:411 **through the general geographies --**

13:25:412 **Q Okay.**

13:25:413 **A -- of the districts.**

13:25:414 **Q Is it correct that you did not know, when you voted on**
13:25:515 **the congressional districts, whether or not you were**
13:25:516 **voting on what Commissioner Walkinshaw had described in**
13:25:517 **the discussion portion of the meeting?**

13:26:018 **A I did not know that I was voting on what he said?**

13:26:019 **Q Right.**

13:26:020 **The motion wasn't specific as to what Walkinshaw**
13:26:121 **had said earlier, correct?**

13:26:122 **A Oh. You mean, like, Commissioner Fain when he moved to**
13:26:223 **repeat all those geographies?**

13:26:224 **Q Well, Commissioner Fain didn't say anything about what**
13:26:225 **the congressional districts were when he made the**

13:26:291

motion, correct?

13:26:302

A Right. Is that what you're saying, that the motion itself didn't include that previous discussion?

13:26:333

13:26:404

Q I'm not really saying anything.

13:26:425

I'm asking you a question about what you voted on, and I'm trying to clarify how you knew what it was.

13:26:436

13:26:477

And you keep telling me that because Commissioner Walkinshaw had explained it, but there was no such motion brought before you. I mean, I listened to the motion.

13:26:508

13:26:529

13:26:510

13:26:511

So how did you know that there was any relationship between what Walkinshaw had said earlier and what the motion actually was?

13:26:512

13:27:013

13:27:014

A I -- I suppose there could have been something wildly different than what he described, but I -- in the kind of chaos of that meeting, I understood that what he had said then was what Commissioner Fain was moving.

13:27:115

13:27:216

13:27:217

13:27:318

Q So how much time passed between Walkinshaw's description of the congressional district and the motion on the congressional district?

13:27:319

13:27:420

13:27:421

A Approximately an hour or two.

13:27:422

Q Approximately an hour, what?

13:27:423

A An hour or two.

13:27:524

Q Did anything happen in that hour or two specific to the congressional districts that you communicated to

13:27:525

13:28:021 anyone?

13:28:022 **A No.**

13:28:063 Q Okay. So why was there an hour or two between
13:28:104 Walkinshaw's description of it and the motion?

13:28:135 **A It was, like, 11:00 at night, in the middle of a**
13:28:206 **chaotic scene and the motions that come before the**
13:28:287 **commission until right before midnight.**

13:28:318 Q Is that because after Walkinshaw just said what he
13:28:369 said, there was more work done on the congressional
13:28:380 districts and the map? Strike that.

13:28:411 Was there more work done on the congressional
13:28:482 district plan between the time Walkinshaw spoke about
13:28:513 it and the time you voted?

13:28:514 MR. PEKELIS: Object to form;
13:28:575 foundation.

13:28:516 **THE WITNESS: I don't -- I don't**
13:28:517 **know.**

13:29:018 Q (By Ms. Mell) Was there an agreed-upon and finalized
13:29:019 congressional district plan prior to the motion?

13:29:120 **A There was the -- the framework that you could then turn**
13:29:121 **into the maps that you saw a couple hours later.**

13:29:122 Q Okay. So was the common understanding about the
13:29:223 framework reached outside the public meeting?

13:29:224 MR. PEKELIS: Object to form.

13:29:325 **THE WITNESS: I don't think there**

13:29:321 was a common understanding.

13:29:352 Q (By Ms. Mell) So was there no common understanding at
13:29:383 all as to what the congressional district plan was
13:29:414 until the 16th?

13:29:435 MR. PEKELIS: Object to form.

13:29:466 THE WITNESS: The -- I mean, its
13:29:497 most final form, its most full form, it was the map
13:29:538 that was completed at 3 or 4 in the morning on the
13:29:569 16th.

13:29:560 Q (By Ms. Mell) Would you agree that prior to the 16th,
13:30:001 there was no common agreement on the congressional
13:30:022 plan?

13:30:023 MR. PEKELIS: Object to form.

13:30:044 THE WITNESS: We took a vote on it
13:30:065 where everybody voted "yes." And then a couple hours
13:30:126 later, there was a map. And then two days later, we
13:30:147 had a press conference where all the commissioners
13:30:178 agreed that that congressional map was what we voted
13:30:219 for.

13:30:220 Q (By Ms. Mell) Okay. But at the time you voted for it,
13:30:221 there was no such thing in existence, correct?

13:30:222 A The map was not -- not completed then, no.

13:30:323 Q And the plan wasn't completed or articulated in any
13:30:324 express way?

13:30:325 MR. PEKELIS: Object to form.

THE WITNESS: I mean, it was

described in its general form.

Q (By Ms. Mell) Only by Walkinshaw during the discussion section?

A If I recall, I think Commissioner Fain also discussed a few geographies about the congressional map in the meeting as well.

Q Did he say that there were continuing conversations about how to define it?

A I don't remember.

Q From your position when you voted on the congressional district plan, had you delegated the negotiations to Fain?

A No. Commissioner Fain and Commissioner Walkinshaw were working together to try to come up with a proposal for the full commission to consider.

Q But they did not come up with a proposal before the commission voted, correct?

A The map was not done before then. That's right.

Q And the elements of the proposal were not expressed in any written form, correct?

A I don't know whether they were.

Q Were the proposals -- was the proposal at the time of the vote expressed in any oral way?

A In general terms, yes.

13:32:091 Q And what oral expressions of the congressional district
13:32:142 plan was articulated in a proposal for you to vote on?

13:32:193 **A Was the general geographies as Commissioner Walkinshaw**
13:32:244 **described them and then some additional information**
13:32:265 **that Commissioner Fain talked about in the meeting.**

13:32:326 Q All right. So is it your testimony that the entire
13:32:367 proposal that you voted on was whatever was expressed
13:32:418 during the discussion portion of the meeting?

13:32:439 MR. PEKELIS: Object to form.

13:32:410 **THE WITNESS: The entire proposal is**
13:32:511 **what resulted in that map at 3 in the morning. That's**
13:32:512 **the entirety of the proposal.**

13:32:513 Q (By Ms. Mell) So what were the four corners of the
13:32:514 proposal at the time that you voted?

13:33:015 **A What do you mean by "four corners"?**

13:33:016 Q Talking contract law. Kind of assumed you'd get that.
13:33:017 Remember that?

13:33:108 I don't know who your contracts professor was, but
13:33:119 I had one that did that a lot.

13:33:120 So what was the -- what was the proposal in terms
13:33:221 of its confines?

13:33:222 **A To my understanding -- and, again, I wish I'd had**
13:33:323 **more -- more detail on it in the hectic final minutes**
13:33:324 **there, but it was as I've kind of described it here,**
13:33:425 **those general geographies and then the priorities that**

13:33:461 I knew Commissioner Fain held and was negotiating
13:33:502 for --

13:33:513 Q All right. So --

13:33:514 THE REPORTER: "Negotiating for..."
13:33:515 What was the rest there, please?

13:34:036 THE WITNESS: I said "and again" and
13:34:047 then was done.

13:34:058 Q (By Ms. Mell) All right. So the proposal you voted on
13:34:089 contained information you learned from Commissioner
13:34:100 Fain outside the public meeting?

13:34:111 A I mean, much of it had been things that he expressed in
13:34:112 the public meetings and in his statement when he
13:34:213 released his draft map and in social media and things
13:34:214 like that over the course of the year.

13:34:215 Q Did the proposal contain -- that you voted on contain
13:34:316 any information that was not published to the public?

13:34:317 MR. PEKELIS: Object to form.

13:34:418 THE WITNESS: I -- I don't know if I
13:34:419 understand the question.

13:34:420 Q (By Ms. Mell) You said that you voted on a proposal
13:34:521 for the congressional district plan; is that correct?

13:34:522 A That's right.

13:34:523 Q And I asked you about the four corners. You didn't
13:35:024 understand my statement.

13:35:025 So at this point, my question is: What were the

13:35:061 confines of the proposal? Are they identifiable in
13:35:152 nature in a certain way?

13:35:163 MR. PEKELIS: Object to form.

13:35:174 **THE WITNESS: They were the, again,**
13:35:185 **the geographies as -- as Commissioner Walkinshaw**
13:35:216 **described them and then the -- the -- the, you know,**
13:35:247 **general priorities that Commissioner Fain had expressed**
13:35:288 **over the course of the year.**

13:35:309 Q (By Ms. Mell) Okay. And so did -- with regard to the
13:35:310 general geographies expressed by Commissioner
13:35:311 Walkinshaw, are you specifically limiting what you
13:35:412 voted on to what he said on the 15th publicly?

13:35:413 **A Also the -- again, the -- the priorities that I knew**
13:35:514 **Commissioner Fain held and I knew he was negotiating**
13:35:515 **toward so that when he moved adoption, I felt**
13:36:016 **comfortable that he had been negotiating for those**
13:36:017 **priorities and felt comfortable. I know he felt**
13:36:118 **comfortable with moving the proposal, and in the moment**
13:36:119 **I also felt comfortable voting "yes" on it.**

13:36:220 Q Okay. I was going to get to the other things that you
13:36:221 relied on with respect to Fain.

13:36:222 I just want to know for certain, have a very clear
13:36:223 record, that the proposal you voted on with respect to
13:36:324 geographies described by Walkinshaw means whatever
13:36:325 Walkinshaw said about the congressional district plan

13:36:411

on the record on November 15th.

13:36:472

A Yeah, those were part of the proposal, yes.

13:36:523

Q But there's no other communications specific to

13:36:554

Walkinshaw that you believed were encompassed within

13:36:595

the proposal you voted on?

13:37:036

A No.

13:37:047

Q Okay. So with respect to the general priorities that

13:37:118

Fain held, how did you ascertain Fain's general

13:37:169

priorities?

13:37:210

A They came from a couple of places. He talked

13:37:211

throughout the process in public meetings about what

13:37:312

his priorities were and what he was going to be

13:37:313

negotiating toward. And he also put those in -- when

13:37:314

we -- each of us released individual draft maps on the

13:37:415

legislative and congressional maps, we all released

13:37:416

statements with those. And the priorities that he had

13:37:517

in there aligned with what I was also prioritizing.

13:38:018

Q Did you expect Fain to be incorporating your

13:38:019

congressional district plan ideas into the negotiations

13:38:120

he was undertaking?

13:38:121

A I hoped he would take them into account.

13:38:122

Q Did any of your wishes get expressed in the proposal?

13:38:223

A The 4th and the 5th remain north-south districts that

13:38:324

continue to divide the Colville tribe.

13:38:325

The 3rd district maintained its general

13:38:381 southwestern Washington geographies.

13:38:472 That may have been, from my draft map, just a few
13:38:513 of the things that made it into the final map.

13:38:564 Q Did you tell Commissioner Fain in any context that was
13:39:005 not public what you wanted in the congressional
13:39:046 district plan?

13:39:087 A I told him that I cared about, you know, competitive
13:39:148 districts, about trying to draw more districts to be
13:39:199 competitive. I --

13:39:210 Q I think you said something that I didn't hear.

13:39:251 You said you told him that you wanted competitive
13:39:282 districts or that you didn't want them more
13:39:303 competitive? I didn't hear that.

13:39:314 A I wanted more competitive districts.

13:39:335 Q More competitive districts. Okay.

13:39:356 What does that mean?

13:39:367 A The statute we operate under calls for us to, among
13:39:418 other things, encourage electoral competition. I
13:39:419 happen to think that it's a very, very good thing when
13:39:520 more districts are not -- their elections are not
13:39:521 decided ahead of time based merely on partisanship but
13:40:022 they're instead the kind of districts where somebody
13:40:023 from either party could win in any given election.

13:40:024 I happen to think that those kind of districts are
13:40:025 kind of better for people, themselves. They're better

13:40:101 for our democracy as a whole. And so I had that as one
13:40:152 of my top priorities in drawing these maps.

13:40:193 Q How do you make the map reflect more competition?

13:40:234 A Great question.

13:40:245 You've got to -- you've got to figure out a way to
13:40:326 both determine which districts, where they currently
13:40:367 sit in their -- in their partisan stance, and then to
13:40:418 try to use some method to figure out then how to make
13:40:459 them -- or how you would define them as more
13:40:490 competitive -- or sorry -- how -- how you would
13:40:511 determine whether they were more competitive.

13:40:512 And to do that, the most straightforward way is to
13:40:513 use recent election results. But it's -- that's
13:41:014 something of a challenge because you can't just use
13:41:015 recent legislative or congressional elections because
13:41:016 sometimes one party doesn't have any candidate in those
13:41:117 elections. Sometimes the -- if they do, they're not
13:41:118 really serious challengers or they don't run real hard
13:41:219 races.

13:41:220 And so what you often then do is try to use other
13:41:221 recent election results to try to get you an accurate
13:41:322 gauge of the partisanship of any particular district.
13:41:323 And that's why, for example, on the -- on the
13:41:324 legislative maps, we were using the results of the 2020
13:41:425 treasurer's race because it was a statewide race, so

13:41:471 every vote in the entire state counted equally, so each
13:41:522 candidate had an incentive to try to chase every vote
13:41:533 in every part of the state.

13:41:554 It was an election that was both contested in a
13:41:585 serious way by both parties and also didn't present
13:42:036 kind of unique issues that might skew the results one
13:42:077 way or the other for partisanship, so it -- whatever
13:42:118 you're using, you're trying to get to a good gauge
13:42:149 of -- of the partisanship of a district. And then from
13:42:170 there, you can draw the districts in various ways so
13:42:211 that they become closer to 50/50 under that metric or
13:42:212 farther away. And I wanted more districts to get
13:42:313 closer to 50/50.

13:42:314 Q What metrics did you provide for the congressional
13:42:365 district?

13:42:366 A I didn't. I wasn't working on the proposal for the
13:42:417 congressional district, so I didn't provide a metric
13:42:478 there.

13:42:479 Q Do you know what metrics were used to create a
13:42:500 congressional district plan?

13:42:521 A I think the metric was -- you average these election
13:43:022 results as well, I think where you're choosing. I
13:43:023 think it was an average of the results from 2016, 2018,
13:43:024 and 2020 governor race, President race, U.S. Senate
13:43:125 race, attorney general's race, secretary of state's

13:43:191

race.

13:43:202

Q Did the districts become more competitive?

13:43:243

A Some of them did, yes.

13:43:264

Q Which districts became more competitive? Which congressional districts became more competitive?

13:43:305

13:43:336

A The 3rd, 6th, and 2nd.

13:43:407

Q Do you know how more competitive?

13:43:428

A Not off the top of my head, no.

13:43:459

Q Would you express the competition in a political metric?

13:43:510

13:43:511

A I think you express it using -- you take the old

13:43:512

districts. You'd use that average that I just

13:44:013

mentioned to determine what their old partisan score

13:44:014

was. And then you take the new districts, run the same

13:44:015

average over the precincts in those districts, and come

13:44:116

up with what your -- your new result was.

13:44:117

And I think in those three districts, those got

13:44:218

closer to 50/50 rather than going away from 50/50.

13:44:219

Q So did the legislative district boundaries in the 3rd, 6th, and 2nd change?

13:44:220

13:44:321

A Legislative districts?

13:44:322

Q Oh, excuse me. Congressional districts.

13:44:323

Did the congressional -- did the 3rd

13:44:424

congressional, 6th congressional, 2nd congressional

13:44:425

district change with your vote?

13:44:451 **A I'm not sure what you mean by that.**

13:44:512 Q Was there new boundaries drawn for the 3rd, 6th, and
13:44:553 2nd congressional districts that you voted on?

13:44:574 **A Oh, yes. Every district had new boundaries.**

13:45:025 Q And when you placed your vote, did you know what the
13:45:076 boundaries were for the 3rd, 6th, and 2nd?

13:45:117 **A I knew in general terms. And I wish I had had the
13:45:148 particulars at that time, but they -- again, that map
13:45:179 wasn't completed for a couple of hours.**

13:45:190 Q Did you have a conversation about whether or not the
13:45:211 congressional districts should be drawn in a particular
13:45:222 way on the 16th?

13:45:313 **A I did not, no.**

13:45:314 Q So you had no input to how the congressional district
13:45:325 map was drawn on the 16th?

13:45:406 **A I had no input.**

13:45:417 Q Didn't communicate your wishes to anyone on the
13:45:478 congressional districts on the 16th?

13:45:419 **A I did not.**

13:45:520 Q By the 16th -- on the 16th, were you conditioning your
13:46:121 vote on seeing the final congressional district map?

13:46:122 **A I voted on the 15th.**

13:46:223 Q Right.

13:46:224 But was your vote conditioned on seeing the final
13:46:225 map on the 16th?

13:46:291 A I don't know if I'd gotten that far in my thoughts.
13:46:372 I -- certainly if the congressional map that was
13:46:403 produced, you know, was -- had geographies that were
13:46:454 off or different from what Commissioner Walkinshaw had
13:46:485 talked about, I would have said so. I would have said
13:46:516 that that map doesn't reflect my vote. But instead, it
13:46:557 was and I did say that that map reflected my vote just
13:46:588 like the other commissioners so said.

13:47:019 Q Did you make any concessions as to what your
13:47:030 expectation was with regard to the congressional
13:47:041 district map from what you voted on in the proposal?

13:47:162 MR. PEKELIS: Object to form.

13:47:113 THE WITNESS: Concession?

13:47:194 MS. MELL: Right.

13:47:205 Q (By Ms. Mell) Did you think, Oh, that's not quite what
13:47:216 I meant or thought it was going to be, but I guess it
13:47:257 doesn't really matter; it's done?

13:47:218 A Oh. No. No. If the -- if the map that they produced
13:47:219 was something different than what I had thought it was
13:47:320 going to be, I would have said so.

13:47:321 Q Okay. So there were no negotiations or concessions
13:47:322 that you made over the congressional district plan
13:47:403 after you voted?

13:47:424 A You know, it's funny. From the -- the moment after
13:47:425 that vote was done, I went straight with my mapping

13:47:511 staffer and April and her mapping staffer and was just
13:47:542 focused on trying to get the legislative maps drawn,
13:47:583 and so I didn't have input on the -- when they were
13:48:044 working on the congressional map.

13:48:065 And I just took a break again about 3 or 4 in the
13:48:106 morning when they said the congressional map was done
13:48:127 to go look at it and confirm at that moment that it was
13:48:168 generally what I thought. And then later that day, or
13:48:189 I think Wednesday, I did a more thorough study and
13:48:210 confirmed that it, in fact, met with what I voted on.

13:48:211 Q All right. And so when you -- you learned that the
13:48:322 congressional district map was done from staff person
13:48:373 for Fain?

13:48:314 A I think so. Again, this is -- I'm up for 24 hours at
13:48:415 this point. But I think so.

13:48:456 Q At the time Fain's staff person indicated to you that
13:48:507 congressional district map was done, was it your
13:48:518 conclusion that the congressional district map had been
13:48:589 approved then by Commissioner Fain?

13:49:020 A Oh. That the map that was done was...

13:49:021 Q Was approved by Fain and the other commissioner who was
13:49:122 negotiating with him on the congressional district.

13:49:123 A I think so. Although, I didn't -- I didn't give that
13:49:224 issue consideration in my mind at the moment.

13:49:225 Q Okay. Well, did you expect that Commissioner Fain

13:49:291 would have agreed with the congressional district --
13:49:342 let me say that differently. Strike that.

13:49:363 If Commissioner Fain's staff person was telling
13:49:434 you the congressional district map was done, was it
13:49:455 your expectation in receiving that communication that
13:49:496 the staff person had received Fain's approval?

13:49:537 **A I think so.**

13:49:598 Q And any other commissioner's approval?

13:50:049 **A I think it was -- I think I saw Commissioners Fain and**
13:50:110 **Walkinshaw over that computer, doing that. So probably**
13:50:111 **in the -- in the haze of that moment, I think I**
13:50:112 **probably made that assumption that they both had looked**
13:50:213 **at it and said, Yes, this is -- this is what we voted**
13:50:214 **on.**

13:50:215 Q Okay. With regard to general priorities, were there
13:50:316 any general priorities that you believed were contained
13:50:317 in the congressional district plan proposal that you
13:50:418 voted on?

13:50:419 **A There were a lot of priorities that were expressed in**
13:50:420 **that plan.**

13:50:521 Q Were any of those priorities expressed in the plan that
13:51:022 were not communicated publicly prior to the vote?

13:51:123 **A I -- I don't think so.**

13:51:224 Q Is it correct that the commissioners were negotiating
13:51:225 the congressional district plan after the meeting

13:51:341 commenced at 7 but prior to the vote?

13:51:392 **A That Commissioners Fain and Walkinshaw were still**
13:51:423 **working toward their proposal?**

13:51:434 Q Correct.

13:51:445 **A Yes, they were -- I understood that they were still**
13:51:486 **working toward the proposal for a congressional map**
13:51:517 **after 7:00.**

13:51:528 Q Was there any point in time when you communicated to
13:51:579 either one of those commissioners, either using staff
13:52:010 or via e-mail, messaging, digital communication of any
13:52:071 kind, that as long as Fain was good with it, you were
13:52:102 good with it?

13:52:113 **A No.**

13:52:144 Q Was there any point in time between 7:00 and the time
13:52:215 you voted on the congressional district plan that the
13:52:256 other commissioners, either Fain and Walkinshaw, would
13:52:307 have reason to believe that you would approve their
13:52:358 proposal?

13:52:319 **A Sorry. That was a longer question.**

13:52:420 **You're asking whether there was reason for**
13:52:421 **Commissioners Fain or Walkinshaw to assume that I would**
13:52:422 **vote for their proposal?**

13:52:423 Q Correct.

13:52:424 **A No, I don't think so.**

13:52:525 Q Okay. So is it your position that Fain and Walkinshaw

13:53:031 would have anticipated -- strike that.

13:53:072 Is it your position that Fain and Walkinshaw knew
13:53:113 nothing about whether or not you would approve their
13:53:134 proposal when the vote was taken?

13:53:155 MR. PEKELIS: Object to form.

13:53:166 **THE WITNESS: They had -- I think we**
13:53:227 **were all in a chaotic, kind of confused state when the**
13:53:258 **vote was taken and there was substantial uncertainty on**
13:53:289 **every vote about how people were going to vote.**

13:53:310 Q (By Ms. Mell) Was there substantial uncertainty about
13:53:311 what you were voting on?

13:53:312 **A I wouldn't call it "substantial," but I certainly would**
13:53:413 **have wanted more detail in an ideal world where we**
13:53:414 **didn't have a midnight deadline.**

13:53:415 Q Was there an agreement to take a vote as a placeholder
13:53:516 so that you could perfect and materialize your thoughts
13:53:517 after the vote?

13:53:518 MR. PEKELIS: Object --

13:54:019 **THE WITNESS: No.**

13:54:020 MR. PEKELIS: -- to form.

13:54:021 **THE WITNESS: No, there -- there was**
13:54:022 **nothing along those lines. It was a -- it was a**
13:54:023 **chaotic moment where I at least had no clue what was**
13:54:124 **going to happen.**

13:54:125 Q (By Ms. Mell) Was there a reason why it occurred

13:54:151 moments before midnight rather than earlier in the day?
13:54:202 **A We had a midnight deadline. That's in the statute.**
13:54:283 **And at least with respect to the legislative maps, as I**
13:54:374 **mentioned earlier, Commissioner Sims and I around 8:45**
13:54:435 **got to our framework. We got to our framework that we**
13:54:466 **could turn into the proposal.**

13:54:487 **And from then until midnight, I had this hope that**
13:54:528 **we might be able to turn that framework into the maps,**
13:54:559 **themselves. And even if it was just a little before**
13:54:510 **midnight and even if we could just screen-share it or**
13:55:011 **something, I had the hope that maybe there was the**
13:55:012 **possibility that -- that we could do that. And that**
13:55:013 **hope was ultimately dashed because we didn't get those**
13:55:114 **maps done until the next day.**

13:55:115 **Q Did you take a negotiating position at any time on the**
13:55:186 **15th that you would not entertain approval of any**
13:55:217 **congressional map until you had consensus on the**
13:55:218 **legislative proposal, legislative map proposal, or**
13:55:309 **planned proposal?**

13:55:320 **A I don't recall if I took a position like that.**

13:55:321 **Q Do you remember somebody taking a position like that?**

13:55:322 **A I think Senator -- I think Commissioner Fain may have.**

13:55:403 **Q And did you agree with that strategy?**

13:55:424 **A I think I heard about it and didn't have the time to**
13:55:525 **give it much thought because I was so focused on trying**

13:56:011 to get to our legislative proposal before midnight.

13:56:062 Q Do you know if that strategy was deployed?

13:56:083 A I don't know.

13:56:124 Q Do you know if that strategy had something to do with
13:56:145 the congressional district plan coming before the
13:56:196 commission at nearly midnight?

13:56:247 MR. PEKELIS: Object to form;
13:56:268 foundation.

13:56:269 THE WITNESS: Yeah, I don't -- I
13:56:280 don't know.

13:56:281 Q (By Ms. Mell) Did you work with staffer Ali O'Neil?

13:56:312 A Very little.

13:56:383 Q And when you say "very little," what work did you do
13:56:424 with staffer Ali O'Neil?

13:56:415 A I had -- I had a discussion with Commissioner
13:56:516 Walkinshaw. Kind of just a check-in, how-are-we-doing
13:57:017 meeting on the morning of the 15th. And Ms. O'Neil was
13:57:088 present there, and I didn't do anything else with her
13:57:109 again.

13:57:120 Q Did you at any time convey your priorities or wishes in
13:57:221 her presence?

13:57:222 A Sorry. Say it again.

13:57:223 Q Did you ever convey your priorities on redistricting in
13:57:294 her presence?

13:57:295 A Sure. All the public meetings we had. And all the

13:57:371
13:57:402
13:57:423
13:57:444
13:57:505
13:57:536
13:57:557
13:57:598
13:58:019
13:58:010
13:58:011
13:58:012
13:58:113
13:58:114
13:58:215
13:58:216
13:58:317
13:58:318
13:58:419
13:58:520
13:58:521
13:58:522
13:59:023
13:59:024
13:59:025

times that I would talk about the importance of competitive elections.

Q How about privately, off the public record?

A I did not talk to Ms. O'Neil more than -- I think maybe there was that morning of the 15th when I would meet with Commissioner Walkinshaw and she was there. And then I had another -- and then I think Commissioner Walkin- -- Walkinshaw and I talked for half an hour or an hour maybe a week before that. And Ms. O'Neil was present. But beyond that, I didn't have interactions with her.

Q But you did speak the week before about redistricting with Walkinshaw in front of Ali O'Neil?

A Yeah, we had a kind of a check -- you know, a week-to-go kind of check-in meeting.

Q Okay. And with regard to the negotiations, the construct was that each of you had your own caucus staff person working towards expressing your priorities into a plan?

A We each had two staffers for -- assigned to us as caucus staff.

Q Okay. And those staffers communicated with other staffers about the wishes of the commissioner to which they were assigned, correct?

A Communicated to who?

13:59:141 Q Other staffers.

13:59:162 So when you were talking to your staff people, you
13:59:193 anticipated and expected that they would communicate
13:59:214 your wishes to the other staff people working for the
13:59:245 other commissioners, correct?

13:59:256 A Oh, no.

13:59:277 Q You did not?

13:59:288 A Oh, no. I -- I talked directly to Commissioner Sims.

13:59:349 Q Well, did you anticipate that your staff people would
13:59:380 communicate your wishes to the other staff in terms of
13:59:421 preparing the work product that you were going to vote
13:59:442 on?

13:59:413 A Only after we -- after Commissioner Sims and I reached
13:59:514 agreement on our proposal. Then I -- then I
13:59:515 anticipated that they would work together to turn that
13:59:516 into a map.

13:59:517 Q And the point in time which you and Commissioner Sims
14:00:028 reached an agreement and a proposal, is that the time
14:00:019 on the 15th?

14:00:020 A Yes, on the 15th.

14:00:121 Oh. I need to clarify one thing too. Way
14:00:122 earlier, I said it was Evan Mullet was my second
14:00:123 staffer. That's a different person.

14:00:224 My staffer, my communication staffer was Evan
14:00:225 Ridley, R-i-d-l-e-y. I made a mistake there. Sorry

14:00:26 1

about that.

14:00:26 2

Q Get that on the record.

14:00:28 3

A I didn't want to misname, him having to see this, and

14:00:32 4

it become a whole thing.

14:00:33 5

Sorry. Your question was what again?

14:00:36 6

Q What time did you and Commissioner Sims reach an

14:00:39 7

agreement on the legislative district plan?

14:00:41 8

A We reached an agreement on our proposal around 8:45 p.m.

14:00:48 9

on the 15th.

14:00:49 0

Q And you reached an agreement off the public meeting,

14:00:53 1

correct?

14:00:51 2

A For the proposal that we were going to bring to the

14:00:51 3

commission.

14:00:57 4

Q So you negotiated after 7:00 on the 15th, when the

14:01:03 5

meeting commenced, up to 8:45 p.m. outside the public

14:01:12 6

record to reach the proposal you wanted to bring

14:01:15 7

forward?

14:01:18 8

A Commissioner Sims and I continued the -- the

14:01:21 9

discussions we've been having for a few months to see

14:01:22 0

if we could reach a proposal that we could offer to the

14:01:30 1

commission for its consideration.

14:01:32 2

Q Outside the public purview, correct?

14:01:32 3

A I mean, we were meeting in -- as dyads with fewer than

14:01:42 4

a majority of the commission.

14:01:42 5

Q Why were you doing that?

14:01:531 A Historical precedent. As I understand it, each
14:01:582 commission that has done this since '91 has operated
14:02:063 using that dyad negotiating system.

14:02:094 Q Has all prior -- strike that.

14:02:135 Have the prior Redistricting Commissions
14:02:196 recommenced a meeting and then left the meeting to
14:02:217 conduct negotiations?

14:02:248 A I don't know. The 1991 commission, I think, completed
14:02:299 its work after its deadline, and I don't know the way
14:02:310 that it handled the final meeting that it had leading
14:02:311 up to its deadline that year.

14:02:422 Q Is there a difference between a dyad and a caucus?

14:02:413 A I haven't given that thought. I think of a dyad as any
14:02:514 two voting commissioners.

14:02:515 Q Okay. Is there --

14:02:516 A And I think --

14:03:017 Q Go ahead.

14:03:018 A And I think of a caucus as three of us in the
14:03:019 commission were former legislators. And so in the
14:03:120 legislature, it's the regular practice to go in the
14:03:121 caucus where all the members of one party go into a
14:03:122 room with the other members of their party to discuss
14:03:223 bills to be voted on and then come back to the floor to
14:03:224 debate and vote on them.

14:03:225 Q So did you request a caucus on the 15th?

14:03:311 **A No, I did not.**

14:03:342 **Q Do you know if a commissioner requested a caucus on the**
14:03:373 **15th?**

14:03:394 **A I don't know.**

14:03:415 **Q Was there a caucus on the 15th?**

14:03:456 **A I think that's how Commissioner Augustine described it.**

14:03:507 **Q Did you agree to caucus on the 15th?**

14:03:538 **A I did not object. I had concerns about it.**

14:04:039 **Q What were your concerns?**

14:04:050 **A As I mentioned earlier, I -- I try to hold myself to a**
14:04:101 **pretty high standard for openness and transparency**
14:04:132 **and -- or when I'm able to work with the government.**
14:04:223 **And I just thought doing it that way where we started**
14:04:274 **the meeting and then put up a card and then came back**
14:04:305 **every half an hour, if I had to do it over again, I --**
14:04:346 **I think I would have advocated to do that differently.**

14:04:387 **Q Would you agree that the reporting in on the half hour**
14:04:478 **did not communicate the content of what occurred**
14:04:519 **between the reporting times outside the public purview?**

14:04:520 **A I think I'd agree with that statement.**

14:05:021 **Q Why?**

14:05:022 **A When we came back on, we were trying in our fumbling**
14:05:023 **way to explain what we were working on, and especially**
14:05:124 **trying to explain that, number one, we didn't have maps**
14:05:125 **to show people at the time but that we were first very**

14:05:211 close to the potential, you know, for proposals and
14:05:252 then eventually we had the framework for proposals.
14:05:283 And I at least was trying to communicate that when we
14:05:334 came back on camera.

14:05:355 Q Do you think that you communicated publicly that there
14:05:436 were proposals for consideration formulated privately?

14:05:477 A Sorry. Could you ask that again?

14:05:548 Q Is it your testimony that you communicated to the
14:05:579 public that there were proposals formulated privately?

14:06:010 A Not as well as I would have liked to have if I had more
14:06:011 time.

14:06:012 Q Was there a reason why you didn't object and just
14:06:113 insist on negotiating publicly?

14:06:114 A On the 15th?

14:06:225 Q Correct.

14:06:216 A On the 15th, I was -- I was so focused on trying to see
14:06:317 if we could get maps done and available to show people
14:06:318 before midnight. I -- I put a lot of myself into this
14:06:419 process. My wife and I both had a child in July this
14:06:520 year, and especially after we got the census data in
14:06:521 August and we were working really in earnest to -- to
14:06:522 see if we could reach agreement, I didn't -- I didn't
14:07:023 get to see my kids or my wife, you know, as much as I
14:07:024 wanted to 'cause I committed to this process and I
14:07:025 really wanted to do it well.

14:07:091 And so on the 15th, when we were so close to -- to
14:07:162 getting there, when we were so close to having maps we
14:07:193 could show and talk about and hopefully, you know,
14:07:224 maybe vote on, in my gut I really wanted that to
14:07:285 happen. And that ended up being my sole -- kind of my
14:07:326 primary focus that day.

14:07:347 And in that, I -- I sort of lost focus of the way
14:07:378 that meeting was going to go, what it meant for
14:07:429 transparency, what it meant for my commitment to open
14:07:450 government. And I regret that. Because while I'm glad
14:07:511 that we got the -- the maps done and I wish we had them
14:07:542 done before the -- the midnight on the 15th, I wish I
14:07:583 had given more thought to how we could do that and
14:08:014 especially with the uncertainty in how it played out,
14:08:045 how we could explain to the public while it was
14:08:086 happening, what was happening.

14:08:107 Q Would you agree --

14:08:108 MR. PEKELIS: Ms. Mell, I note that
14:08:119 we've been going about an hour and 15 minutes.

14:08:120 Do you think we could take a bathroom break, a
14:08:121 short bathroom break?

14:08:122 MS. MELL: Sure.

14:08:123 (Pause in proceedings from
14:08:124 2:08 p.m. to 2:14 p.m.)

14:08:125 /////

14:14:581 Q (By Ms. Mell) With regard to dyads, is there some
14:15:002 significance to negotiating in voting commission groups
14:15:073 of two as opposed to as a full commission or with three
14:15:124 or more commissioners with regard to open government?

14:15:165 MR. PEKELIS: Object to form.

14:15:176 **THE WITNESS: The way -- without a**
14:15:247 **majority of voting members of a public body, there's**
14:15:298 **not a -- you don't have to go through the formalities**
14:15:319 **of a -- of a public meeting each time you talk.**

14:15:360 Q (By Ms. Mell) Do -- strike that.

14:15:421 Is that for anything?

14:15:462 MR. PEKELIS: Same objection.

14:15:413 **THE WITNESS: For any government**
14:15:414 **body in Washington State?**

14:15:505 MS. MELL: No.

14:15:506 Q (By Ms. Mell) I mean for anything that the commission
14:15:517 was doing, was it your understanding that as long as
14:15:518 you were doing it in twos of the voting commission, you
14:16:019 didn't have to be public?

14:16:020 MR. PEKELIS: Object to form.

14:16:021 **THE WITNESS: As I understood it,**
14:16:022 **especially in addition, the work that I did with the**
14:16:123 **King County Districting Commission this year, that**
14:16:224 **was -- that understanding was made very clear to me**
14:16:225 **that that was the -- the way the laws were written and**

14:16:271 had been interpreted, that any voting majority requires
14:16:312 a public meeting, but less than a voting majority can
14:16:363 have discussions especially if you're working toward
14:16:394 proposals.

14:16:405 Q (By Ms. Mell) Privately? Can it have private
14:16:426 discussions?

14:16:427 MR. PEKELIS: Object to form.

14:16:448 THE WITNESS: You can talk to other
14:16:459 members of your, whatever body you're on with less than
14:16:510 a voting majority without going through the formalities
14:16:511 of a public meeting.

14:16:512 Q (By Ms. Mell) So did you -- what was the chair's role,
14:17:013 then?

14:17:014 A I viewed her -- her role is a challenge in this
14:17:115 process, because it's a nonvoting role and is a
14:17:116 nonpartisan role. And so the -- the actual power that
14:17:217 she has is limited, which I think is a challenge and I
14:17:218 think was a challenge for the commissioner a decade --
14:17:319 the chair a decade ago as well.

14:17:320 But I -- I view Chair Augustine's as running the
14:17:321 commission, itself, and overseeing the staff and then
14:17:422 serving as a kind of a mediator where, if we had times
14:17:423 when we were working through the proposals we were
14:17:524 working on and we ran into times when we could n't see
14:17:525 a way forward, she could help us work through our

14:18:001 relationship and keep us talking to see if we could get
14:18:032 to a proposal.

14:18:053 Q So it was your understanding you could negotiate with
14:18:094 Commissioner Augustine in the room and still be in
14:18:135 compliance with open public meeting requirements if you
14:18:176 weren't doing it publicly?

14:18:187 MR. PEKELIS: Object to form; calls
14:18:198 for a legal conclusion.

14:18:229 THE WITNESS: In those
14:18:210 circumstances, there was still less than a voting
14:18:211 majority of the commission. Because -- because the
14:18:312 chair's a nonvoting member.

14:18:313 Q (By Ms. Mell) Did you assign any particular task to
14:18:314 Chair Augustine?

14:18:415 A She oversaw our executive director, Lisa McLean. And
14:18:516 sometime in the last week before the 15th, I think I
14:18:517 asked if she would -- if she'd be willing to meet with
14:19:018 me and Commissioner Sims to work through some
14:19:019 challenging issues we were facing.

14:19:020 Q Did she do that?

14:19:121 A Sorry?

14:19:122 Q Did she agree to do that?

14:19:123 A Yes, she agreed to talk to us.

14:19:204 Q And how did that go?

14:19:225 A Well. She's a very good mediator.

14:19:301 Q What happened?

14:19:312 A We talked about ourselves mostly and our backgrounds
14:19:423 and our fears for this process and what it might mean
14:19:454 for us, for the state as a whole or for us
14:19:485 individually, and what that might mean for our
14:19:506 continued work together.

14:19:537 Q Did you talk specifically about partisan metrics?

14:20:008 A I think in that meeting we had, we -- I don't know if
14:20:109 we got into specifics. I think we mentioned that, you
14:20:110 know, one of the things we were -- challenges we were
14:20:111 running into was partisan performance in some key
14:20:212 districts.

14:20:213 Q Did you share what those partisan performance conflicts
14:20:314 were?

14:20:315 A Sorry. "Partisan performance," what, "were"?

14:20:316 Q Conflicts were, with Augustine.

14:20:317 A I think we mentioned what a couple of them were, yes.

14:20:418 Q Did you resolve any of the conflicts in your mediations
14:20:419 with Augustine?

14:20:420 A No. We eventually -- well, we resolved some of our
14:20:521 issues each time that we talked, but we didn't come to
14:20:522 our -- our final proposal until around 8:45 on the
14:21:023 15th.

14:21:024 Q Did you involve Commissioner Augustine as a mediator on
14:21:125 the 15th?

14:21:151 **A If she was present for some of my discussions with**
14:21:212 **Commissioner Sims.**

14:21:233 Q And what were the confines -- well, strike that.

14:21:274 Was she communicating with the other two
14:21:305 commissioners as well?

14:21:316 **A I don't know.**

14:21:347 Q Was it your expectation that she -- well, in any of the
14:21:378 communications you had with Commissioner Augustine, did
14:21:409 she communicate to you what other commissioners thought
14:21:440 about your proposal and any of its iterations?

14:21:501 **A No.**

14:21:502 Q Did you communicate to Augustine any information that
14:22:003 you asked her to communicate to the other
14:22:044 commissioners?

14:22:045 **A No. I would have no reason to do that. If I needed to**
14:22:076 **convey a message to Commissioner Sims, I'd just talk to**
14:22:117 **her.**

14:22:168 Q What about Walkinshaw or Fain?

14:22:189 **A Oh, no. That would -- that would involve the potential**
14:22:220 **of a serial meeting, and I knew that that was not**
14:22:221 **acceptable.**

14:22:222 Q What is your understanding of a serial meeting?

14:22:223 MR. PEKELIS: Object to form; calls
14:22:304 for a legal conclusion.

14:22:325 **THE WITNESS: Because of the rule**

14:22:351 that you could have fewer than a voting majority of a
14:22:392 body have discussions and work toward proposals, you
14:22:433 could run the risk of having one commissioner talk to
14:22:464 another and then turn around and talk to another
14:22:495 commissioner so that you effectively had kind of a
14:22:516 rolling public meeting even though they're each
14:22:547 one-on-one. And I knew that we weren't allowed to do
14:22:588 that.

14:23:009 Q (By Ms. Mell) So is it your position that there was no
14:23:020 serial meeting that occurred at any time prior to the
14:23:051 vote on either the congressional district plan or the
14:23:082 legislative district plan?

14:23:103 A Not that I was involved with, no.

14:23:134 Q Did you know the positions of other commissioners on
14:23:215 your legislative district proposal before voting on it?

14:23:316 A I knew that Commissioner Sims supported that proposal
14:23:387 with me.

14:23:398 Q Did you know that once you and Commissioner Sims
14:23:449 agreed, that Fain would follow your direction and lead
14:23:420 on the legislative district plan and that you would
14:23:501 follow Fain's lead on the congressional district plan?

14:23:522 A No.

14:24:023 Q Was there any expectation that Fain follow your lead on
14:24:084 the legislative district proposal?

14:24:025 A No. He's a very independent-minded thinker.

14:24:111 Q Did you communicate what your legislative district
14:24:142 proposal was to Fain prior to the vote?

14:24:173 **A No.**

14:24:204 Q Did any of your staff communicate to any of Fain's
14:24:245 staff what your legislative district proposal --
14:24:286 legislative district plan proposal was before the vote?

14:24:317 MR. PEKELIS: Objection; foundation.

14:24:338 **THE WITNESS: Not that I know of.**

14:24:349 Q (By Ms. Mell) Did you have any expectation that once
14:24:370 you and Commissioner Sims reached agreement on a
14:24:411 legislative district plan proposal, that the staff you
14:24:442 were working with would begin working on articulating
14:24:473 that into a map?

14:24:514 **A It was my hope around 7:45, whenever we resolved our**
14:24:545 **final issues and had our framework, that Anton Grose,**
14:25:016 **my mapping staffer, and Osta Davis, Commissioner Sims'**
14:25:047 **mapping staffer, would turn them into maps. And I had**
14:25:118 **the -- the hope at that point that maybe they could do**
14:25:149 **it before midnight.**

14:25:180 Q Did you expect that your staff would communicate with
14:25:211 all other staff, including Sims' -- including
14:25:242 Walkinshaw and Fain's staff, about the legislative
14:25:273 congressional district plan proposal once you had
14:25:304 reached agreement with Sims at --

14:25:325 **A No.**

14:25:36 1 Q -- 8:45?

14:25:37 2 A **No. Just with Commissioner Sims' staff.**

14:25:37 3 (Clarification by reporter due
14:25:37 4 to simultaneous speaking.)

14:26:00 5

14:26:03 6 Q (By Ms. Mell) Did you ever make an offer that you had
14:26:10 7 anyone communicate to the other commissioners other
14:26:13 8 than Sims on the legislative --

14:26:17 9 A **No.**

14:26:18 0 Q -- district plan or the congressional district plan?

14:26:21 1 A **No.**

14:26:21 2 Q Did you know the position of any of the other
14:26:28 3 commissioners on your legislative district plan
14:26:31 4 proposal or the congressional district plan proposal
14:26:31 5 prior to voting on it?

14:26:31 6 A **Can you ask that again?**

14:26:41 7 Q Prior to voting on it.

14:26:41 8 A **So the first part of the question.**

14:26:41 9 Q Did you know the position of any other voting
14:26:52 0 commissioner on your legislative district proposal,
14:26:52 1 yours and Sims' legislative district proposal, prior to
14:27:02 2 a vote?

14:27:02 3 A **Oh, no.**

14:27:02 4 Q Do you have any reason to believe that either
14:27:10 5 Commissioner Walkinshaw or Fain would vote against your

14:27:141 proposal when you took a vote on the legislative
14:27:182 district plan you and Commissioner Sims had negotiated?
14:27:223 **A There was a very real possibility there would be a "no"**
14:27:264 **vote.**
14:27:265 Q And what was the very real possibility based on?
14:27:296 **A Commissioner Walkinshaw and the Senate Democratic**
14:27:417 **Caucus had commissioned a study focused on the 15th**
14:27:448 **legislative district in Yakima that suggested it needed**
14:27:499 **to have certain characteristics that were not present**
14:27:510 **in the final proposal. And I knew that that was an**
14:28:011 **issue that Commissioner Walkinshaw cared deeply about**
14:28:012 **and that there was a very real potential that that**
14:28:013 **would be enough for him to vote "no."**
14:28:014 Q Anything else? Any other reason to believe that there
14:28:205 would be a "no" vote on your proposal from any other
14:28:216 commissioners?
14:28:317 **A No.**
14:28:318 Q How did you express your proposal to the commissioners?
14:28:319 **A As well as I could under the circumstances.**
14:28:420 Q When did you do it?
14:28:421 **A Throughout the course of the meeting.**
14:28:422 Q Only publicly?
14:28:423 **A Well, I talked about it with Commissioner Sims --**
14:28:524 Q Okay.
14:28:525 **A -- in more detail.**

14:28:541 Q Okay. And did Commissioner Sims carry the specifics to
14:29:012 any other commissioners or commission staff, to the
14:29:043 best of your knowledge?

14:29:064 **A Not that I know of.**

14:29:095 Q What were your metrics for the 44th district in your
14:29:166 legislative district plan?

14:29:187 **A I got 1.6 points better for Democrats.**

14:29:238 Q And the 1.6 percent better for Democrats was a metric
14:29:299 you decided on with Commissioner Sims and agreed upon
14:29:320 by 8:45 on the 15th outside the public?

14:29:411 **A That was one of the final issues we had to resolve to
14:29:412 get to our proposal for the commission to consider.**

14:29:413 Q Were there any other districts that you negotiated
14:29:474 final resolution of the metrics on the 15th other than
14:29:505 the 28th and 44th?

14:29:516 **A Yes.**

14:29:517 Q What other districts?

14:29:518 **A The 42nd, the -- go ahead.**

14:30:019 Q No, go ahead and tell me all of them. Then I'll ask
14:30:020 you what the metrics were for each, unless you want to
14:30:121 tell me both at the same time.

14:30:122 **A The 42nd, the 47th, the 26th, 10th, 24th.**

14:30:223 Q Okay. The metrics for the 42nd that you finally agreed
14:30:224 upon with Commissioner Sims?

14:30:325 **A The 42nd was both a metric and a geography. I**

14:30:351 mentioned the Lummi and Nooksack nations had sent us a
14:30:392 letter. And that letter included a proposed 42nd
14:30:413 district that combined their two reservations together
14:30:454 into the 42nd. And we agreed to use that geography.
14:30:505 It was over by about a thousand people, so we agreed to
14:30:536 take that as a people in a way that would make it .1
14:30:577 percent better for Democrats compared to status quo.

14:31:018 Q So the political metric was 41 percent?

14:31:049 A Was .1 percent.

14:31:060 Q .1 percent. Okay.

14:31:091 A More -- more Democratic as compared to the status quo.

14:31:132 Q Okay. 47th? Metrics?

14:31:173 A Zero change from status quo.

14:31:204 Q 26th?

14:31:225 A Zero change from status quo.

14:31:246 Q 10th?

14:31:267 A Zero change from status quo.

14:31:298 Q And 24th?

14:31:319 A Zero change from status quo.

14:31:320 Q So how would Commissioner Walkinshaw and Fain know that
14:31:401 your proposal was comprised of those metrics when they
14:31:402 voted?

14:31:423 A In the same way that I wish I had, you know, more
14:31:524 details and more time to know more about the
14:31:525 congressional proposal. I'm sure they wish they'd had

14:32:021 more time and more information to learn about the
14:32:072 legislative proposal before midnight.

14:32:093 Q So would you agree that Commissioner Fain and
14:32:124 Commissioner Walkinshaw had no knowledge of the
14:32:185 negotiated legislative district plan specific to the
14:32:236 political metrics that you and Sims negotiated when
14:32:277 they voted?

14:32:288 A I don't know what knowledge they had.

14:32:339 Q Is it your testimony that you did not express either
14:32:370 the political metrics or any of the geographic
14:32:421 concessions or agreement that you reach with
14:32:442 Commissioner Sims such that Commissioner Fain or
14:32:483 Commissioner Walkinshaw knew what the agreement was
14:32:514 between you and Sims when they voted?

14:33:015 A I mean, the most I communicated to them was what I, you
14:33:056 know, said in that public meeting, which again I wish
14:33:127 was more -- more eloquent.

14:33:128 Q Would you agree that you didn't express the political
14:33:159 metrics publicly before the vote?

14:33:180 A I don't think that we did.

14:33:191 Q Would you agree that you did not express publicly any
14:33:222 of the geographic concessions or agreement you reach
14:33:283 with Commissioner Sims prior to the vote?

14:33:284 A Well, we talked about -- publicly about crossing the
14:33:325 mountains largely in Highway 2 and some in the

14:33:381 Snoqualmie Valley. I think I -- I can't recall, but I
14:33:412 might have mentioned that particular issue with the
14:33:443 42nd and trying to unite the Lummi and Nooksack nations
14:33:494 into that district.

14:33:495 Q Would you agree that there was no way for Commissioner
14:33:546 Walkinshaw and Commissioner Fain to know what they were
14:33:567 voting on when the vote was taken relative to the
14:33:598 legislative district plan?

14:34:009 A I think they were probably in a similar position to
14:34:010 where I was on the congressional plan.

14:34:011 Q So were they just voting on nothing?

14:34:122 A No. I told you what I was voting on, on the
14:34:113 congressional plan. My surmise is they were probably
14:34:114 voting in similar ways on the legislative plan.

14:34:225 Q Would you agree the fair characterization of what the
14:34:276 opposite negotiators were voting on was the good-faith
14:34:307 work that was performed by the commissioners who were
14:34:318 doing the negotiating?

14:34:319 A I don't know if "good faith" might have been it, but
14:34:420 I -- at least for me, when it came to considering the
14:34:421 congressional map, having two skilled negotiators, one
14:34:522 from each party, working very hard to come up with
14:34:523 proposals that were fair and they could build support
14:35:024 as a proposal was something that I -- I had in mind
14:35:025 when I voted "yes."

14:35:071 Q Do you know whether or not any of the other
14:35:082 commissioners acted similarly?

14:35:103 **A I'm not even sure I want know what they think about me.**

14:35:164 Q Do you know whether or not -- is it your testimony that
14:35:195 there was never any proposal at the last minute to
14:35:236 simply vote on something as a placeholder?

14:35:277 **A No. It was -- it was chaotic. When we came back on
14:35:338 camera that last time, I -- I did not know what was
14:35:369 going to happen, whether there would be a vote or what
14:35:310 the result of that vote would be.**

14:35:411 Q How come you came back into the public session at the
14:35:412 point in time that you did after the discussion?

14:35:513 **A You mean, like, at -- was, like, 11:30?**

14:35:514 Q Well, I don't have any way of knowing exactly what time
14:35:515 it was, because there was no clock other than what was
14:36:016 revealed on TVW. So I think that it crossed over
14:36:017 between the 15th and 16th, if I rely on that. But I
14:36:128 don't know what to rely on.

14:36:119 So how did you know -- how did you know when to
14:36:120 come back into the public meeting after you exited the
14:36:121 public meeting following the discussion section of the
14:36:222 meeting?

14:36:223 **A Oh, I see what you're saying. We were trying to come
14:36:224 back on camera at least once every half an hour during
14:36:325 that time. So on the half an hour, I would -- I would**

14:36:33 1

go back on.

14:36:34 2

Q Would anybody tell you to get back on?

14:36:36 3

A I don't remember anybody saying that. I remember the --

14:36:44 4

maybe it was the 15th. Maybe it was 14th. I think it

14:36:48 5

was Commissioner Augustine who said, if we get to this

14:36:51 6

point, we want to make sure that we're at least coming

14:36:53 7

on there every half an hour to give updates.

14:36:56 8

Q Do you know if there was a half-an-hour difference

14:37:01 9

between the discussion and the action?

14:37:04 0

A I -- I don't know the exact timing.

14:37:09 1

Q What were you doing between the discussion and action

14:37:13 2

portions of the meeting privately?

14:37:14 3

A Trying very hard to work with Anton to see if we could

14:37:24 4

get a map completed before midnight.

14:37:28 5

Q Was there anything that happened in the waning hours of

14:37:39 6

the negotiations that caused you to believe that a vote

14:37:48 7

would be taken?

14:37:48 8

A No. I was actually surprised that a vote was taken.

14:37:54 9

Q Had you made the decision that you would reach no

14:38:00 0

consensus and would not complete your work?

14:38:02 1

A I thought it was a possibility, but I had not reached

14:38:02 2

that conclusion.

14:38:02 3

Q Did you receive any communications from anyone that

14:38:22 4

caused you to believe that you could -- well, strike

14:38:22 5

that.

14:38:241 Did you receive communications from anyone that
14:38:282 resulted in agreement with Commissioner Sims on the
14:38:333 legislative district plan?

14:38:354 **A Just from Commissioner Sims, herself.**

14:38:405 Q And what was the concession, if any, to break the
14:38:446 deadlock?

14:38:457 **A It came down to the -- the -- the final sticking points**
14:38:548 **were those partisan performances, in particular in the**
14:38:579 **44th, 28th, and 47th.**

14:39:000 Q And so who conceded the position of the other side, or
14:39:051 how did you reach agreement?

14:39:062 **A I don't remember if it was -- we had done some time**
14:39:113 **when we were discussing doing formal offers and**
14:39:144 **counteroffers, but by that point it was closer to**
14:39:215 **discussions, so I don't -- I don't recall who made that**
14:39:266 **offer and who accepted it.**

14:39:297 Q And what was the offer?

14:39:318 **A For those three -- the final thing was -- other things**
14:39:319 **were in place. The final thing was those three**
14:39:320 **districts would end up at those partisan performance**
14:39:421 **measures.**

14:39:422 Q And were those your -- your partisan performance
14:39:423 measures?

14:39:424 **A Well, I -- I wanted different ones, of course. But**
14:39:525 **those were the ones that we were able to negotiate**

14:39:561 **toward and ultimately agree on for our proposal.**

14:40:002 Q Why did you finally agree with those political metrics
14:40:053 at 8:45 on the 15th?

14:40:074 A **I thought that although I would have done things
14:40:135 differently if it were just me drawing these maps, I
14:40:166 thought this process requires a substantial amount of
14:40:207 compromise and bipartisan agreement and not getting
14:40:268 everything that you want and that ultimately the maps
14:40:319 that resulted from that framework are maps that are
14:40:310 fair and allow the people of Washington to choose their
14:40:311 legislature and their members of Congress.**

14:40:422 Q So why wasn't there any discussion on -- well, how did
14:40:523 the motion on the legislative district maps go?

14:40:514 Who made the motion?

14:40:515 A **I don't remember.**

14:40:516 Q Did you?

14:40:517 A **I don't remember.**

14:41:018 Q Do you know who seconded it?

14:41:019 A **I don't remember.**

14:41:020 Q Did anyone vote against it?

14:41:021 A **We all voted "yes."**

14:41:122 Q Did you have the belief that once the vote was taken,
14:41:123 you needed to do more work?

14:41:224 A **Oh, yes. We needed to have a map.**

14:41:225 Q Did all of you understand that you needed to do more

14:41:291 work at the time the vote was taken?

14:41:312 **A I don't know what the other commissioners thought.**

14:41:353 Q Did you communicate with any of the other commissioners

14:41:384 about what to do next after the meeting adjourned?

14:41:465 **A I talked with Commissioner Sims about seeing if we**

14:41:526 **could as quickly as possible turn our framework into**

14:41:557 **maps that we could make public.**

14:41:588 Q And is there any reason why there was no discussion on

14:42:039 any of the motions that night?

14:42:010 **A We had a midnight deadline, and the motions were made**

14:42:011 **at -- within five minutes of that deadline.**

14:42:112 Q Was there any understanding that there would be no

14:42:113 discussion; you'd just take a vote?

14:42:114 **A There was no understanding on anything.**

14:42:215 Q Was there an expectation that you just vote to meet the

14:42:216 deadline and do the work after the fact?

14:42:317 **A No.**

14:42:318 Q Why didn't you have maps ready to go on the 15th?

14:42:319 **A When I and Anton, just me and him would draw maps of**

14:42:420 **our own choosing, to do a full state map it would**

14:42:521 **take -- we were using a software called Edge, and it's**

14:42:522 **kind of clunky. And it would take three and a half or**

14:42:523 **four hours to produce a map moving at rapid speed. But**

14:43:024 **then to do it with a Republican and Democratic staffer**

14:43:125 **both over the same computer took longer just because**

14:43:171 **you're communicating while you're doing that process.**

14:43:222 Q Why caucus staff? Why have partisan caucus staff
14:43:273 rather than nonpartisan commission staff?

14:43:294 **A The partisan staffers were there.**

14:43:355 Q Was it your decision to use partisan staff?

14:43:386 **A I asked Anton to work to turn our framework into a map.**

14:43:467 Q Did you understand that once Anton completed work on a
14:43:518 map, that there was also another Democratic staff
14:43:589 person working on an iteration?

14:44:010 **A Before -- so 8:45, we -- we got to what our proposal
14:44:111 would be, and I asked Anton to start working on the
14:44:142 map. And a little while later, I asked him how it was
14:44:173 going. And he said that Osta, the Democratic staffer,
14:44:224 was -- was also drawing a map.**

14:44:265 I encouraged Anton see if they could start working
14:44:296 together rather than do them separately. But it wasn't
14:44:327 until after the meeting concluded that they came
14:44:368 together with a blank map and started working on it
14:44:419 together.

14:44:420 Q After -- well, as they were working on a map, you were
14:44:491 looking over their shoulder to see if they were mapping
14:44:522 it in the way that you had intended?

14:44:523 **A Yeah. And I found out pretty quickly that I had very
14:44:584 little to do with that process.**

14:44:525 Q Okay. But you were still there, providing your input,

14:45:011

correct?

14:45:012

A I don't know if "input" is the word. I was just

14:45:063

looking over it to make sure that it conformed to what

14:45:114

the framework was.

14:45:125

Q And communicated to the staff your agreement?

14:45:186

A Yes. Although they already -- they already knew it.

14:45:247

Q And did you at some point communicate to Commissioners

14:45:288

Walkinshaw and Fain that the legislative district map

14:45:329

was complete?

14:45:310

A I did not, no.

14:45:311

Q Once the caucus staff completed their configuration of

14:45:412

a map, was that map uploaded to yet another software

14:45:413

for configuring into yet another map?

14:45:514

A Yes. They were drawing in a publicly available

14:45:515

software called Dave's Redistricting, which is easier

14:46:016

to do more quickly, but then it takes some time to

14:46:017

transfer it from that into the Edge software that we

14:46:018

had to use to generate the legal descriptions that we

14:46:019

needed to include with the maps.

14:46:120

Q So was there any change in the district boundaries from

14:46:121

the map expressed by caucus staff once it was processed

14:46:122

through Edge?

14:46:223

A No.

14:46:224

Q Are you sure?

14:46:225

A I don't think so.

14:46:291 Q Did you ever look to know?

14:46:312 A Well, when Anton sent me the link to the map, I -- I
14:46:383 looked at it, confirmed in various ways that it was --
14:46:414 met the framework. I did not go do an audit comparing
14:46:485 that link to the final version that was posted on the
14:46:506 website. But I haven't noticed any discrepancies when
14:46:557 I've looked at it since.

14:46:588 Q Can you take a look at the text that I put in your
14:47:039 chat? Should be down at the bottom right-hand corner.
14:47:210 Bates number there at the bottom, I believe it says
14:47:241 RC91, a bunch of zeros in between.

14:47:282 A Yes.

14:47:293 Q What is that?

14:47:314 A This is a series of text messages between me and
14:47:345 Commissioner Sims.

14:47:386 Q What can you tell me about this text communication? Is
14:47:417 it from -- who's who in this conversation?

14:47:448 A I am the person texting on the left in the gray
14:47:519 bubbles, and Commissioner Sims is in the blue bubbles.

14:48:020 Q Okay. How do you know it's Commissioner Sims?

14:48:021 A Because I said -- I remember writing, "I think at this
14:48:122 point it needs to be yes or no, I'm afraid."

14:48:123 Q Okay. So what did you mean? What were you meaning to
14:48:124 communicate to Commissioner Sims at that time?

14:48:125 A That we were getting very, very late here, and if we

14:48:291 were going to finalize a proposal that we could give to
14:48:332 the commission, it needed to happen.

14:48:353 Q And so were you asking her to find out whether or not
14:48:414 there was an agreement or disagreement on your
14:48:445 proposal?

14:48:456 A Yeah, I was asking her whether those last few things
14:48:527 that we were negotiating, whether they could reach an
14:48:558 agreement on them.

14:48:559 Q So you are texting Sims, saying, "I think at this point
14:48:590 it needs to be yes or no, I'm afraid," to get her
14:49:041 position on the last proposal you gave her?

14:49:072 A I was just trying to communicate that we either had to
14:49:113 have something in the very immediate future or we had
14:49:174 to agree that we did not reach a proposal.

14:49:225 Q Okay. So were you just asking for her input or that of
14:49:266 the Democrats?

14:49:287 A Oh, just Commissioner Sims.

14:49:308 Q So why didn't you just ask her?

14:49:329 A We were in different rooms, the end of kind of a long,
14:49:420 convoluted hallway.

14:49:421 Q Why were you in different rooms?

14:49:422 A That's just how we had set up our meeting space.

14:49:423 Q So who was in your room with you?

14:49:524 A Me, Anton Grose, Paul Campos, and Joe Fain.

14:49:525 Q So you were with Fain when you were texting this?

14:50:001 A I don't remember if he was in the room at that time.

14:50:052 We were both in and out quite a bit.

14:50:073 Q So from 7 on, were you always in a room with Fain?

14:50:114 A No.

14:50:155 Q At what point did you -- well, I said "always."

14:50:206 Does that mean at times you were in and out of the
14:50:237 same room?

14:50:248 A Yeah, we were both in and out of our kind of main
14:50:299 meeting space for us.

14:50:290 Q Okay. So did you have a main meeting space set up at
14:50:331 the Hampton Inn for you and Commissioner Fain with your
14:50:362 staff people?

14:50:313 A Yeah, we had a room where -- where we were primarily
14:50:424 based.

14:50:425 Q Okay. And was that the caucus, so to speak, the
14:50:476 Republican caucus?

14:50:417 A I think so, yeah.

14:50:518 Q Where was that? Like, give me a framework in the
14:50:569 hotel.

14:50:520 A Yeah, it was a room up on the -- it's a two- --
14:51:021 two-floor hotel, so it was up on the second floor,
14:51:022 right next to a stairwell where you could walk down,
14:51:023 then go to that bigger room pretty easily.

14:51:104 Q And when you say the bigger room, does that mean the
14:51:125 event center room?

14:51:171 **A Yeah, it does.**

14:51:192 Q Okay. So how big was that room? Not the event center
14:51:273 room.

14:51:284 How big was the room that the Republican caucus
14:51:315 was in?

14:51:326 **A It's like a large hotel suite.**

14:51:347 Q How many seated positions in that room?

14:51:408 **A Depending on how you count, five or six maybe.**

14:51:479 Q Okay. So it was a smaller conference room than the one
14:51:500 you're sitting in?

14:51:511 **A Yes. It was -- it had a bathroom.**

14:51:542 Q That's an important attribute. Okay.

14:51:593 So how many people were in that room?

14:52:014 **A We were all in and out.**

14:52:055 Q Okay. But you were in and out for approximately five
14:52:106 hours or so before you went down to the event center
14:52:187 room after the meeting?

14:52:188 **A We were in and out throughout the course of the day.**

14:52:229 Q So more than five hours?

14:52:220 **A I arrived at the hotel on the 15th at around 8 or 8:30
14:52:321 in the morning.**

14:52:322 Q Okay. So far longer than five hours.

14:52:323 You weren't just in that Republican caucus room
14:52:324 from 7 on. You were in it from the time you arrived
14:52:405 until you went to the event center room?

14:52:431 **A I was all over the place, but I was there some of the**
14:52:462 **time.**

14:52:463 Q You were based out of the Republican caucus room on the
14:52:494 second floor?

14:52:505 **A I have a bag there.**

14:52:516 Q Okay. You have a computer there?

14:52:547 **A I did.**

14:52:548 Q And Commissioner Fain did too?

14:52:599 **A Yes.**

14:53:020 Q Okay. So if you were negotiating with Sims by text,
14:53:061 you could simply communicate her response to Fain in
14:53:112 that room?

14:53:123 **A No. I knew I wasn't allowed to do that, because that**
14:53:174 **would constitute a serial meeting.**

14:53:185 Q Okay. So is that why you were texting?

14:53:226 **A No. I was texting because we were very time-limited at**
14:53:277 **that point. And, again, she was down -- a couple-**
14:53:298 **minute walk down a very long hallway. And I was just**
14:53:319 **trying to convey that, hey, this has to happen in, you**
14:53:320 **know, the next five minutes or it's not going to**
14:53:321 **happen.**

14:53:322 Q And was she caucusing with the Democratic caucus, the
14:53:423 other -- the two Democratic commissioners and their
14:53:424 staff?

14:53:425 **A I don't know if they were in the same room or not.**

14:53:471 Q Did you ever go into the D caucus room?

14:53:532 A No. I went into neither of their rooms, if they had
14:53:563 two rooms, or one room if they had one room.

14:53:584 Q I think you said, "No, I went into," what --

14:54:005 A No. Sorry. I didn't -- I did not go into -- into -- I
14:54:046 don't know if they had two rooms or one room,
14:54:067 Commissioner Sims and Walkinshaw. And in any event, I
14:54:098 went into no Democratic room.

14:54:129 Q Okay. So you were never in a room with Sims on the
14:54:160 15th?

14:54:171 A We went to the main event room together to have some
14:54:212 discussions.

14:54:243 Q Before the vote?

14:54:274 A Throughout the course of the day.

14:54:305 Q Okay. And how long did those sessions last?

14:54:316 A Each one was different.

14:54:417 Q More than a few minutes? Or how would you characterize
14:54:468 the length of the meetings that you had with
14:54:489 Commissioner Sims in the event center room prior to the
14:54:520 vote?

14:54:521 A Over the course of the day, some of them were pretty
14:54:522 short; some of them were longer.

14:54:523 Q Any longer than an hour?

14:55:024 A I don't think so.

14:55:025 Q When you would leave your negotiations with

14:55:061 Commissioner Sims, would you return to the Republican
14:55:102 caucus room where Commissioner Fain and his staff were
14:55:123 located?

14:55:154 **A Sometimes.**

14:55:155 Q So did you have an opportunity to communicate with
14:55:186 Commissioner Fain and his staff after negotiating with
14:55:217 Commissioner Sims and her staff?

14:55:248 **A Well, we -- where we talked, but I never communicated
14:55:319 the proposal that -- that Commissioner Sims and I were
14:55:310 working toward, 'cause I knew that we weren't allowed
14:55:311 to have serial meetings.**

14:55:312 Q Did you ever tell him that, We haven't reached an
14:55:413 agreement yet?

14:55:414 **A I don't remember.**

14:55:415 Q Did you ever talk to him and say, "Hey, what should our
14:55:416 next move be? Let's try this strategy," and then go
14:55:517 down and talk with Sims about it?

14:55:518 **A No.**

14:55:519 Q You and Commissioner Fain never strategized on the
14:56:020 15th?

14:56:021 **A He had a -- Commissioner Fain sent around an e-mail to
14:56:022 all of us that had a chart or a spreadsheet that he was
14:56:123 using for how he was evaluating the legis- -- would
14:56:124 evaluate a legislative proposal. It ranked the 11
14:56:225 swing districts that are current swing districts by**

14:56:251 report by, you know, partisan performance and then re-
14:56:282 rank them after they were redrawn. And he kind of
14:56:323 communicated in that memo about what he was hoping to
14:56:344 see from it.

14:56:365 So I, you know, use that -- that chart to evaluate
14:56:416 legislative proposals. But Commissioner Fain and I
14:56:457 both knew and regularly talked about the fact that we
14:56:488 couldn't have serial meetings. So we were hamstrung in
14:56:519 our ability to communicate specifics about either of
14:56:540 the proposals that we were working on.

14:56:561 Q But did you talk strategy?

14:56:592 A That memo, I think, maybe can be considered strategy.

14:57:053 Q And was that a Fain memo -- that was a Fain-drafted
14:57:084 memo; is that correct?

14:57:095 A I think he drafted it.

14:57:116 Q And he communicated it to whom?

14:57:147 A He sent it as an e-mail to the other commissioners.

14:57:198 Q Did you say all other commissioners?

14:57:229 A I believe so, yes.

14:57:220 Q So you were all able to refer to the e-mail from Fain
14:57:291 in the negotiations that were occurring on the 15th?

14:57:322 A He could. It was a vague chart. I mean, it wasn't,
14:57:393 like, you know, I'm going to -- I want this number and
14:57:424 this number and this number. It was sort of, Here's
14:57:425 how I'm thinking about evaluating a legislative

14:57:461

proposal.

14:57:472

Q Was it metrics?

14:57:483

A I think most of it was.

14:57:524

Q Was it geographic boundaries?

14:57:555

**A Some of those may have been included in there as well,
but I don't recall as I'm sitting here right now.**

14:57:586

14:57:597

Q Did you use that e-mail to communicate with Sims?

14:58:028

A I -- I did not.

14:58:059

Q Did you have that e-mail in your mind and the content
of it when you were negotiating with Sims?

14:58:090

14:58:121

A Not really.

14:58:132

Q When did you read it?

14:58:133

A I don't remember.

14:58:194

Q When did you get it?

14:58:215

**A I think it was on the 14th, but I don't recall that
either.**

14:58:216

14:58:277

Q Did you and Sims ever talk about it?

14:58:318

A We did.

14:58:349

Q Okay. What do you recall discussing with Sims about
that?

14:58:380

14:58:381

**A I recall Commissioner Sims thought it was an attempt to
use numbers or data just for -- in a way that made it
seem like it was very math-based or data-based but was
really just priorities-based.**

14:58:522

14:59:023

14:59:024

14:59:125

Q So did she reject Fain's statistics or metrics?

14:59:17 1 A I don't know what she thought about it, but she and I
14:59:21 2 didn't really use that metric to help our negotiating --

3 THE REPORTER: "To help our
4 negotiating..."

5 MR. PEKELIS: Ms. Mell, I'm sorry to
6 interrupt, but --

7 THE REPORTER: "To help our
8 negotiating..."

9 Sorry. "To help our negotiating..." What was the
10 rest there?

14:59:40 1 THE WITNESS: Negotiating our
14:59:40 2 agreement.

14:59:43 3 THE REPORTER: Thanks.

14:59:43 4 MR. PEKELIS: Joan, I note that it's
14:59:45 5 2:59 and you've noticed a second deposition for today
14:59:48 6 beginning at 3:00 p.m. of Justin Bennett. So I'm just
14:59:54 7 checking in with you on timing for that. Do you still
14:59:57 8 anticipate that that will begin in a minute?

14:59:59 9 MS. MELL: Yeah, I'm not
15:00:02 0 anticipating that we're going to get to that. I know
15:00:02 1 that Arthur wants to do it.

15:00:02 2 I didn't know if he was one of the ones that was
15:00:12 3 rescheduled or not. Is he not? Is he there with you?

15:00:12 4 MR. PEKELIS: Justin Bennett is
15:00:12 5 ready to begin his testimony right now.

15:00:181 MS. MELL: Okay. So why don't we
15:00:202 excuse him, and I'll renote his so we can finish this
15:00:233 one. I'm assuming you'd rather finish this one than
15:00:254 reschedule this one.

15:00:275 MR. PEKELIS: Well, you're the one
15:00:286 who scheduled these depositions. So Justin Bennett is
15:00:317 ready to testify.

15:00:318 MS. MELL: Okay.

15:00:349 MR. PEKELIS: We make no stipulation
15:00:350 regarding making him available a second time. He's
15:00:381 ready. He's prepared to testify. And --

15:00:412 MS. MELL: You got to pick and
15:00:423 choose, 'cause we didn't get done. So I need to
15:00:444 continue it. I'm not able to anticipate exactly how
15:00:475 long these are going to take. So we need that
15:00:496 flexibility.

15:00:517 MR. WEST: Why don't we continue
15:00:548 Graves and do Bennett right now and call Graves back to
15:00:579 finish it later?

15:00:580 MR. PEKELIS: We will not agree to
15:01:001 allow this witness to be deposed a second time in this
15:01:042 case. So if you would like to conclude the deposition
15:01:083 of Mr. Graves, now is the time to do it.

15:01:214 MS. MELL: No, you've got my
15:01:235 position. Why don't you go ahead and let Mr. Bennett,

15:01:171 go and we'll renote his and we'll complete Mr. Graves.

15:01:202 MR. PEKELIS: Okay. Stand by the --
15:01:233 my previous statement regarding no stipulation to
15:01:264 making Mr. Bennett available a second time. We can let
15:01:355 Mr. Bennett know that his testimony is not needed
15:01:376 today, if that's what you --

15:01:417 MS. MELL: Unless you guys want to
15:01:428 stay real late. If he's -- let's see. It's 3:00
15:01:459 there. I don't know. We might get done with this in
15:01:470 an hour. I would prefer to not have him sitting
15:01:501 around. I don't think that's fair to him.

15:01:532 MR. PEKELIS: Could we -- Joan,
15:01:553 would you be amenable to just a five-minute break so I
15:01:584 can confer with my cocounsel and clients?

15:02:005 MS. MELL: Sure.

15:02:016 MR. PEKELIS: Thank you.

15:02:017 (Pause in proceedings from
15:02:018 3:02 p.m. to 3:09 p.m.)

15:09:589
15:10:020 Q (By Ms. Mell) All right. So we were talking about how
15:10:021 you and Commissioner Sims integrated Commissioner
15:10:102 Fain's content of his e-mail into your negotiation.

15:10:123 So, Commissioner Graves, is there anything else
15:10:224 you recall discussing about Commissioner Fain's e-mail
15:10:225 with Commissioner Sims?

15:10:301 A Just that we sort of noted it but didn't use it to help
15:10:372 aid our negotiations because we didn't find him to be
15:10:413 particularly helpful in what we were doing.

15:10:424 Q Did you communicate to Commissioner Fain that his
15:10:465 suggestions were rejected by you and Sims?

15:10:486 A No.

15:10:507 Q Did you understand it to be a serial meeting if you
15:10:548 were negotiating with Sims and then strategized with
15:10:599 Fain?

15:11:010 A It would depend on -- I think what this strategizing
15:11:011 involved, if it was anything like the particulars of
15:11:102 the proposal we were trying to work on, if I knew we
15:11:113 couldn't do that. I don't know if -- if, you know,
15:11:204 there could be higher-level discussions of ways to
15:11:215 negotiate whether doing it with Sarah or not might be
15:11:306 more effective, things along those lines. I don't know
15:11:317 whether those might constitute a serial meeting. But
15:11:318 even then, we didn't really have discussions about even
15:11:419 high-level strategizing on the 15th.

15:11:420 Q It was certainly apparent that you hadn't reached an
15:11:521 agreement when you were in the room with Fain, correct?

15:11:522 A When?

15:11:523 Q On the 15th.

15:12:024 A We did eventually get there on the 15th.

15:12:025 Q Right.

15:12:061 So was it apparent to him when you reached an
15:12:092 agreement because you were in the same room together?

15:12:143 MR. PEKELIS: Object to form.

15:12:154 THE WITNESS: I think our -- if I
15:12:195 recall correctly that the final discussion with me and
15:12:226 Commissioner Sims that, "Here's the framework. Let's
15:12:267 go map it," was out in the hallway, so he was not
15:12:348 there.

15:12:349 And then from that moment on, my primary focus was
15:12:310 trying to work with Anton to see if we could get that
15:12:411 framework turned into a map by midnight.

15:12:412 Q (By Ms. Mell) And you were doing that work with
15:12:413 Commissioner Fain in the same room?

15:12:514 A No. Anton and I, from that moment, went down to the
15:12:515 event room, as we're calling it, where Anton set up
15:13:016 shop and worked on drafting.

15:13:017 Q So at 8:45, you move down to the event center room?

15:13:118 A I think. I think it was around then.

15:13:119 Q Did you have to go back to the room with Fain before
15:13:120 you went down to the event center?

15:13:121 A I don't recall.

15:13:222 Q Where were you when you were appearing on the action
15:13:323 portion of the meeting on the 15th and 16th?

15:13:324 A You know how hotels have the little -- sad little
15:13:325 business center room with, like, a fax machine? I was

15:13:411 in a little cubby of a business center meeting room.

15:13:452 Q Where was Fain?

15:13:463 A I don't know.

15:13:514 Q Do you know if he was in the hotel?

15:13:535 A I don't.

15:14:026 Q All right. With regard to the text message, can you
15:14:067 still see it?

15:14:078 A Pull it back up. Oh, it's -- it's gone.

15:14:149 Q Is it gone?

15:14:150 A Yeah. Could you reshare it?

15:14:171 Q I think so.

15:14:302 A There it is. I've got to save it again.

15:14:353 MR. PEKELIS: Joan, I'm sorry. I
15:14:374 think I missed -- is this Exhibit 3, this text message?

15:14:405 MS. MELL: You know what? I don't
15:14:406 know that I marked it, did I? Did I mark it?

15:14:417 MR. PEKELIS: I don't have it in my
15:14:458 notes.

15:14:469 MS. MELL: I don't think that I did.
15:14:420 I think that's a good catch.

15:14:421 Why don't we mark it as Exhibit 3?

15:15:022 THE WITNESS: I have it open now.

15:15:023 Q (By Ms. Mell) All right. So at the time you texted
15:15:104 Sims, "I think at this point it needs to be yes or no,
15:15:125 I'm afraid," you were in the Republican caucus room at

15:15:181

the Hampton?

15:15:192

A I don't remember.

15:15:193

Q And is it Commissioner Sims texting you, "Are you

15:15:224

offering a counter to my last offer?"

15:15:245

A Yes.

15:15:276

Q Okay. So what was her last offer?

15:15:327

A I don't remember. We had so many negotiations by that

15:15:418

point that I don't recall what it involved.

15:15:469

Q And when she was making an offer to you, what did you

15:15:500

understand that to mean relative to the vote of the

15:15:511

commission?

15:15:512

A Sorry. Say that again.

15:15:513

Q When she was making an offer to you, what did you think

15:16:004

that meant with regard to the position of all of the

15:16:015

commissioners?

15:16:016

A Oh, this was just discussions with me and her to try to

15:16:017

work for a proposal that we would then propose to the

15:16:118

whole commission. We knew that everything we were

15:16:119

doing here was tentative 'cause we would ultimately

15:16:120

have to present it as a proposal and see if we could

15:16:221

earn the vote of at least one other commissioner.

15:16:222

Q And how were you going to earn the vote of the other

15:16:223

commissioner?

15:16:224

A I had hopes that we would have done this earlier, that

15:16:325

we would have had maps earlier, maybe by the morning of

15:16:361 the 15th or maybe even earlier, and then when we had a
15:16:402 public meeting at 7:00, we could spend that time
15:16:423 talking about the virtues of the map, some of the
15:16:464 drawbacks that we all saw in it, but hopefully in my
15:16:515 dream, explain that these were fair maps for the people
15:16:556 of Washington and then hope to get our fellow -- at
15:17:007 least one of our commissioners to vote for it.

15:17:038 Q So when the vote was taken, you didn't know what the
15:17:109 other commissioners were going to do, but you knew they
15:17:130 didn't know what your proposal was, correct?

15:17:111 A I had no clue what they were going to do, and I knew
15:17:132 they knew in my fumbling way what I had tried to
15:17:213 explain about the proposal in that public meeting.

15:17:214 Q What does, "Yes. 2 points in 44," mean?

15:17:315 A That was a proposal of those key swing districts that I
15:17:316 mentioned earlier, that all of them remain 0.0 change
15:17:417 from status quo except that Democrats would get two
15:17:418 points better in the 44th district.

15:17:529 Q Did she accept that proposal?

15:17:520 A No.

15:17:521 Q What was the, "Got a second?" mean?

15:17:522 A I think I was asking if she had a minute to talk.

15:18:023 Q And she said "yes"?

15:18:024 A That's right.

15:18:025 Q And then you said, "I'm in the hallway," which meant

15:18:111

what?

15:18:112

A I mentioned that there was kind of that long hallway

15:18:153

that took a couple of turns between where our rooms

15:18:184

were, and we had a couple of times where we -- when we

15:18:225

needed to exchange a really quick little message, we

15:18:266

would meet there in the middle.

15:18:277

Q And do you know if she was coming out of a room where

15:18:318

Commissioner Walkinshaw was situated?

15:18:339

A I did not know how they were situated.

15:18:360

Q Okay. And so when she says, "Walking back from the

15:18:411

other room," that meant, did you say the second floor

15:18:482

or the first floor?

15:18:513

A This was on the second floor.

15:18:514

Q So were you guys just in different rooms on the same

15:18:515

floor?

15:18:516

A Yeah. That's right.

15:18:517

Q Okay. And did you understand that Fain and Walkinshaw

15:19:018

were negotiating the congressional district maps in the

15:19:019

same way?

15:19:020

A I don't know exactly their process for how they were

15:19:121

doing it, but I understood that they were on their own

15:19:122

seeing if they could come up with a proposal on the

15:19:123

congressional maps that we considered.

15:19:124

Q Did you hear anything from Fain or his staff while you

15:19:225

were in the Republican caucus room about the status of

15:19:271 the negotiations on the congressional district map?

15:19:302 **A Only at the most general level.**

15:19:373 Q What do you remember hearing?

15:19:394 **A I think that they were having a lot of -- I think they**

15:19:495 **were -- I can't remember if I surmised this, because it**

15:19:546 **was obvious from the way negotiations were going and we**

15:19:587 **were -- I heard it somewhere but that kind of two of**

15:20:008 **the bigger issues were the 8th district, you know**

15:20:049 **our -- our only current district that flipped from one**

15:20:010 **party to the other over the course of the last decade,**

15:20:111 **and the 9th district and how much of, if at all, of**

15:20:112 **south Seattle it would contain.**

15:20:183 Q Were there any changes made to the 46th on either map?

15:20:214 **A There were changes made to every district in both maps.**

15:20:215 Q What kind of changes were made to the 46th?

15:20:316 **A 46th legislative district lost Lake Forest Park and I**

15:20:417 **think parts of Kenmore as well --**

15:20:418 Q Did you say Lake Forest Park and Kenmore?

15:20:419 **A That's right.**

15:20:420 Q Okay.

15:20:421 **A And parts of Kenmore, I think --**

15:20:422 Q Who wanted that?

15:20:523 **A Sorry?**

15:20:524 Q I didn't hear what you last said. "And maybe," what?

15:20:525 **A Parts of Kenmore.**

15:20:581 Q I heard that part. Did you say another part of it?

15:21:012 A I was going to say that it then became -- it moved to
15:21:063 the southwest as a general matter around Lake
15:21:104 Washington.

15:21:115 Q So they were moved to what district?

15:21:146 A Lake Forest Park and Kenmore?

15:21:187 Q Right.

15:21:188 A To the 1st.

15:21:199 Q To the 1st district? Okay.

15:21:210 And what was -- why was it negotiated that way?

15:21:311 What was the point of that?

15:21:312 A The 1st was one of the three or four fastest-growing
15:21:313 districts in the entire state over the course of the
15:21:414 last decade, which meant that it had to change its
15:21:415 geography pretty substantially.

15:21:416 And just north of the 1st is the 44th that we were
15:21:517 heavily negotiating. And part of the negotiation in
15:21:518 the 44th was to remove Lake Stevens from the 44th,
15:22:019 which would push the 44th farther south, which would
15:22:020 naturally push the 1st farther south and west toward
15:22:121 Lake Forest Park and Kenmore and those areas of north
15:22:122 Lake Washington.

15:22:123 Q Were you communicating with any elected official during
15:22:224 the course of the negotiations?

15:22:225 A I had a number of discussions with many different

15:22:281

elected officials over the course of the year.

15:22:312

Q How about on the 15th?

15:22:353

A The 15th, I talked to J.T. Wilcox. And I can't

15:22:434

remember if it was on the 15th or late -- or early in

15:22:475

the morning on the 16th, but I had a text conversation

15:22:506

with Laurie Jenkins.

15:22:527

Q What was the text conversation with Laurie Jenkins?

15:22:588

A Laurie Jenkins is the Democratic speaker of the House.

15:23:029

And I texted her and said, I don't know exactly what

15:23:040

the result of all of this is going to be. But I said,

15:23:111

Thank you a thousand times for appointing April.

15:23:172

Because in addition to being a very tough and

15:23:193

challenging person to negotiate against, she's also a

15:23:214

really terrific person.

15:23:215

And I thanked her for giving me the opportunity to

15:23:286

spend a lot of time this year working with her and

15:23:317

getting to know her on this really challenging task.

15:23:348

Q Did you communicate with Andy Billig?

15:23:319

A No.

15:23:320

Q Did you know what Andy Billig thought about the

15:23:421

negotiations at any time on the 15th or the 16th?

15:23:522

A I can't remember when he put out his public statement

15:23:523

about the maps, expressing concern in particular about

15:23:524

the 15th legislative district. It might have been on

15:24:025

the 16th.

15:24:021 Q Did you reach an agreement not to publish any maps on
15:24:072 the 16th until they were finally approved?
15:24:103 **A I don't remember an agreement like that.**
15:24:154 Q Do you remember any conversations or deliberations over
15:24:205 the publication of district maps prior to the
15:24:236 finalization and review of them by all the
15:24:267 commissioners?
15:24:288 **A No, I don't.**
15:24:329 Q Do you remember an agreement or decision to take down
15:24:390 the congressional district map on the 16th?
15:24:411 **A I do recall that.**
15:24:442 Q What happened with regard to publication of the
15:24:493 congressional district map and taking it out of
15:24:524 publication?
15:24:515 **A It was completed earlier in the 16th than the
15:24:516 legislative map was. And I think it was published to
15:25:017 the Redistricting Commission website shortly
15:25:018 thereafter.**
15:25:019 **But then I can't remember who suggested it.
15:25:120 Somebody suggested that it would be a little
15:25:121 incongruous to have just the congressional map up
15:25:122 there, not the legislative map, and that it might be a
15:25:223 better idea to take the congressional map off until
15:25:224 both of them were done.**
15:25:225 Q Was that in the event center room where all the

15:25:281 commissioners were present?

15:25:302 **A To the best of my recollection, it was.**

15:25:333 Q Do you think all of the commissioners had an
15:25:364 opportunity to participate in that discussion?

15:25:395 **A I don't know.**

15:25:446 Q Was there any dissension over whether or not the
15:25:487 congressional district map should be taken down?

15:25:518 **A Not that I was aware of.**

15:25:529 Q Was there an agreement on what should be said to the
15:25:510 press?

15:25:511 **A No.**

15:26:012 Q Was there a conversation about what the commission
15:26:013 should say to the press among commissioners on the 16th
15:26:014 in that event center room?

15:26:015 **A We -- I had a discussion -- gosh, it was so foggy. I
15:26:116 think it was with Commissioner Fain about the fact that
15:26:117 we had a 10:00 press conference scheduled and how that
15:26:218 might go.**

15:26:219 **And then I also -- later in the morning -- I left
15:26:320 there about 7:00. Because I had, believe it or not, an
15:26:321 8:00 meeting that morning. And I left there. I think
15:26:422 after that meeting, I -- I thought it might be a good
15:26:423 idea if the commission, itself, released a statement.
15:26:524 And so I worked to help draft a statement that
15:26:525 ultimately the commission released on the 16th.**

15:27:001 Q Did you involve the other commissioners in the
15:27:052 statement that was released on the 16th?

15:27:063 A No. I sent a draft of it to Lisa McLean, who's our
15:27:144 executive director. That's M-c-L-e-a-n. And I -- I
15:27:205 can't remember, but I think I might have said, you
15:27:226 know, If you or Commissioner Augustine think it would
15:27:267 be a good idea, perhaps you could consider seeing if
15:27:338 the other commissioners -- what they think of a
15:27:369 statement like that.

15:27:370 Q Did you spell Lisa McLean's name for the court reporter
15:27:411 because you saw it misspelled in the deposition
15:27:462 transcript from yesterday?

15:27:413 A I do. And I mean, John, no offense by that whatsoever.
15:27:514 I just respectfully saw a lot, and I want her name to
15:27:515 be correct on the record.

15:27:516 Q So you did read Commissioner Augustine's deposition
15:28:017 transcript?

15:28:018 A I saw part of it, yeah.

15:28:019 Q Did you read it?

15:28:020 A Yes.

15:28:121 Q Why?

15:28:122 MR. PEKELIS: Objection. The
15:28:123 question calls for attorney-client privilege. And I
15:28:124 instruct the witness not to answer.

15:28:225 Q (By Ms. Mell) Are you going to refuse to answer that

15:28:221 question based on the instruction not to answer from
15:28:252 your attorney?
15:28:273 **A I'll follow my attorney's instruction.**
15:28:294 Q How long did you spend preparing for the deposition?
15:28:365 **A Three or four hours.**
15:28:386 Q Yesterday?
15:28:407 **A Over the course of the last week.**
15:28:438 Q How much of that time was spent with attorneys?
15:28:529 **A Probably three hours of it.**
15:29:020 Q And you understand you're testifying under oath today?
15:29:071 **A I do understand that.**
15:29:082 Q Have you been instructed in any way how to answer the
15:29:143 questions in this deposition?
15:29:214 **A I'm not sure whether that involves attorney-client
15:29:275 privilege.**
15:29:276 Q So you're refusing to answer that because you're
15:29:307 concerned about the privilege?
15:29:318 **A I suppose it depended on what you mean by the word
15:29:319 "instruct." I've been told to tell the truth, and I've
15:29:420 done that.**
15:29:421 Q Has anyone given you answers to questions that might be
15:29:522 asked in the deposition?
15:29:523 **A No.**
15:29:524 Q Has anybody given you recommendations on how to answer
15:30:025 questions that might be asked in the deposition?

15:30:041 **A No.**

15:30:132 I guess with the caveat that if by
15:30:163 "recommendation" you mean tell the truth, tell the
15:30:184 truth, tell the truth. If that's considered a
15:30:225 recommendation, then, yes, I've been told that.

15:30:266 Q How about in terms of content and what the information
15:30:297 is that you would be telling the truth about?

15:30:328 MR. PEKELIS: Object to form.

15:30:359 THE WITNESS: Content, no. Just to
15:30:390 try to listen to your questions and answer the
15:30:411 questions to the best of my knowledge.

15:30:552 Q (By Ms. Mell) Did you reach agreement with the other
15:30:573 commissioners on the 16th in the event center room to
15:31:014 transmit information to the supreme court to the effect
15:31:055 that you'd not completed your work?

15:31:126 **A No.**

15:31:137 Q Was information transmitted to the supreme court to the
15:31:208 effect that you had not completed your work?

15:31:219 **A That was ultimately the statement that the commission
15:31:220 released.**

15:31:221 Q Who made the decision to transmit any information to
15:31:302 the supreme court?

15:31:323 **A I don't know.**

15:31:394 Q Did you authorize transmittal to the supreme court?

15:31:425 **A No.**

15:31:471 Q Did you agree in any fashion or express your non-
15:31:512 objection to transmittal to the supreme court?

15:31:543 **A No.**

15:32:034 Q Did you think that anything should be communicated to
15:32:055 the supreme court?

15:32:066 **A I hoped that I would have the chance to say that the
15:32:147 maps that were released on the 16th were the maps that
15:32:198 I voted for and that I think are fair and that I hope
15:32:239 the supreme court would consider when it went through
15:32:210 its process.**

15:32:321 Q When did you reach the conclusion that the supreme
15:32:352 court had to be involved in the process?

15:32:313 **A I guess it depends on --**

15:32:414 MR. PEKELIS: Objection. I think
15:32:505 that calls for a legal conclusion.

15:32:516 THE WITNESS: I was going to say, I
15:32:517 think it also might depend on what you mean by
15:32:518 "involved."

15:32:519 I -- you know, we did not have maps completed by
15:33:020 midnight. We voted, but we didn't have maps completed.
15:33:021 And I think I knew probably at that moment that the
15:33:122 supreme court would have to have some role.

15:33:123 Q (By Ms. Mell) At the time you voted?

15:33:124 **A Really shortly thereafter.**

15:33:225 Q And did you take a position on whether or not the

15:33:261 supreme court would be involved at the time you voted?

15:33:322 MR. PEKELIS: Object to form.

15:33:333 **THE WITNESS: I -- I don't think I**
15:33:354 **had the supreme court in mind when I voted.**

15:33:415 Q (By Ms. Mell) Did you ever believe that Commissioner
15:33:476 Walkinshaw was of the opinion that the supreme court
15:33:517 should decide the redistricting questions that were
15:33:568 before the commission?

15:33:579 **A I think all of the commissioners by our press**
15:34:010 **conference on Thursday at the latest said in that press**
15:34:111 **conference that we did not complete our work on time**
15:34:112 **and we hoped the supreme court would consider the maps**
15:34:113 **that we released.**

15:34:114 Q During the course of the negotiations on the 15th, was
15:34:215 there a point in time when you understood Commissioner
15:34:216 Walkinshaw was refusing to negotiate any further and
15:34:217 would leave it to the supreme court to complete the
15:34:318 work?

15:34:319 **A No.**

15:34:320 Q Have you heard conversations now that Walkinshaw was to
15:34:421 blame for the late negotiations because he had made a
15:34:422 decision about letting the supreme court decide?

15:34:423 **A No.**

15:34:424 Q Have you heard any conversations directing any blame
15:34:525 for what happened to Walkinshaw?

15:34:531 **A** Heard those conversations.

15:34:572 **Q** What have you heard?

15:34:593 **A** That Commissioner Walkinshaw along with Senate

15:35:084 Democratic leadership felt more comfortable going to

15:35:115 the supreme court than perhaps the other commissioners

15:35:136 did.

15:35:137 **Q** Is there any truth to that?

15:35:208 **A** I don't know. And he stayed in the negotiations. He

15:35:279 continued negotiating and ultimately voted "yes."

15:35:310 **Q** Do you have any communications with Laurie Jenkins

15:35:311 about seeking vindication for the Senate delaying the

15:35:412 negotiations?

15:35:423 **A** No. I only texted with Laurie, thanking her for

15:35:514 appointing April.

15:35:515 **Q** Was there a House/Senate standoff during the

15:35:516 negotiations?

15:35:517 **A** Not that I'm aware of.

15:35:518 **Q** Were there differences between what the House wanted

15:36:029 and the Senate wanted during the course of the

15:36:020 negotiations?

15:36:021 **A** I think you saw that in the proposals that each

15:36:022 commissioner released. There were differences.

15:36:123 **Q** What kind of differences do you attribute to the

15:36:124 differences between the Senate and the House?

15:36:125 **A** Where you cross over the mountains, I think there was

15:36:301 a -- I think the -- Commissioner Walkinshaw each time
15:36:342 proposed going entirely over I-90 into King County
15:36:373 while Commissioner Sims proposed each time going all
15:36:424 the way over -- all over Highway 2 in Snohomish County.

15:36:465 Q What broke that deadlock?

15:36:486 A I think the fact that we compromised and did sort of
15:36:577 75/25 between those two options.

15:36:598 Q Is that in the legislative or congressional district
15:37:039 maps?

15:37:010 A The legislative maps.

15:37:051 Q How did you reach that compromise?

15:37:122 A A lot of discussion.

15:37:153 Q Was there something that happened at the late hour that
15:37:184 caused you to move?

15:37:195 A I think once -- the final negotiation and the last
15:37:316 sticking points were really focused on those key swing
15:37:387 districts that I wanted to keep competitive or make
15:37:418 even more competitive. And I think once we resolved
15:37:419 that, I felt less strongly about where we should cross
15:37:420 the mountains and so was amenable to a compromise on
15:37:521 that question.

15:37:522 Q Okay. And the compromise you did crossing over the
15:37:523 mountains you characterize as 75 what?

15:38:024 A I'll say 75/25. I don't know the exact proportion.

15:38:025 But it would go predominantly over Highway 2 but still

15:38:091 **took some of the Snoqualmie Valley and King County.**

15:38:142 Q And how did you specify where?

15:38:163 A **Where what?**

15:38:214 Q Where this 75/25 boundary would rest in your proposal
15:38:285 for purposes of reaching an agreement.

15:38:326 A **That we would go over Highway 2 until you hit Sultan.**
15:38:367 **I think Sultan.**

15:38:378 Q And then what?

15:38:399 A **And then go southeast from there.**

15:38:410 Q And you said that you were willing to compromise on --
15:38:411 well, what position did you want over 90?

15:38:512 A **I proposed a map that took a population over I-90 into**
15:38:513 **King County.**

15:38:514 Q And Walkinshaw wanted what?

15:39:015 A **A similar -- he proposed a similar configuration.**

15:39:016 Q And what did Sims want?

15:39:017 A **She proposed going entirely over Highway 2 into**
15:39:118 **Snohomish County.**

15:39:149 Q And what about Fain?

15:39:120 A **Commissioner Fain's draft map that he released went**
15:39:221 **over into Clark County in southwest Washington.**

15:39:222 Q So was -- Fain's proposal was rejected?

15:39:323 A **I don't know if I'd put it that way. I would just say**
15:39:324 **that for the proposal that Commissioner Sims and I**
15:39:325 **were -- were negotiating, we focused our options on**

15:39:421

I-90 and Highway 2.

15:39:442

Q Okay. So you created a whole new iteration?

15:39:483

A What we ultimately came up with is different than any commissioner proposed.

15:39:534

15:39:565

Q Okay. And that you came up with at what time?

15:39:586

A Around 8:45.

15:40:047

Q Was there any outside influence that led to that compromise?

15:40:078

15:40:089

A Not that I'm aware of.

15:40:120

Q You indicated that once you resolved the political

15:40:161

metrics on the districts that you were discussing, you

15:40:212

were willing to compromise on the I-90 corridor.

15:40:313

Did I get that correct?

15:40:314

A I was willing to compromise more on the question of

15:40:315

where you would take the 60,000 people from a west-side

15:40:426

district and which east-side district you would put

15:40:417

them in.

15:40:418

Q Okay. But in terms of the political metrics, the only

15:40:529

one that you got any traction on was the 28th, right?

15:40:520

A Of the key districts, the Republicans did not fare

15:41:021

better in any of them.

15:41:022

Q So what did you get out of the political metrics that

15:41:123

led you to compromise on the I-90 corridor?

15:41:124

A The status quo.

15:41:125

Q And was there anything that happened that led you to

15:41:261 agree to the status quo?

15:41:282 **A** The backup for it, we did not get to a vote and a plan
15:41:423 with the supreme court drawing the maps. And I do not
15:41:464 know which way the supreme court might draw them. But
15:41:515 I surmised that they might make a map that was more
15:42:006 favorable to Democrats perhaps substantially so than
15:42:047 the status quo. And I thought it was unlikely that
15:42:088 they would draw a map that was much better than status
15:42:119 quo for Republicans.

15:42:110 And so compared with the alternative, I thought
15:42:111 that a relatively status quo map was both reasonable
15:42:212 and also fair to the people of Washington.

15:42:213 Q Did you make that decision close to 8:45?

15:42:314 **A** I had that calculation in mind since February.

15:42:415 Q Did you ever hear from anyone on the supreme court?

15:42:416 **A** I did my swearing in with Justice Owens, but that was
15:42:517 it.

15:42:518 Q Did you talk about the districting with Justice Owens?

15:42:519 **A** She asked me to please work hard to get it done so that
15:42:520 the supreme court would not have to.

15:43:021 Q Do you know what happened to your oath? Did it get
15:43:122 published with the secretary of state?

15:43:123 **A** I thought so.

15:43:124 Q Did you ever see it published?

15:43:125 **A** I don't remember.

15:43:211 Q What kind of training did you get under OPMA?

15:43:282 **A I received three different trainings for the Public
15:43:363 Meetings Act and the Public Records Act.**

15:43:384 Q Did you get sufficient training to meet the OPMA
15:43:435 requirements as you understand it?

15:43:446 MR. PEKELIS: Objection; calls for a
15:43:467 legal conclusion.

15:43:478 Q (By Ms. Mell) When did you get --

15:43:509 **A I believe that I -- I'm sorry. I believe that I did,
15:43:510 yes.**

15:43:511 Q Why do you believe that you did?

15:43:512 MR. PEKELIS: Same objection.

15:43:513 **THE WITNESS: Because we received
15:43:514 both training in this commission and also additional
15:43:515 training in the King County Council Districting
15:44:016 Commission.**

15:44:017 Q (By Ms. Mell) When?

15:44:018 **A The training for this commission was second quarter,
15:44:119 approximately, of this year. And I think the training
15:44:120 for the King County Council Districting Commission was
15:44:121 around the same time.**

15:44:202 Q Was it any more extensive than what you got from the
15:44:203 assistant attorney general who spoke to the Washington
15:44:204 State Redistricting Commission?

15:44:325 **A They were both -- they covered the same topics.**

15:44:341 Q Were they equal in terms of length of time?

15:44:372 A I don't remember.

15:44:413 Q Do you remember the assistant attorney general
15:44:444 indicating that his training was not compliant with
15:44:495 OPMA?

15:44:496 MR. PEKELIS: Object to form.

15:44:507 THE WITNESS: I don't recall that
15:44:528 specifically. I know that he encouraged us to go to
15:44:569 the -- a publicly available website to receive -- I
15:45:010 think maybe there's prerecorded video trainings.

15:45:041 Q (By Ms. Mell) Did you do any of that?

15:45:012 A I was -- by the time I got around to doing that, I also
15:45:013 received a separate training from the King County
15:45:114 Council Commission.

15:45:145 Q So is that a "yes" or a "no"?

15:45:116 A I did not go look at the videos then separately after
15:45:217 that.

15:45:208 Q Is it ever or after that? I don't want there to be any
15:45:219 confusion about what that means.

15:45:220 A I -- I think I saw them when I was elected to the
15:45:321 legislature. I don't know if they're the same now as
15:45:322 they were then.

15:45:323 Q Since you became a commissioner, you've never looked at
15:45:424 the assistant -- or never looked at the attorney
15:45:425 general's website for OPMA training materials?

15:45:471 **A** I did not watch the videos that are available there,
15:45:512 but I think I reviewed the information they have there
15:45:543 from time to time.

15:45:554 **Q** From where?

15:45:595 **A** From the attorney general's office website.

15:46:026 **Q** And from what computer did you use to review that,
15:46:067 those materials?

15:46:078 **A** I think my districting laptop.

15:46:159 **Q** The Washington State Redistricting laptop?

15:46:180 **A** That's right.

15:46:181 **Q** Did you save any of those training materials on the
15:46:212 laptop?

15:46:223 **A** No.

15:46:244 **Q** Do you know when you would have looked at them?

15:46:265 **A** I think it was about the middle of August.

15:46:326 **Q** Why did you look at them in the middle of August?

15:46:427 **A** Well, we received the official data from the Census
15:46:508 Bureau that we have to use for this process around
15:46:529 then. And I knew that our discussions were going to
15:46:520 begin in earnest to try to see if we could come up with
15:46:521 proposals. And I wanted to just refresh myself to make
15:47:022 sure that I was complying.

15:47:023 **Q** All right. So I'm going to do a screen share here. I
15:47:124 want to go through your text messages. Let me know if
15:47:125 you can see -- Screen 2.

15:47:291 Can you see that?

15:47:302 **A I do.**

15:47:323 Q Okay. So I have here a file folder called "Graves
15:47:384 Texts from Personal Devices."

15:47:405 Do you recognize that file folder?

15:47:426 **A No.**

15:47:437 Q Okay. I'm going to represent to you that's the file
15:47:468 folder I received from the commission. I'm assuming --
15:47:529 I mean, that's their label, so I'm assuming that means
15:47:540 the text from your cell phone.

15:48:001 And opening the first one, labeled
15:48:042 "Augustine_Fain_11.15." It's got a Bates number of
15:48:113 RC525.

15:48:124 Do you recognize that document?

15:48:145 MR. PEKELIS: And I'll just say that
15:48:146 I cannot see that document. I have no ability to read
15:48:177 the content of it. I can see there's something in the
15:48:228 window, but I can't see it.

15:48:269 MS. MELL: I put it on the wrong
15:48:280 screen.

15:48:221 **THE WITNESS: There it is. There it
15:48:322 is.**

15:48:323 **I can see it now, yes.**

15:48:324 MS. MELL: Okay. We'll mark that as
15:48:325 Exhibit 4.

15:48:361 Q (By Ms. Mell) What is Exhibit 4?

15:48:382 A It looks -- can you scroll to the top of it?

15:48:423 If -- this appears to be a -- text messages among
15:48:474 me, Commissioner Augustine, and Commissioner Fain.

15:48:505 Q Can you tell which text box belongs to you?

15:48:566 A I can't. The ones that say "Sarah Augustine" are
15:49:037 Commissioner Augustine, but I don't recall if the green
15:49:068 ones are me or -- or from Commissioner Fain.

15:49:139 Q So how -- do you believe that this is 8:24 on the 15th?

15:49:190 MR. PEKELIS: Object to form.

15:49:211 THE WITNESS: It looks to be, yes.

15:49:212 Q (By Ms. Mell) Okay. Do you remember this
15:49:213 conversation?

15:49:214 A Vaguely. It was so chaotic.

15:49:215 Q So did you have a text string to communicate with Sarah
15:49:316 Augustine, Joe Fain, and you simultaneously?

15:49:417 A I'd say this is the text message between the three of
15:49:418 us.

15:49:419 Q Did you have a text -- did you have a text grouping so
15:49:520 that the three of you could communicate on the 15th?

15:50:021 MR. PEKELIS: Object to form.

15:50:022 THE WITNESS: We just had the text
15:50:023 that you see here.

15:50:024 Q (By Ms. Mell) Okay. So you don't think there was
15:50:025 anything more than this one?

15:50:091 **A No. I took screenshots of all my communications of any**
15:50:142 **grouping with any commissioners and provided them.**

15:50:173 **Q So when Sarah Augustine is saying, "Staff think that if**
15:50:244 **we have a shape file and a resolution that will be**
15:50:275 **enough," what was that communication to you?**

15:50:316 **MR. PEKELIS: Object to form.**

15:50:337 **THE WITNESS: I took that to mean,**
15:50:358 **because again, recall that we were -- I was hoping**
15:50:399 **that, again, we could have maps available by midnight.**
15:50:410 **But we were also thinking about second- and third-case**
15:50:411 **scenarios. And I took that as one that -- to say that**
15:50:512 **if we have those things, if those -- a shape file and a**
15:51:023 **resolution by midnight, that that might be sufficient**
15:51:014 **to complete our -- our work on time.**

15:51:075 **Q (By Ms. Mell) It's correct that you didn't have a**
15:51:116 **shape file by midnight, did you?**

15:51:127 **A I'm afraid we did not.**

15:51:148 **Q Okay. What is a shape file?**

15:51:179 **A It's the actual file ex- -- I don't know if "extracted"**
15:51:220 **is the right word, but it's the actual file of the map,**
15:51:221 **itself.**

15:51:222 **Q Okay.**

15:51:323 **MS. MELL: Zach, do you prefer that**
15:51:424 **we do each of these as individual exhibits, or can I**
15:51:425 **mark the file folder as Exhibit 4 and we'll just go**

15:51:461 through? Each of the texts are Bates-numbered.

15:51:492 MR. PEKELIS: Yeah, I think they
15:51:503 should be individual exhibits because they're all
15:51:514 separate documents.

15:51:535 MS. MELL: You want to treat them
15:51:546 separately? Okay.

15:51:557 Well, Mr. Court Reporter, I'm just going to mark
15:51:588 all of these as exhibits. So can you just remind me?
15:52:029 I'll try to remember that the second one is the fourth
15:52:050 one as we go along chronologically. I'll try to go
15:52:081 through each of these that way.

15:52:082 (Clarification by reporter.)

15:52:083 (Discussion off the record.)

15:52:414
15:52:415 MS. MELL: All right. Okay. Let me
15:52:506 just make sure these are opening. I've got three big
15:52:517 screens here. So is that the next one? Yes. Okay.

15:52:518 Q (By Ms. Mell) Tell me what this communication is.

15:53:019 **A It looks to be a text thread between me, Commissioner**
15:53:020 **Sims, and Commissioner Augustine.**

15:53:101 Q All right. So were you communicating with Sims and
15:53:122 Augustine via text on the 15th prior to the vote?

15:53:223 **A We had regular discussions that day between me,**
15:53:224 **Commissioner Sims, with Commissioner Augustine there.**

15:53:325 Q Okay. Is this on the 15th, Monday, 4:46?

15:53:361 **A I don't know just by looking at this.**

15:53:482 Q So looking at the whole text thread, you can't
15:53:513 authenticate it as a communication involving you on
15:53:564 Monday at 4:46, November 15th?

15:54:005 **A It appears to be a Monday. I just don't know just from**
15:54:046 **looking at this document here whether it was Monday the**
15:54:077 **15th or a different Monday.**

15:54:098 Q Can you tell from your phone?

15:54:149 **A Good question.**

15:54:210 **Yes, it was the 15th.**

15:54:291 Q There we go.
15:54:312 Maybe it will be easier for you to follow along
15:54:353 with these on your own phone, but we'll try to create a
15:54:374 record here.

15:54:385 What does the thumbs-up from Sarah mean?

15:54:426 **A That's the continuation of a previous conversation.**

15:54:467 Q And what was the previous conversation?

15:54:488 **A It was just a previous conversation where I was saying**
15:55:019 **I was heading down.**

15:55:020 Q And she says thumbs-up?

15:55:021 **A Correct.**

15:55:022 Q And then April says, "I'll be ready in 5"?

15:55:123 **A That's right.**

15:55:124 Q What was happening in the lobby?

15:55:125 **A I think I was just there. I was -- I was pretty**

15:55:221 **restless, so I was getting out and moving around a lot.**

15:55:282 Q When you said, "Sorry, we need to talk to Sarah for
15:55:313 just a quick minute," who's the "we"?
15:55:384 Is that you and Joe?

15:55:395 A **No. I don't know as I sit here right now who the "we"**
15:55:466 **refers to.**

15:55:477 Q But it wasn't April, right? She was coming separately.
15:55:508 So it was somebody other than April?

15:55:529 A **It might have been me and Anton.**

15:55:570 Q Okay. This is really annoying. These are opening on
15:56:121 my screen way to the left. I got to move them over.
15:56:152 How about this next exhibit? Do you recognize
15:56:203 this one?

15:56:214 A **Yeah. This appears to be a -- looks to be the previous**
15:56:275 **version of that text thread.**

15:56:306 Q So that was the earlier communication? "I'm back"?

15:56:407 A **I think so.**

15:56:408 Q Is that "7:22" reflective of the time on the 15th?

15:56:419 A **No. I think that's the time of when I took the**
15:56:420 **screenshot.**

15:56:421 Q Okay. So do you have any idea when this exchange
15:56:522 occurred? Is that 9:04 in the morning on the 15th?

15:56:523 A **That's what it looks like, yes.**

15:56:524 Q Okay. So this is between April Sims and Sarah
15:57:025 Augustine?

15:57:101 **A And me, yes.**

15:57:122 **Q And you. Okay.**

15:57:143 And then you're in communication with Joe to know
15:57:164 that he's just pulling in?

15:57:215 **A On the morning on the 15th, he arrived a little bit**
15:57:256 **after I did and I just wanted to say "good morning" to**
15:57:277 **him.**

15:57:288 **Q Did you touch base with him on the status of what you**
15:57:319 **guys were going to try to accomplish with the**
15:57:350 **negotiations?**

15:57:361 **A I mean, I think we talked in general terms about the**
15:57:412 **prospect for completing our work by midnight.**

15:57:483 **Q And what did you recall communicating with Joe Fain at**
15:57:514 **that time?**

15:57:515 **A We just talked about, you know, the fact that we were**
15:58:016 **continuing negotiating. I think Commissioner**
15:58:117 **Walkinshaw -- if I recall, there was -- it wasn't clear**
15:58:118 **if he was going to be joining us that day, and so I**
15:58:119 **think I was checking in on -- on whether Commissioner**
15:58:220 **Fain knew anything about that.**

15:58:221 **Q And when you say "joining us," do you mean physically**
15:58:222 **making himself available at the Hampton?**

15:58:323 **A I think it means more generally whether he wanted to**
15:58:324 **continue engaging in the process and seeing if he and**
15:58:425 **Commissioner Fain could come up with a proposal.**

15:58:451 Q So was there a standoff by Walkinshaw on the 15th? Was
15:58:492 he not coming at some point in time?

15:58:513 **A No. I think there was just -- it just wasn't clear if**
15:58:584 **he intended to continue to work through the process on**
15:59:075 **the date of the 15th.**

15:59:086 Q How did you know that?

15:59:107 **A He and I talked briefly that morning.**

15:59:188 Q What did you talk about?

15:59:209 **A We talked about engagement in -- in the process and the**
15:59:210 **fact that we had, you know, less than a day if we were**
15:59:311 **going to complete our work.**

15:59:312 Q How did you talk? How did you and Commissioner
15:59:313 Walkinshaw talk that morning?

15:59:314 **A Face-to-face.**

15:59:315 Q Where?

15:59:316 **A In the event room.**

15:59:417 Q Okay. So he was physically present where you were when
15:59:518 this text was sent. It's just that he hadn't agreed to
15:59:519 further negotiations?

15:59:520 **A I don't remember the exact sequence of events. I may**
16:00:021 **have met with him face-to-face after this text.**

16:00:022 Q Okay. And so did you share with Fain that Walkinshaw
16:00:123 wasn't necessarily going to participate?

16:00:224 **A I don't remember.**

16:00:225 Q Does this text refresh your recollection about talking

16:00:281 with Joe, when he pulled in, about Walkinshaw's
16:00:322 participation?

16:00:333 **A I don't remember. I said "good morning" to him, and I**
16:00:454 **don't recall if we did much more than that.**

16:00:475 Q All right. So you did communicate at 1:39 p.m. to
16:00:536 Sarah and April Sims that you were running Joe's chart,
16:01:007 and I'm assuming means the metrics and other data he
16:01:068 had conveyed in his e-mail, correct?

16:01:089 **A That's right. I was going through the exercise of**
16:01:110 **putting my latest proposal into that chart form.**

16:01:111 Q So were you working with a chart in conjunction with
16:01:212 Joe's chart?

16:01:213 **A No. I was working with maps and then political matrix**
16:01:314 **for the key districts that we were negotiating over.**

16:01:315 Q Did you communicate any of those to Fain?

16:01:316 **A No.**

16:01:417 Q Did you ever respond to Fain's chart e-mail?

16:01:418 **A I don't believe that I did.**

16:01:419 Q Did you extract Joe's chart from the e-mail and print
16:01:520 it off?

16:01:521 **A No.**

16:01:522 Q Did you look at it from time to time during the course
16:02:023 of the negotiations?

16:02:024 **A Maybe once.**

16:02:025 Q Okay. How long did it take you to -- well, what does

16:02:131 "running Joe's chart" mean?

16:02:152 **A It means taking the proposal that I hope to convey and**
16:02:223 **putting it through the chart that he had written about**
16:02:274 **in his memo.**

16:02:295 Q And then did you share your work product with Sarah and
16:02:346 April?

16:02:347 **A I don't remember if I did. And as I sit here, I think**
16:02:408 **it was right after this meeting when I said "heading**
16:02:449 **down" that -- that April conveyed that she didn't think**
16:02:480 **that the chart was helpful. And I think after that, I**
16:02:511 **didn't really refer to it or rely on it in any way for**
16:03:012 **the rest of our discussions.**

16:03:023 Q So did you extract Joe's chart from whatever work
16:03:074 product was that you ran so that after April told you
16:03:125 that she didn't find it helpful, you were no longer
16:03:146 negotiating from materials that included his chart?

16:03:207 MR. PEKELIS: Form.

16:03:218 **THE WITNESS: No.**

16:03:259 Q (By Ms. Mell) Okay. So did you just bag that,
16:03:290 whatever it is that you produced after running Joe's
16:03:321 chart, and start over again after you talked to April?

16:03:322 **A I didn't start over. I just didn't think that using**
16:03:423 **the chart was helpful at that point.**

16:03:424 Q But how did you get what you'd integrated into your
16:03:525 proposal from Joe's chart out of it so that you could

16:03:541

negotiate with April with something specific?

16:03:572

A Oh. I conveyed my own proposal. I think I just had

16:04:033

the -- Joe's chart, it was a pretty simple one that

16:04:094

focused on, like, 11 key districts and just ranks them

16:04:125

in a graph based on competitiveness.

16:04:156

Q So did you set that -- that work product aside and

16:04:197

start with something different?

16:04:208

A Didn't start with something different. I had my own

16:04:249

proposal that I was working on. But I just no longer

16:04:280

included anything related to the chart with further

16:04:321

discussions.

16:04:322

Q Okay. But that was after you talked to Sims?

16:04:313

A I think so.

16:04:364

Q Okay. Did you share with Sims the work product run

16:04:415

with Joe's chart incorporated into it?

16:04:416

A I don't remember.

16:04:417

Q Okay. Is there any document that would refresh your

16:04:518

recollection as to whether or not you shared the work

16:04:519

product that you created after running Joe's chart with

16:04:520

April Sims?

16:05:021

A I can't think of one.

16:05:022

Q I think if I leave it there, it will stay on the same

16:05:123

page. This might be really helpful. Okay. I can try

16:05:124

to scooch things over as I go along. All right.

16:05:125

A I can see it.

16:05:201 Q You can see this one?

16:05:212 A Yes.

16:05:213 Q Do you know what this one was?

16:05:234 A This appears to be a text thread between me and
16:05:275 Commissioner Walkinshaw and Commissioner Augustine.

16:05:296 Q Okay. So did you intentionally create separate threads
16:05:367 so there was no thread that included all the
16:05:388 commissioners in one thread?

16:05:409 A I was very careful to make sure I was not communicating
16:05:410 either text or by e-mail or in person with any more
16:05:411 than one other voting commissioner at a time outside of
16:05:512 the public meeting.

16:05:513 Q Okay. And so these threads were created specifically
16:05:514 to comply with OPMA as you understood it?

16:05:515 MR. PEKELIS: Object to form.

16:06:016 THE WITNESS: I was -- I try to be
16:06:017 very, very careful to make sure that I had no
16:06:018 communications with more than one voting commissioner
16:06:119 and that I didn't engage in serial meetings.

16:06:120 Q (By Ms. Mell) So is that a "yes"?

16:06:121 MR. PEKELIS: Same objection.

16:06:122 THE WITNESS: That was part of the
16:06:123 reason.

16:06:224 Q (By Ms. Mell) Complying with OPMA was part of the
16:06:225 reason that each of these threads have only Sarah

16:06:261 Augustine and one other voting commissioner on them; is
16:06:262 that right?

16:06:263 MR. PEKELIS: Same --

16:06:324 **THE WITNESS: I think they were**
16:06:335 **primarily because that's -- for each of the messages,**
16:06:356 **these were -- I didn't need to include Commissioner**
16:06:397 **Fain in a message about meeting with Brady Walkinshaw.**

16:06:398 THE REPORTER: And, Zach, it was
16:06:489 "same," what?

16:06:480 MR. PEKELIS: Same objection.

16:06:491 THE REPORTER: Okay. Thanks.

16:06:492 Q (By Ms. Mell) All right. But part of the reason that
16:06:513 you created these separate threads was to comply with
16:06:514 OPMA?

16:06:515 MR. PEKELIS: Same objection.

16:06:516 **THE WITNESS: I certainly did not**
16:06:517 **want to create the thread with more than one voting**
16:07:018 **commissioner on it.**

16:07:019 Q (By Ms. Mell) Okay. And you did not, to the best of
16:07:020 your knowledge?

16:07:021 MR. PEKELIS: Object to --

16:07:022 **THE WITNESS: I did not.**

16:07:023 THE REPORTER: "Object to," what,
16:07:124 Zach?

16:07:125 MR. PEKELIS: Form.

16:07:151 THE REPORTER: Thank you.

16:07:152 Q (By Ms. Mell) Do you know whether or not any of your
16:07:173 threads were shared with any other voting commissioner?

16:07:224 A I don't know.

16:07:235 Q Did you see any threads created with other voting
16:07:286 commissioners?

16:07:287 A No.

16:07:308 Q You never looked at any other voting commissioner's
16:07:359 texts during the negotiations on the 15th or 16th?

16:07:310 A No.

16:07:411 Q So this thread at 9:45 actually. Do you think that
16:07:512 this one came right before you talked to Fain in the
16:07:513 parking lot, right around that time?

16:08:014 A Looked to be, yeah, within an hour, it looks like
16:08:015 maybe.

16:08:016 Q Yeah. Okay.

16:08:017 So when you say, "I think we are both free
16:08:118 whenever you are. Room 233," did brady Walkinshaw come
16:08:219 over and meet with you and Fain in 233?

16:08:220 A No. Me and Commissioner Augustine, we ultimately met
16:08:221 in the event room rather than Room 233.

16:08:322 Q Okay. This is -- okay. Okay. Okay.

16:08:323 What did you talk about?

16:08:324 A We talked about continued engagement of the process and
16:08:425 the fact that we were on our last day.

16:08:471 Q Did you talk about the redistricting plans?

16:08:542 MR. PEKELIS: Object to form.

16:08:553 THE WITNESS: No. We talked about
16:08:584 the -- the process and...

16:09:035 Q (By Ms. Mell) Did you talk about how you were going to
16:09:056 reach consensus? When you say "process," is that what
16:09:087 you mean?

16:09:088 A No. No. No. To be candid, I -- I expressed my
16:09:189 concern about Commissioner Walkinshaw's commitment to
16:09:210 continue engaging in the process and that I was
16:09:211 frustrated by it.

16:09:312 Q Is this one of those situations where you were using
16:09:313 Sarah Aug- -- I always say her name wrong. I don't
16:09:314 know why I have such a hard time with her name --
16:09:415 Commissioner Augustine's mediative skills?

16:09:416 Is that what you were doing with her in this
16:09:417 conversation?

16:09:418 A Yes.

16:09:419 Q Okay. And so did Commissioner Walkinshaw have an
16:09:520 opportunity to clear the air with you in that
16:09:521 conversation?

16:09:522 A He did.

16:09:523 Q What did he say?

16:09:524 A He said that he was very engaged in the process and
16:10:025 still here and hopeful that we could complete our work

16:10:091

on time.

16:10:102

Q And so then you guys separated and went to your own

16:10:163

respective caucus rooms, the best of your knowledge?

16:10:184

A We left that room. And, again, I was -- I was restless

16:10:265

that whole day, so I was moving around a lot. So I

16:10:306

don't know if I went right back to the room or

16:10:337

somewhere else.

16:10:338

Q Do you remember talking to Commissioner Augustine in

16:10:359

the hallway at any time?

16:10:380

A Yes.

16:10:421

Q And for what purpose did you talk to her in the

16:10:452

hallway?

16:10:473

A It was -- it was so sad. She was -- it was during the

16:10:514

meeting. She had a hot spot set up kind of next to an

16:10:545

ice machine. And she was sort of crouched down there.

16:10:576

And I think I -- I think I might have commented on what

16:11:017

a sad little seat that was, expressing sympathy for

16:11:048

her.

16:11:079

Q Why was it so bad for her? Why didn't she have a room?

16:11:120

A She had -- she was largely in the event room, but there

16:11:221

was spotty Wi-Fi there.

16:11:242

Q Oh.

16:11:303

Do you know where she was during the public parts

16:11:324

of the meeting?

16:11:325

A I think at least for some of the time, she was crouched

16:11:361 **by the ice machine.**

16:11:382 **I know. Your government in action.**

16:11:433 Q That just sounds awful.

16:11:444 All right.

16:11:445 MR. PEKELIS: Ms. Mell, before you
16:11:466 go to another exhibit, I note that we've been going yet
16:11:497 another hour. I wonder if this would be a good time --

16:11:498 MS. MELL: Yeah.

16:11:519 MR. PEKELIS: -- for a break.

16:11:520 MS. MELL: I actually am dying for a
16:11:531 break. So thank you. Yes, I would be happy. Let's
16:11:542 just take -- what do you want? Ten minutes? I don't
16:11:563 want to take a real long -- I mean, I want to try to
16:12:004 get through these and get him out of here,
16:12:035 respectfully, as soon as possible, so...

16:12:076 MR. PEKELIS: I mean, I'm fine with
16:12:097 five, but I'll defer to the witness.

16:12:118 **THE WITNESS: Yeah.**

16:12:119 MS. MELL: Okay. So take five.

16:12:120 MR. PEKELIS: Okay.

16:12:121 (Pause in proceedings from
16:12:122 4:12 p.m. to 4:19 p.m.)

16:19:123

16:19:124 Q (By Ms. Mell) So can you see this text?

16:19:225 A **I can.**

16:19:211 Q And who is that with?

16:19:242 A **Chris Corry.**

16:19:253 Q Who is that?

16:19:274 A **He's a state representative.**

16:19:295 Q Is he texting with you?

16:19:346 A **Yes.**

16:19:367 Q All right. What Tuesday is this?

16:19:418 A **I think it's Tuesday the 16th.**

16:19:449 Q Okay. So is it you in the gray?

16:19:410 A **I'm in the blue.**

16:19:511 Q You're in the blue.

16:19:512 Q So how did you take this communication? "Assume
16:20:013 I'm one of the ones you need to talk to so if you have
16:20:014 time and they're in the car or what not feel free to
16:20:105 give me a call"?

16:20:116 A **Because there was a substantial -- you saw it -- public
16:20:317 discussion about a district in Yakima and whether it
16:20:318 needed to change its configuration pretty
16:20:319 substantially. And there was the potential that it
16:20:420 would be either the 14th or the 15th district that
16:20:421 would be changing quite a bit, and Representative Corry
16:20:522 represents the 14th district.**

16:20:523 Q So were you talking to him about how to reflect the
16:21:024 14th district in the map on the 16th?

16:21:025 A **I -- on the 16th, I -- in -- at 1 or 1:30 in the**

16:21:191

afternoon, the House Republican caucus was having a retreat and I gave a short presentation there.

16:21:232

16:21:293

Q So before or after this text?

16:21:364

A I think this is after I talked to the caucus.

16:21:415

Q What did you tell the caucus?

16:21:436

A There was substantial uncertainty with what had

16:21:467

happened the night before and with implications that

16:21:528

would flow from it. And I said that there is the

16:21:589

potential that there might be maps publicly available

16:22:020

in the near future and that I would try to talk to some

16:22:071

of the caucus members whose districts changed or

16:22:112

substantially changed as quickly as I could.

16:22:153

Q I didn't hear what you said. You said something about

16:22:184

"flow from it." I didn't hear what the word was.

16:22:215

A The consequences that would flow. The impact of the

16:22:286

actions that we took on the 15th.

16:22:317

Q So did you tell him there were no final maps?

16:22:318

A I told him that we would have maps that would be

16:22:409

publicly available in the pretty near future.

16:22:420

Q Did you let them know that there was still an

16:22:421

opportunity to change the -- or did you let them know

16:22:522

that there was still an opportunity to perfect the maps

16:22:523

in a way that they would want them?

16:22:524

A Oh, no.

16:22:525

Q Did you let them know that the -- what did you tell

16:23:051
16:23:072
16:23:143
16:23:174
16:23:225
16:23:286
16:23:317
16:23:368
16:23:389
16:23:390
16:23:411
16:23:452
16:23:483
16:23:514
16:24:015
16:24:016
16:24:117
16:24:118
16:24:219
16:24:220
16:24:221
16:24:322
16:24:323
16:24:324
16:24:425

them about what the maps would look like?

A I -- at this point, I'd been up for about 30 hours. I didn't say anything about what the potential maps were going to include. But I just said that I was going to try to talk with the members whose districts would be most changed from their status quo.

Q So when you shared with -- what's this person's name again? It's representative who?

A Chris Corry.

Q Is that C-o-r-e-y?

A C-o-r-r-y.

Q R-r-y. Okay.

So when you say, "It's the 15th that might take the hit," were you of the belief at the time you sent that text that the legislative boundaries of the 15th had not been defined?

A Oh, no, they certainly had been. I was -- I was trying to be -- I had not yet talked to the representatives from the 15th district, which is the one that was changed pretty substantially. And so I didn't want that rumor to get to the members of the 15th before I was able to talk to them.

Q All right. So even though you shared with Representative Corry the suggestion that it wasn't a defined boundary of the 15th yet, you knew that it was?

16:24:471 **A It was, yes.**

16:24:482 Q Okay. So would you characterize this text as
16:24:553 misleading?

16:24:554 **A No. I was, again, trying to make sure that I could be
16:25:025 the first person to communicate with the members of the
16:25:056 15th. So I didn't want to make a definitive statement
16:25:097 to Representative Corry, 'cause I wanted to be the one
16:25:128 who talk to the members of the 15th first.**

16:25:169 Q Okay. So when you texted, "The 15th might take the
16:25:200 hit," you knew it actually had?

16:25:221 **A Yes.**

16:25:232 Q Is that --

16:25:303 **A That's not me.**

16:25:314 Q I was going to say, are you going to take
16:25:345 responsibility for that one?

16:25:346 **A I am not.**

16:25:357 Q Okay. So then at 9:37 p.m., that's on the 16th?

16:25:428 **A Yes.**

16:25:459 Q So at that point, he's looking at what final map?

16:25:420 **A The maps that were -- the legislative map that was
16:25:521 published on the Redistricting Commission website.**

16:25:522 Q And when he says, "Not sure on specifics because it's
16:26:023 only the PDF," was there a publication of PDFs that
16:26:024 were not detailed enough to know the district
16:26:125 boundaries?

16:26:121 **A I was definitely asleep by this point, so I don't know**
16:26:152 **exactly what was on the commission's website then.**

16:26:203 Q Okay. Did you have any input to what form the maps
16:26:274 took when published with the district's plan?

16:26:365 **A No.**

16:26:376 Q Have you read the district's plan as it's been
16:26:417 published?

16:26:428 **A You're talking about the detailed -- the description of**
16:26:489 **each district?**

16:26:490 Q I'm talking about the publication.

16:26:511 **A Yes, I've perused it. I haven't read it in detail.**

16:26:582 Q Did you approve it?

16:27:013 **A No.**

16:27:104 Q Do you recognize this text communication?

16:27:115 **A Yes.**

16:27:116 Q Who's Jeremie?

16:27:117 **A Jeremie Dufault.**

16:27:208 Q Is he an elected official?

16:27:219 **A He is.**

16:27:220 Q Okay. What district is he from?

16:27:221 **A He's a state representative from the 15th legislative**
16:27:322 **district.**

16:27:323 Q Which color are you?

16:27:424 **A Blue.**

16:27:425 Q When you say, "We have maps," what did you mean?

16:28:001 **A** Text -- that is very text-tired shorthand for we have
16:28:062 the framework that we're turning into maps right now.
16:28:093 **Q** Okay. So this Tuesday, 5:40 a.m., is the 16th?
16:28:164 **A** That's right.
16:28:175 **Q** What is he saying, "Anyone else besides me cut out of
16:28:256 their district?" What does that mean?
16:28:277 **A** Because of the way we drew the -- because of the way we
16:28:338 did the 15th district, he -- his house is no longer in
16:28:369 the district.
16:28:380 **Q** So were you drawing maps to make sure that certain
16:28:431 elected officials were within particular precincts, or
16:28:502 districts? Excuse me. Districts?
16:28:513 **MR. PEKELIS:** Object to form.
16:28:514 **THE WITNESS:** Where elected
16:28:515 officials live was one consideration that we took into
16:29:016 account.
16:29:017 **Q** (By Ms. Mell) Can you think of any particular elected
16:29:078 officials who you moved which district they were in?
16:29:119 **A** Yes.
16:29:120 **Q** Who?
16:29:121 **A** Representative Dufault.
16:29:222 Representative Vicki Kraft moved from the 17th to
16:29:223 the 18th district.
16:29:224 Representative Shelley Kloba moved from the 1st to
16:29:325 the 45th district.

16:29:341 **Senator Hasegawa moved from the 11th -- sorry --**
16:29:422 **the 37th to the 11th legislative district.**

16:29:463 **There's somebody I'm forgetting. There's one more**
16:29:524 **that I'm just forgetting off the top of my head right**
16:29:545 **now.**

16:29:546 Q And did all of those elected officials consent to those
16:30:027 moves?

16:30:038 A **No.**

16:30:139 Q Did you talk to all of those elected officials?

16:30:110 A **I talked to Representative Dufault, Representative**
16:30:211 **Kraft.**

16:30:212 **Oh, the last person was Senator Ann Rivers moved**
16:30:213 **from the 18th district to the 20th district.**

16:30:304 Q And did any of the elected officials who you spoke with
16:30:345 object?

16:30:316 A **They expressed concern.**

16:30:417 Q Okay. How did you respond to that?

16:30:418 A **I told them that I hated to do it but that this**
16:30:519 **sometimes happens in this process.**

16:30:520 Q Do you recognize this text?

16:30:521 A **Appears to be part of a text message between me and**
16:31:022 **Commissioner Fain.**

16:31:023 Q Do you know what day this is?

16:31:024 A **I don't.**

16:31:125 Q Do you see there Sunday, 8:55? Do you believe that

16:31:181 that was the 14th?

16:31:192 **A I can check.**

16:31:373 **Yes, that was on the 14th.**

16:31:404 Q Okay. So when you say, "Status quo everywhere else,"
16:31:465 are you talking about Saturday the 12th? Oh, wait.
16:31:516 Yeah.

16:31:547 No, I guess that would have been the 13th, right?

16:31:568 **A I think that's right.**

16:32:019 Q Okay. And so, "Status quo everywhere else," what did
16:32:050 that mean?

16:32:061 **A I think this was talking about what kind of a proposal
16:32:112 we would suggest to the supreme court in the event we
16:32:113 did not complete our work on time.**

16:32:144 Q So that was a conversation you were having with Fain?

16:32:215 **A Yes, we had discussions about what we might do if -- in
16:32:316 the event that the commission did not complete its work
16:32:417 on time.**

16:32:418 Q And what was your view?

16:32:419 **A That we should try to have a largely status quo
16:32:420 proposal that we would propose for the supreme court's
16:32:521 consideration.**

16:32:522 Q Was the proposal you sent to the supreme court largely
16:33:023 status quo?

16:33:024 **A No. I'm talking here about the proposal that just
16:33:125 Commissioner Fain and I would send in the event the**

16:33:191

commission didn't get its work done.

16:33:212

Q You were going to do something separately?

16:33:223

A That was the idea was what, you know, if it comes to

16:33:254

that point. We didn't know what the process would be

16:33:275

like or if we would have had the chance to weigh in,

16:33:296

but we wanted to have -- to know what we might do in

16:33:357

that potential outcome.

16:33:368

Q Did you act on that on the 15th?

16:33:399

A No.

16:33:420

Q Did you ever communicate to Sims or to Walkinshaw that

16:33:461

you had a status quo proposal that you were

16:33:502

transmitting to the supreme court?

16:33:523

A No.

16:33:524

Q Did they know you had this plan?

16:33:565

A I proposed to Commissioner Sims on the 12th, I think, a

16:34:066

map where the main swing districts we were negotiating

16:34:107

over stated their partisan status quo.

16:34:168

Q Was that a "yes"?

16:34:219

A I don't think so.

16:34:260

Q Is it correct that you communicated to Commissioner

16:34:291

Sims that you had an agreement with Commissioner Fain

16:34:322

to communicate a status quo proposed to the supreme

16:34:363

court?

16:34:324

A That's an absolute "no."

16:34:395

Q Okay. So maybe I didn't hear you correctly.

16:34:431 What did you communicate with Commissioner Sims
16:34:452 relative to the status quo, a proposal that you had
16:34:523 with Fain?

16:34:524 **A That was nothing about me and Commissioner Fain or the**
16:34:575 **supreme court. That was a proposal from me as an offer**
16:35:016 **of this is an offer that I could -- could there -- if**
16:35:077 **you agree to it, we could then propose to the rest of**
16:35:118 **the commission to adopt.**

16:35:119 Q Okay. So you didn't tell her that you talked to Fain
16:35:140 about a status quo proposal, but you proposed a status
16:35:211 quo proposal to Sims?

16:35:212 **A I certainly did not communicate my discussions with**
16:35:313 **Commissioner Fain to Commissioner Sims.**

16:35:324 Q But you did suggest a proposal that was consistent with
16:35:375 what you discussed with Fain?

16:35:416 **A There were two different things.**

16:35:417 Q What were two different things?

16:35:418 **A One was my talking with Commissioner Sims to try to see**
16:35:519 **if we could reach a proposal that we could provide to**
16:35:520 **the rest of the commission before midnight on the 15th.**
16:35:521 **And the other separate thing was what I might do if the**
16:36:022 **commission did not complete its work on time and the**
16:36:023 **maps went to the supreme court.**

16:36:124 Q So is there anything different in what you were
16:36:125 contemplating with Fain in terms of a status quo

16:36:171 proposal than the status quo proposal that you shared
16:36:202 with Sims?

16:36:213 **A** We did not actually draw a proposal that -- that I
16:36:294 would feel comfortable suggesting to the supreme court,
16:36:325 and it certainly would have been different than what I
16:36:366 suggested to Commissioner Sims.

16:36:377 **Q** How so?

16:36:388 **A** What I suggested to Commissioner Sims had, as we were
16:36:459 going through the negotiations, there were discussions
16:36:480 that we had along the way, potential, you know, areas
16:36:511 of kind of agreement as we moved closer and closer to
16:36:512 the potential for a proposal. And I wouldn't include
16:37:013 some of those in what I said to the supreme court. I
16:37:014 would instead suggest things that I had initially
16:37:115 proposed in my own individual map.

16:37:126 **Q** So I guess I don't understand what "status quo" means.
16:37:167 Wouldn't "status quo" mean that there was no
16:37:178 change from existing district?

16:37:219 **A** In the -- in the proposal that I had suggested to
16:37:220 Commissioner Sims, it was the main swing districts we
16:37:321 were negotiating over would remain status quo with
16:37:322 respect to their partisan performance. And the status
16:37:323 quo that I was considering in the event it went to the
16:37:424 supreme court was a map where you try to have the
16:37:425 districts move from their current configuration as

16:37:541

little as possible.

16:37:562

Q So, "Come back, we miss you," means who? Who missed you?

16:38:073

16:38:084

A I -- on Sunday, I left Federal Way and drove to my home to put my kids to bed and then drove back to Federal Way.

16:38:155

16:38:196

16:38:207

Q To be with who?

16:38:228

A To talk with Commissioner Sims.

16:38:269

Q But this is Fain saying, "Come back, we miss you," right?

16:38:310

16:38:311

A He was still there.

16:38:352

Q So were you on Sunday meeting with Fain and Sims?

16:38:413

A Absolutely not. I never once met with Fain and Sims outside of a public meeting.

16:38:414

16:38:415

Q But they said, "Come back, we miss you."

16:38:516

So I'm assuming at some point you met with Fain on Sunday, right?

16:38:517

16:38:518

A We were in the room with Anton and Paul Campos, but then I would go to a different room to have discussions with Commissioner Sims.

16:39:019

16:39:020

16:39:021

Q Okay. But you were all at the same hotel. You were just in caucus rooms, right?

16:39:122

16:39:223

MR. PEKELIS: Object to form.

16:39:224

THE WITNESS: We were in different

16:39:225

rooms, and we made to be sure that we never had more

16:39:291 than one -- sorry -- more than two voting commissioners
16:39:322 in -- in a room at any given time.

16:39:353 Q (By Ms. Mell) Okay. But when Fain says, "Come back,
16:39:384 we miss you," do you think he's referring to he and his
16:39:435 staff or he and other commissioners?

16:39:476 MR. PEKELIS: Object to form.

16:39:487 THE WITNESS: I think he's being
16:39:498 cute there.

16:39:509 Q (By Ms. Mell) You think he's what?

16:39:520 A Being cute.

16:39:561 Q Okay. But the "we" is who?

16:39:592 MR. PEKELIS: Object to form.

16:40:013 THE WITNESS: I don't know who he
16:40:044 had in mind there.

16:40:055 Q (By Ms. Mell) You asked, "Still with Sarah?"

16:40:076 So you assume the "we" meant Commissioner
16:40:117 Augustine, right?

16:40:118 A No. I took the, "Come back, we miss you," as just a
16:40:189 cutesy message.

16:40:220 Q What's your communication, "Getting sleepy over here"?
16:40:291 Where is "over here"?

16:40:322 A I was in -- thinking I was in a room with Anton, and I
16:40:423 went back home Sunday night. And Commissioner Fain was
16:40:524 talking to Commissioner Augustine. And I was trying to
16:40:525 see if -- if they were done, 'cause I wanted to go home

16:40:571

and go to sleep.

16:41:002

Q And so then this, this is Monday the 15th?

16:41:083

A I believe so, yes.

16:41:094

Q Bueller as in Ferris?

16:41:175

A You'll have to ask him.

16:41:206

Q And, "Just spitballing here," what did that mean?

16:41:267

A Oh, it was late that night, and I think I was talking

16:41:308

with Commissioner Sims just about the general process

16:41:389

and kind of where we had been over the course of the

16:41:410

year and where we were.

16:41:441

Q What did, "Not really making progress," mean?

16:41:522

A I just meant that we had at that point less than 24

16:41:513

hours to get a proposal in front of the whole

16:41:514

commission, and we were not really talking about moving

16:42:025

our negotiations forward at that point to see if we

16:42:016

could get to a proposal.

16:42:017

Q What was the conflict at that point in time?

16:42:118

A The primary con- -- the primary sticking points at that

16:42:219

point were the 28th, 44th, and 47th legislative

16:42:220

districts.

16:42:221

Q And what did the Democrats want?

16:42:322

A Improved Democratic performance in all of them.

16:42:323

Q And by how many points?

16:42:324

A There were different ideas that we discussed.

16:42:425

Q At this point in time, do you remember what the metrics

16:42:461

were?

16:42:462

A No, I don't.

16:42:483

Q Is there any record of the proposals that were

16:42:514

exchanged?

16:42:595

A About the 28th, 44th, and 47th?

16:43:036

Q Yes.

16:43:047

A No. Those were done in face-to-face discussions

16:43:078

between me and Commissioner Sims.

16:43:109

Q Is there any record of what transpired in those

16:43:150

negotiations? Written record?

16:43:211

A Not that I'm aware of.

16:43:222

Q I'm assuming this is the 15th, Monday the 15th?

16:43:313

A Appears to be.

16:43:364

Q And this is Joe Fain asking where you are at 6:21?

16:43:415

A That's me asking him.

16:43:456

Q Oh. You asking him.

16:43:477

And he says, "Walking back into the building with

16:43:498

food are you upstairs or are you still downstairs"?

16:43:519

A That's right.

16:43:520

Q And is that audio? Some funny thing?

16:43:521

A I think it was just one of those, you know, when you

16:44:022

hit the wrong button on your phone --

16:44:023

Q Oh.

16:44:024

A -- and it records for a couple seconds and then sends.

16:44:025

Q Okay. So this goes from 6:21 to 11:56 p.m.

16:44:151 What's the, "Get on the call," text mean?

16:44:172 **A That's four minutes before the midnight deadline. And**
16:44:213 **I -- I think that Commissioner Fain was having**
16:44:274 **connectivity issues then, and I was encouraging him to**
16:44:305 **get back on the public meeting.**

16:44:326 Q So is this before any final action was taken?

16:44:367 **A I believe so.**

16:44:378 Q And then by 3:02, where were you by 3:02 on Tuesday?

16:44:469 **A That's when I had mentioned I -- I went to a different**
16:44:510 **room from the event room to see if I could sleep for a**
16:44:521 **little bit.**

16:44:522 Q And at 5:33, he's checking on you?

16:45:013 **A That's right.**

16:45:024 Q Is this a continuation of that?

16:45:115 **A I think this is earlier.**

16:45:126 Q I never understood this one.

16:45:127 What is he saying? That he's got two different
16:45:128 logos he can wear that day?

16:45:219 **A No. I -- I clerk for the Washington Supreme Court, and**
16:45:220 **so of course the maps are either drawn by the**
16:45:221 **commission or the supreme court. And I happen to have**
16:45:222 **a fleece that says the Washington Supreme Court logo on**
16:45:323 **it and one that has the Redistricting Commission on it.**

16:45:324 And that was Monday morning. I took a picture
25 presenting --

1 Q Monday morning --

2 (Interruption by reporter due
3 to simultaneous speakers.
4

16:45:395 THE WITNESS: Took a -- took a
16:45:476 picture of both of them presenting our potentials.

16:45:517 Q (By Ms. Mell) Who did you clerk for?

16:45:558 A **Jim Johnson.**

16:45:569 Q This is cute. Okay. Got that one.

16:46:040 I don't see the supreme court one now.

16:46:081 A **We are very cute.**

16:46:082 Q There. That's yours, right?

16:46:113 A **That's right.**

16:46:114 Q All right. Are these all the same? I don't know.
16:46:195 We're slowing down here.

16:46:206 Okay. So what is this? It's 6:38 a.m. Is this
16:46:317 the 15th?

16:46:318 A **It appears to be.**

16:46:369 Q And it's Joe Fain saying, "I'm still here too at hotel-
16:46:420 stayed last night. Want to meet this AM re CD maps?"

16:46:421 A **Oh, you know, earlier you asked me if I ever saw any
16:46:422 texts between other commissioners, and I said "no."
16:46:523 But this is reminding me that I think this is a couple
16:46:524 of texts between Commissioner Fain and Commissioner
16:46:525 Walkinshaw on the status of their progress.**

16:47:021

Q Oh, okay.

16:47:032

So Fain is sharing that he seen -- is this a text

16:47:113

he got from Brady?

16:47:124

A I think that the black there is -- is -- one of them is

16:47:205

from Commissioner Walkinshaw. One of them is from

16:47:236

Commissioner Fain.

16:47:237

Q Okay. But you don't know which way?

16:47:268

A I don't.

16:47:339

Oh. That -- that was mean of me. I'm sorry,

16:47:310

Commissioner Walkinshaw.

16:47:411

Q So in this text, you're communicating to Commissioner

16:47:412

Fain that he should communicate to Walkinshaw that

16:47:513

you're a hard "no" on the congressional map without a

16:47:514

legislative map; is that correct?

16:47:515

A That's what it says.

16:48:016

Q Okay. And that was at -- can you double-check the time

16:48:017

and date? That's 6:38 --

16:48:018

A That was in the --

16:48:119

Q -- a.m. on the 15th; is that right?

16:48:120

A I think it was the morning of the 15th. That's right.

16:48:121

Q What did you say?

16:48:122

A I think that was the morning of the 15th.

16:48:223

Q Okay. So would you agree that this is a text

16:48:224

communication that would be a serial communication

16:48:325

among voting commissioners?

16:48:321 MR. PEKELIS: Object to form; calls
16:48:332 for a legal conclusion.

16:48:343 THE WITNESS: Yeah, it's -- it's,
16:48:404 you know, kind of a general communication of, you know,
16:48:455 where my overall thinking was on the potential for
16:48:506 completing our work.

16:48:527 Q (By Ms. Mell) That you wanted shared with a third
16:48:558 voting commissioner, correct?

16:48:589 A I say what I -- what I wrote there in the text.

16:49:020 Q Did you mean that at the time?

16:49:041 A I think so.

16:49:072 Q Did it happen?

16:49:083 A I don't know.

16:49:114 Q Does Commissioner Fain express that he had already
16:49:185 shared your communication with Walkinshaw?

16:49:216 MR. PEKELIS: Object to form.

16:49:217 THE WITNESS: It's what the text
16:49:218 says.

16:49:219 Q (By Ms. Mell) And did you take that to mean that your
16:49:220 position and Fain's position was communicated to
16:49:321 Walkinshaw with regard to your position on the
16:49:322 congressional and legislative district maps?

16:49:423 A I think it says, yeah, I was trying to get across
16:49:424 the -- my goal to complete all of our work rather than
16:49:525 just part of our work.

16:49:511 Q So would you agree that you were negotiating among
16:49:562 three commissioners via this text chain?

16:49:583 **A No.**

16:50:014 Q Would you agree that three of the voting commissioners
16:50:045 were communicating?

16:50:076 **A No.**

16:50:087 Q With regard to this text communication, was it apparent
16:50:208 to you upon receiving the text from Fain that your
16:50:259 position on legislative district -- legislative and
16:50:310 congressional maps was communicated to a third
16:50:361 commissioner, Walkinshaw?

16:50:412 **A This is -- this is a group. We had talked previously,**
16:50:413 **I think in a public meeting, about the potential of**
16:50:414 **completing one map but not the other, and I was pretty**
16:50:515 **consistently against that idea.**

16:50:516 Q Okay. I'm not sure that that answered my question.
16:51:017 Let me ask it again.

16:51:018 Would you agree that when Commissioner Fain
16:51:089 texted, "I told him we both were," that Commissioner
16:51:120 Fain was communicating to you that he had communicated
16:51:121 with a third voting commissioner, Walkinshaw?

16:51:222 MR. PEKELIS: Object to form.

16:51:223 You can answer the question if you understand it.

16:51:224 **THE WITNESS: Yeah, I -- I -- I view**
16:51:225 **it as communicating my consistent view that I did not**

16:51:351

want to only complete part of our work.

16:51:372

Q (By Ms. Mell) Okay. And you had communicated to

16:51:403

Commissioner Fain that you wanted Commissioner

16:51:424

Walkinshaw -- that your view as of Monday on the 15th

16:51:475

at 6:38 as to the congressional and legislative maps

16:51:526

was that you're hard "no" on the congressional map

16:51:577

without a legislative map?

16:51:588

A **This was my consistent position throughout whenever it**

16:52:019

came up. 'Cause we had -- you consider the possibility

16:52:040

of finishing one map but not the other, but I

16:52:081

consistently said that we needed to complete all of our

16:52:112

work.

16:52:113

Q And as of Monday, 6:38 a.m., on the 15th, you asked

16:52:194

Commissioner Fain to be sure that Commissioner

16:52:215

Walkinshaw knew that your position on the congressional

16:52:266

map was a hard "no" without a legislative map?

16:52:317

A **Yeah, I wanted to be consistent with what I'd said the**

16:52:318

entire time.

16:52:359

Q Is this you saying to Fain, "I'm calling house members

16:52:520

in bad districts, you call senators," on the 16th?

16:52:521

A **That's right.**

16:52:522

Q And your instruction, "Please call Sarah and ask her to

16:53:023

ask the ag about this," was communicating what?

16:53:124

MR. PEKELIS: And I'll just

16:53:125

instruct -- I'm going to object on the grounds that

16:53:151 this question potentially calls for information
16:53:192 protected by attorney-client privilege and instruct the
16:53:223 witness not to reveal any communications intended to
16:53:284 seek or reflect legal advice from the attorney
16:53:325 general's office.

16:53:326 And with that, you can answer the question.

16:53:387 **THE WITNESS: I do not recall what**
16:53:408 **that text was about.**

16:53:409 Q (By Ms. Mell) Okay. Is this gray-area text
16:53:460 Commissioner Fain's communications to you about what he
16:53:501 was proposing to post or what he had posted?

16:53:512 **A I don't recall if that came before or after he**
16:53:513 **posted --**

16:53:514 Q Okay.

16:54:015 **A -- on social media.**

16:54:016 Q Okay. Did you think that on Tuesday at 5:33 a.m.,
16:54:117 there would be an open government concern related to
16:54:118 you calling House members in bad districts and Senator
16:54:119 Fain calling -- I mean, and Commissioner Fain calling
16:54:120 senators?

16:54:221 **A No.**

16:54:222 Q Did you think there would be some other legal issue
16:54:223 with it?

16:54:224 **A No.**

16:54:325 Q What AGs were you talking about?

16:54:371 **A** I honestly don't remember the context of that text, but
16:54:402 I can tell you that I'd been awake for more than 24
16:54:443 hours straight at that point.

16:54:464 **Q** Do you recognize this text?

16:54:485 **A** I do.

16:54:496 **Q** What is this one?

16:54:517 **A** This is a text between me, Commissioner Fain, and a man
16:54:558 by the name of J. Vander Stoep.

16:54:579 **Q** Who's J. Vander Stoep?

16:55:010 **A** He's a former state representative.

16:55:031 **Q** And who's saying what to whom?

16:55:062 **A** He had texted me and Joe, asking for a briefing of the
16:55:113 status of the commission's work.

16:55:174 **Q** At 9:01 p.m. on the 15th?

16:55:215 **A** That's right.

16:55:226 **Q** Did you call him?

16:55:217 **A** No.

16:55:218 **Q** Did you and Joe give him a briefing?

16:55:319 **A** No.

16:55:320 **Q** Did you just ignore him?

16:55:321 **A** I talked to him Wednesday or Thursday. But this came
16:55:322 at 9 p.m. on Monday, which was an inopportune time to
16:55:423 ask for a briefing.

16:55:424 **Q** So there was no briefing with him at that time?

16:55:425 **A** No.

16:55:481 Q Do you know what he wanted?

16:55:532 A **No.**

16:55:543 Q How about this one?

16:56:014 A **This is a text between me and Keith Goehner.**

16:56:055 Q Who's that?

16:56:066 A **He's a state representative.**

16:56:077 Q What does the "Yesterday 9:58 AM" mean?

16:56:198 A **I think when I took this screenshot, he had sent me a**
16:56:239 **text the day before.**

16:56:260 Q Which would be Monday the 15th?

16:56:281 A **Oh. No. Sorry. When I took the screenshot, it was on**
16:56:412 **the 18th of November.**

16:56:483 Q So this is Tuesday the 18th.

16:56:514 A **That's Tuesday the 16th. And then it says "Yesterday"**
16:56:585 **because when I took this screenshot, it was 19th. So**
16:57:016 **18th when he texted me was yesterday.**

16:57:087 Q Okay. All right. He just wanted to know what
16:57:128 happened?

16:57:129 A **That's right.**

16:57:130 Q How about Jerry?

16:57:121 A **This is a text between me and Jerry VanderWood.**

16:57:122 Q Who's that?

16:57:123 A **He's -- works for government affairs for the**
16:57:224 **Association of General Contractors.**

16:57:225 Q What's a "coda to this story"?

16:57:321 A It wasn't clear on Tuesday at 11:00 the impact of what
16:57:382 had happened the night before. And I didn't know how
16:57:413 it was going to turn out, but I -- I'm a hopeful person
16:57:454 and had hope that we would be able to have maps be
16:57:545 public and then perhaps they could become the maps for
16:57:586 the next decade.

16:57:597 Q Is there, quote, a real story behind what happened in
16:58:028 the late hours of the 15th that you have not shared
16:58:049 with anyone?

16:58:010 A Can you ask that again?

16:58:011 Q Is there a, quote, real story behind what happened in
16:58:112 the late hours of the 15th that the public isn't aware
16:58:173 of?

16:58:114 A No.

16:58:205 Q Was there some kind of input or activity that occurred
16:58:316 that resulted in the meeting progressing in the manner
16:58:377 it did in the late hours of the 15th and into the 16th?

16:58:418 A No. It was pure chaos.

16:58:419 Q What was the chaos attributable to?

16:58:520 A The fact that we had a meeting start at 7:00 that we
16:58:521 were close to proposals that we could present to the
16:59:022 commission, but we were working very quickly to try to
16:59:023 get them done and turned into maps before midnight.
16:59:024 And then every half an hour, going back on to the
16:59:125 meeting and then trying to continue drawing those maps.

16:59:151 **It was just a very chaotic time.**

16:59:182 Q Do you recognize this text communication?

16:59:213 A **I do.**

16:59:244 Q Who are you texting with here?

16:59:275 A **This is with J.T. Wilcox.**

16:59:306 Q And what are you communicating with him?

16:59:337 A **I was communicating with him about what our -- we had a**
16:59:428 **midnight deadline, of course, under the law, but trying**
16:59:449 **to let him know what our real practical deadline might**
16:59:510 **be.**

16:59:511 Q So is this you in the green?

16:59:512 A **Yes.**

17:00:023 Q So did you and the commissioners agree to a hard stop
17:00:074 at 9?

17:00:085 A **No.**

17:00:096 Q And did you agree to a hard stop at 5?

17:00:117 A **That was our internal deadline heading into that day.**

17:00:138 Q How did you reach that internal deadline?

17:00:219 A **I think Commissioner Augustine and Ms. McLean worked**
17:00:220 **backward from midnight and said that, if there were**
17:00:321 **proposals by 5:00, then we could have everything that**
17:00:322 **we needed by midnight probably.**

17:00:323 Q How did they communicate that to you?

17:00:324 A **Commissioner Augustine told me that.**

17:00:425 Q Do you know if she told that to the other

17:00:461 commissioners?

17:00:462 **A I don't know.**

17:00:473 Q Do you know if Joe Fain knew that?

17:00:514 **A I don't know.**

17:00:515 Q Do you know if Commissioner Sims knew that?

17:00:536 **A I don't know.**

17:00:547 Q Did you ever communicate about trying to reach a goal
17:00:588 of 5:00 on the maps with other voting commissioners?

17:01:029 **A I don't recall.**

17:01:020 Q Do you remember it changing to 9:00?

17:01:011 **A I think this was -- the 5:00 was we had the potential
17:01:112 to have everything that we ultimately sent to the
17:01:213 supreme court and to the legislature. But with a 9:00
17:01:214 deadline, I think that there was the potential that we
17:01:215 could at least have a shape file and a resolution by
17:01:316 then, which might have been sufficient.**

17:01:317 Q And that was communicated via text from Sarah
17:01:318 Augustine?

17:01:319 **A I think it was a text that might have been a
17:01:420 conversation.**

17:01:521 Q Okay. Let's see if I can get going faster through
17:01:522 these.

17:01:523 This is, again, you saying, "It's 50/50 and mostly
17:02:024 whether we can draft maps fast enough."

17:02:025 What does that mean?

17:02:061 **A** That means that we were trying as quickly as we could
17:02:092 to get maps before the -- the midnight deadline. And
17:02:133 around the time of this text here, it was really on the
17:02:194 brink about whether we could actually do that by
17:02:255 midnight.

17:02:256 **Q** And why are you saying that you reached a deal but it's
17:02:297 not clear whether it counts as being done by midnight?

17:02:338 **A** Because we had the framework for a deal and we voted
17:02:369 "yes," but we did not have maps completed.

17:02:370 **Q** This is communicating with Wilcox again?

17:02:511 **A** That's right.

17:02:522 **Q** When you say, "Dems have been thinking over a last and
17:02:563 final for an hour now," what Dems are you talking
17:03:004 about?

17:03:015 **A** Just Commissioner Sims and her staff.

17:03:046 **Q** When you say, "Dems just not talking to us for two
17:03:077 hours," you mean only Commissioner Sims and not the
17:03:108 other Democratic commissioner?

17:03:129 **A** That's right. I did not have any conversations with
17:03:160 Commissioner Walkinshaw after that Monday morning
17:03:191 meeting.

17:03:192 **Q** Okay. And, "Teetering right on the edge. Tentative
17:03:223 leg deal."

17:03:224 When you say, "Tentative leg deal," are you
17:03:225 talking about tentative between who?

17:03:291 **A** Between me and Commissioner Sims for the proposal that
17:03:332 we could give to the commission.

17:03:413 **Q** And this is still with Wilcox, but you're actually
17:03:434 saying that it wasn't just between Sims. It included
17:03:475 Brady, the other Democratic commissioner, correct?

17:03:516 **A** This is a --

17:03:517 MR. PEKELIS: Object to form.

17:03:528 **THE WITNESS:** Yeah, this is a text
17:03:549 shorthand. I put Brady in there, but there were public
17:03:510 comments from Senate Democratic leadership suggesting
17:04:021 that they would just prefer to go to the supreme court.
17:04:012 So I used Brady there as a stand-in for Senate
17:04:013 Democrats more generally.

17:04:104 **Q** (By Ms. Mell) Well, you communicated that Brady is
17:04:135 saying he is a "no."

17:04:146 Did you know at the time that Brady was a "no"?

17:04:117 **A** No. And he was not.

17:04:218 **Q** He was not a "no"?

17:04:219 **A** No. He ultimately voted "yes."

17:04:220 **Q** But at the time you communicated to Mr. Wilcox that
17:04:221 Brady was a "no" and April still wanted more?

17:04:322 **A** Yeah, this was, like I mentioned, there were public
17:04:323 statements from Senate Democratic leadership, which I
17:04:424 thought was a fair stand -in for Commissioner
17:04:425 Walkinshaw suggesting that they would just prefer to

17:04:471

not finish our work and go to the supreme court.

17:04:502

Q Okay. So was it your understanding that the leadership was expressing Walkinshaw's position of, "no," just let it go to the supreme court, as of -- what time is that communication?

17:04:533

17:05:024

17:05:055

17:05:066

MR. PEKELIS: Object to form.

17:05:077

THE WITNESS: That's Sunday evening.

17:05:128

I thought it was the -- I didn't know the

17:05:159

communications between Commissioner Walkinshaw and

17:05:180

Senate Democratic leadership, but I saw the public

17:05:221

statements and thought that there was a potential that

17:05:252

was going to be his position.

17:05:263

Q (By Ms. Mell) Okay. So you assumed Brady Walkinshaw was aligned with the Democratic leadership?

17:05:304

17:05:315

A **I thought there was the potential for that.**

17:05:356

Q And you mean the Senate Democratic leadership?

17:05:397

A **That's right.**

17:05:408

Q What public statement did you see expressed by any Senate Democratic leader?

17:05:439

17:05:420

A **I don't recall exactly.**

17:05:501

Q Who in leadership?

17:05:522

A **I think there were statements that I saw or heard from Senator Billig.**

17:06:023

17:06:024

Q And texts?

17:06:125

A **No, I don't think so.**

17:06:111 Q Do you think Billig's position was communicated to you
17:06:162 via Sims?

17:06:173 **A No, I don't think so.**

17:06:264 Q And when you say, "Sorry, our chair just walked in," at
17:06:315 8:37 a.m. on Monday, that would be into the room with
17:06:346 you and Fain?

17:06:357 **A I don't recall.**

17:06:398 Q And you're telling Mr. Wilcox that you were deploying
17:06:459 Joe to make Brady's life very hard on those who want a
17:06:510 deal?

17:06:511 **A No.**

17:06:512 Q What were you saying by, "I think we'll get there. I
17:06:513 think Joe has a lot of good contacts who can make
17:07:014 Brady's life very hard who want a deal"?

17:07:015 **A I had a sense that members of the congressional
17:07:116 delegation who were Democrats would probably be very
17:07:117 interested in making sure that the commission completed
17:07:118 its work. And I know that Commissioner Fain has some
17:07:219 good working relationships with some of those members
17:07:220 of Congress, and I thought that he might encourage
17:07:321 those members of Congress to encourage Commissioner
17:07:322 Walkinshaw to continue engaging in the process.**

17:07:403 Q Did that happen?

17:07:424 **A I don't know.**

17:07:425 Q Who are Fain's congressional contacts?

17:07:481 **A I think he has a personal relationship with all of**
17:07:532 **them, I think.**

17:07:543 Q Adam Smith?

17:07:554 **A He's one of them.**

17:07:575 Q Was Adam Smith deployed to talk to Brady?

17:08:026 **A I don't know.**

17:08:077 Q After you sent this text, did you communicate with Fain
17:08:108 about what you told Wilcox?

17:08:159 **A Not that I recall.**

17:08:160 Q Did you ever ask Fain to utilize his congressional
17:08:211 contacts to facilitate the negotiations?

17:08:212 **A No.**

17:08:263 Q Did Fain tell you he was going to contact his
17:08:324 congressional contacts to encourage Brady to act?

17:08:315 **A I don't recall him doing so.**

17:08:406 Q Do you have any idea who Fain would have communicated
17:08:457 with or who he would have shared with you that he
17:08:478 communicated with?

17:08:489 **A No.**

17:08:500 Q Is this the thank-you to Laurie that you sent?

17:09:021 **A Yes.**

17:09:022 Q Sorry. I'm trying to do this quickly.
17:09:123 Lisa. Who's Lisa?

17:09:124 **A This is Lisa Fenton.**

17:09:225 Q Who's she?

17:09:231 **A She's the chief of staff for the House Republican**
17:09:292 **caucus.**

17:09:303 **Q And this Tuesday, which Tuesday is this?**

17:09:374 **A The 16th.**

17:09:405 **Q And this is you asking her to do some communicating for**
17:10:006 **you?**

17:10:017 **A That's right.**

17:10:038 **Q Mark M. Who's that?**

17:10:109 **A Mark Mullet.**

17:10:180 **Q An elected official?**

17:10:191 **A Yes.**

17:10:202 **Q Just asking for an update?**

17:10:213 **A I think so.**

17:10:264 **Q Who's this?**

17:10:315 **A Oh, this is a text with Lisa McLean, the executive**
17:10:416 **director for the Redistricting Commission.**

17:10:467 **Q Is this reflective of when you were sent a resolution**
17:11:048 **to sign?**

17:11:049 **A I think so.**

17:11:090 **Q Did you sign the resolution before it was moved?**

17:11:091 **A I signed the resolution before we knew we were going to**
17:11:192 **vote. And in the chaos of the moment, I at least had**
17:11:223 **in mind that I signed it because if -- if there were a**
17:11:224 **vote of some kind, this -- the resolution was kind of**
17:11:295 **a -- signing it was sort of a ministerial task that I**

17:11:331 **didn't want to get delayed because we were so close to**
17:11:362 **midnight.**

17:11:373 Q So the resolution had no content specific to
17:11:414 congressional or legislative district plans?

17:11:465 A **When we signed, we did not have the completed maps.**

17:11:496 Q Did you even have a proposal?

17:11:547 A **We had the framework that we could then turn into the**
17:11:588 **maps.**

17:11:599 Q But you hadn't voted yet?

17:12:010 A **No. That's right.**

17:12:041 Q Do you know whether or not the resolution, the content
17:12:072 of the resolution was amended after you had the final
17:12:113 maps to create a link to the final maps or a final
17:12:174 pathway for the final maps as opposed to being blank?

17:12:215 A **I don't know.**

17:12:246 Q When you signed the resolution, were the file paths for
17:12:267 the legislative and congressional district maps
17:12:288 expressed in the resolution?

17:12:299 A **I don't recall.**

17:12:320 Q What's this?

17:12:321 A **This is a further continuation of the text with**
17:12:422 **Ms. McLean.**

17:12:423 Q When you said, "I haven't forgotten your request about
17:13:024 publishing your records," what did you mean?

17:13:025 A **I -- we received a number of Public Records Act**

17:13:051 requests, and I thought it might be useful in the
17:13:072 interest of open government and transparency to just
17:13:113 put them all in one publicly available place so anybody
17:13:154 who wanted them could go get them rather than having to
17:13:175 send separate Public Records Act requests for them.

17:13:216 Q Okay. So who's this text with?

17:13:227 A This is with Mike Steele.

17:13:238 Q Who's that?

17:13:249 A He's a state representative.

17:13:260 Q Okay. And so Paul Graves is using Mike Steele's phone
17:13:321 to text you?

17:13:312 A No. I was texting him.

17:13:363 Q Oh, this is you?

17:13:424 I don't understand this text.

17:13:415 The blue is you --

17:13:416 A That's right.

17:13:417 Q -- communicating with Mike?

17:13:418 A That's right.

17:13:419 Q Oh, it's you, or is it -- is it Paul Graves using your
17:13:520 phone to communicate with Mike?

17:13:521 A That's right.

17:13:522 Q Okay. So Paul Graves at some point in time had your
17:13:523 personal phone and was texting Mike?

17:13:524 A I am Paul Graves.

17:14:025 Q Oh, I'm sorry. It's obviously getting too, too damn

17:14:061 late. I see what problems you were having late into
17:14:082 the wee hours.

17:14:093 **A Let's try this at 5 tomorrow morning.**

17:14:124 Q Yeah. Yeah. And I know. We're going to get done
17:14:155 here. We're getting close. I got to go through
17:14:176 e-mails too, but we're going to get through those
17:14:217 quickly because there's a lot repetition there.

17:14:238 So, "Mike, Paul Graves here. We have a map. Give
17:14:269 me a call when you get a minute."

17:14:280 What map are you talking about?

17:14:311 **A It's the same shorthand text. There wasn't a map at
17:14:322 that point, but the framework that we were busy trying
17:14:313 to turn into a map.**

17:14:354 Q So this Tuesday at 5:41 is the 16th?

17:14:315 **A That's right.**

17:14:406 Q Were you conferring with Mike about where to finalize
17:14:417 the boundaries?

17:14:418 **A Oh, absolutely not. I was calling to tell him what the
17:14:419 boundaries were for his district.**

17:14:420 Q What the what were?

17:14:521 **A What the boundaries were for his district.**

17:14:522 Q Okay. Were you communicating that with the
17:14:523 anticipation that they would change at all after
17:15:024 talking with him?

17:15:025 **A No. I was delivering bad news that was already**

17:15:071

completed.

17:15:082

Q Okay. Who's Nate?

17:15:113

A It's Nate Nehring.

17:15:134

Q Who's that?

17:15:145

A He's a member of the Snohomish County Council.

17:15:196

Q And you're texting him about your redistricting work

17:15:247

because...?

17:15:248

A He was interested in the work of the commission.

17:15:289

Q Okay. So as of Tuesday the 16th, you're sharing with

17:15:310

him that you're not sure where you were with the maps?

17:15:311

A I knew where we were with the maps. It just wasn't

17:15:412

clear the -- the impact of the vote that we took.

17:15:413

Q Okay. Because the maps had not been approved?

17:15:514

A Well, they weren't -- the legislative map was not

17:15:515

completed by that time.

17:15:516

Q So there were no approved legislative maps, correct?

17:15:517

A We had the framework that we were then turning into

17:16:018

maps at that time.

17:16:029

Q But you would agree that on the 15th, the commission

17:16:020

did not approve legislative or congressional district

17:16:121

maps?

17:16:122

A We voted for the frameworks that we then turned into

17:16:223

the maps on the 16th.

17:16:224

Q Okay. But would you agree that because the maps

17:16:225

weren't prepared, you never voted on the maps?

17:16:251

MR. PEKELIS: Object to form.

17:16:262

Q (Continuing by Ms. Mell) On the 15th?

17:16:293

MR. PEKELIS: Same objection.

17:16:314

THE WITNESS: Yeah, it depends on

17:16:325

how you -- you mean -- you mean that.

17:16:366

Q (By Ms. Mell) Well, a map is something different than

17:16:387

what you voted on, correct?

17:16:408

A The maps were not completed by that time.

17:16:439

Q So the commissioners did not vote on maps on the 15th,

17:16:440

correct?

17:16:511

MR. PEKELIS: Object to form.

17:16:512

THE WITNESS: We did not have maps

17:16:513

completed by the 15th.

17:16:514

Q (By Ms. Mell) So would you agree that you did not vote

17:17:015

on maps?

17:17:016

MR. PEKELIS: Object to form.

17:17:017

THE WITNESS: My -- my only

17:17:018

hesitation is just -- maybe it's just sophistry, but we

17:17:119

voted on the framework that then you could turn

17:17:120

directly into the maps.

17:17:121

Q (By Ms. Mell) Well, it wasn't so direct, because it

17:17:122

took you much of the next day to accomplish it,

17:17:223

correct?

17:17:224

A Well, we all had to --

17:17:225

MR. PEKELIS: Object to form.

17:17:241 **THE WITNESS: -- sleep -- we all had**
17:17:252 **to sleep for a long time.**

17:17:273 Q (By Ms. Mell) You all had to do what?

17:17:284 A Sleep.

17:17:285 Q So nothing was being done on the maps? You were
17:17:326 sleeping on the 16th?

17:17:347 A We worked on the legislative maps from midnight
17:17:378 until -- I left at 7. Anton and Osta slept later --
17:17:489 for most of the midday and then came back together in
17:17:510 the early afternoon to complete them.

17:17:511 Q But it wasn't just a matter of putting in a few
17:17:512 numbers, correct?

17:17:513 A I mean, it's a -- it's a big process, like I mentioned.
17:18:014 Even when me and Anton and my own staff were doing it
17:18:015 on our own and I knew exactly -- you know, I told them
17:18:116 exactly what I wanted and how it should look, it would
17:18:117 still be a three-and-a-half- or four-hour process and
17:18:118 that's just one person doing it.

17:18:119 Q How about this text?

17:18:220 A It's a text between me and Commissioner Sims.

17:18:221 Q And what is she saying, "Yes, I sent a reply to the
17:18:322 group text, did you get it?"

17:18:323 A I think she was --

17:18:324 MR. PEKELIS: Object to form.

17:18:325 **THE WITNESS: -- replying -- sorry.**

17:18:381 I think she was replying to a text between her, me, and
17:18:432 Commissioner Augustine.

17:18:453 Q (By Ms. Mell) And this text is between you and April
17:19:004 Sims on Monday the 15th.

17:19:035 I think this is one we already did, didn't we?

17:19:066 A That's right.

17:19:077 Q That's all right. We've already gone through that one.
17:19:118 Okay.

17:19:119 I think Mr. is getting ready to be fed. He's a
17:19:210 little angry at me. I'm about an hour off track, so I
17:19:211 might have to take a quick break.

17:19:242 Let's finish the text, and then I'll go through
17:19:253 quickly the e-mails right after that.

17:19:284 This is you and April Sims still?

17:19:325 A That's right.

17:19:336 Q Sort of -- that looks like it's a continuation of the
17:19:377 one we already discussed in terms of getting into the
17:19:398 hallway to talk?

17:19:419 A That looks right.

17:19:420 Q Okay. I think the way these are labeled suggests the
17:19:521 chronology.

17:19:522 Okay. So is this April Sims indicating that she
17:19:523 was with Brady Walkinshaw?

17:20:024 MR. PEKELIS: Object to form.

17:20:025 Q (Continuing by Ms. Mell) And then meeting with you?

17:20:101

MR. PEKELIS: Object to form.

17:20:112

THE WITNESS: It says, "Brady is

17:20:123

still there," which suggests to me at least that she

17:20:154

wasn't with him at the time.

17:20:155

Q (By Ms. Mell) Where do you think "there" was?

17:20:196

A I don't know.

17:20:207

Q Was Brady where she was headed back up to?

17:20:278

MR. PEKELIS: Object to form.

17:20:289

THE WITNESS: I don't know.

17:20:290

Q (By Ms. Mell) What was the idea she had at 3:31 p.m.?

17:20:311

A I don't remember.

17:20:522

Q And April is saying, "Do you need my notes?" so that

17:20:513

you can get them to your staffer?

17:21:014

MR. PEKELIS: Object to form.

17:21:015

THE WITNESS: I don't -- I don't

17:21:016

know what she was asking there.

17:21:017

Q (By Ms. Mell) Okay. And is this a text, "Brady

17:21:118

doesn't want to vote yet," communicating Brady

17:21:149

Walkinshaw's position on the legislative district map

17:21:220

or the congressional district map?

17:21:221

MR. PEKELIS: Object to form.

17:21:222

THE WITNESS: I don't know.

17:21:223

Q (By Ms. Mell) Is this you saying, "No, and the leg

17:21:324

maps are actually a problem," in response to, "Brady

17:21:425

doesn't want to vote yet"?

17:21:451 A No. I think I was -- I think I was saying at that
17:21:472 point it was becoming increasingly clear to me that we
17:21:493 were not going to have a map done before midnight.

17:21:554 Q Would you agree that this text communication from April
17:21:595 Sims includes a position of a third commissioner?

17:22:066 MR. PEKELIS: Object to form.

17:22:107 THE WITNESS: It would suggest to me
17:22:148 that he wouldn't feel comfortable voting one way or the
17:22:239 other, but I don't -- I don't know and I don't recall a
17:22:250 follow-up conversation about that.

17:22:271 Q (By Ms. Mell) What did you mean by, "No, and the leg
17:22:302 maps are actually a problem"?

17:22:313 A I think I was responding to the text, "Have you seen
17:22:314 the cd map?"

17:22:315 Q Oh.

17:22:316 And that meant the congressional district maps?

17:22:317 A That's how I understood it.

17:22:418 Q So at this point in time, was it your understanding
17:22:419 that there was no agreement by that time on either map?

17:22:420 MR. PEKELIS: Object to form.

17:22:521 THE WITNESS: Oh, by this time, I
17:22:522 think that we had -- April and I had reached the
17:22:523 framework that we were trying to turn to the proposal
17:23:024 that we could give to the commission, and I was working
17:23:025 very hard to see if we could get it turned into a map

17:23:071

before midnight.

17:23:082

Q (By Ms. Mell) What was the problem that you were talking about?

17:23:113

17:23:124

A Was taking longer than I thought it would.

17:23:165

Q So was -- when she asked, "Like a problem we can't reconcile?" how did you take that?

17:23:206

17:23:287

A Oh, I -- I took it my own quick and bad communication.

17:23:398

Because I -- I wasn't suggesting that there was a --

17:23:419

you know, we had our framework in place, and I wasn't

17:23:410

suggesting that there was some problem with that. It

17:23:411

was just the problem was, I think around this time, I

17:23:412

was becoming -- it became increasingly clear that we

17:23:513

were not going to have a -- a map by midnight.

17:23:514

Q Okay. And so did you guys decide to stay in recess until you worked out a problem?

17:24:015

17:24:016

A I don't think so. If I recall, we continued -- we continued getting on the public meeting every half hour.

17:24:107

17:24:118

17:24:119

Q Did you meet April Sims in the big room to discuss the problem?

17:24:120

17:24:221

A Don't remember.

17:24:222

Q Does this text suggest that you did?

17:24:223

A May have, but I don't recall. It was so chaotic at that time, I don't recall the exact sequence of events.

17:24:324

17:24:325

Q Is this her indicating that she's in the hallway?

17:24:391 **A I think it's me saying, "I'm in the hallway."**

17:24:462 Q And April Sims is walking back from the other room?

17:24:483 **A I think so.**

17:24:494 Q Do you know what time this is?

17:24:515 **A No.**

17:24:526 Q So is this April Sims communicating to you that she's

17:25:327 working on a unanimous statement to give the press or

17:25:368 to the supreme court?

17:25:379 **A I don't recall.**

17:25:410 **You're not going to believe me, but not only did I**

17:25:411 **stay up all night on Monday; I didn't get to go to**

17:25:412 **sleep until about 9:00 on Tuesday.**

17:25:523 Q I don't know how you were functioning anymore.

17:25:514 **A You could see that I really wasn't.**

17:25:515 Q Okay. All right. So was there some attempt to reach a

17:26:016 consensus on a press release on the 16th?

17:26:117 MR. PEKELIS: Object to form.

17:26:118 **THE WITNESS: I -- I think I**

17:26:119 **mentioned it earlier. I e-mailed with Ms. McLean about**

17:26:220 **the potential for a statement the commission could**

17:26:221 **release publicly.**

17:26:222 Q (By Ms. Mell) And you gave her your consent?

17:26:223 **A I -- I suggested the statement that we --**

17:26:224 Q Was your statement --

17:26:325 **A -- provided.**

17:26:38 1 **Sorry.**

17:26:38 2 Q Was your statement the statement that was released?

17:26:40 3 A **One -- I think I wrote a couple of drafts. I think one**
17:26:48 4 **of them was.**

17:26:49 5 Q Okay. And why did you have a couple drafts?

17:26:51 6 A **It was so chaotic, and there was so much uncertainty**
17:26:57 7 **about the impact of what we had done, what the vote**
17:27:01 8 **meant, that it's the lawyer in me. I was really trying**
17:27:05 9 **to be precise in what we would say.**

17:27:08 0 Q Did you try to incorporate the thoughts of any other
17:27:11 1 commissioners?

17:27:12 2 A **No.**

17:27:15 3 Q Who's Vicki?

17:27:21 4 A **This is Vicki Kraft.**

17:27:25 5 Q And what is this text about?

17:27:21 6 A **Representative Kraft represents the 17th district. And**
17:27:31 7 **I offered to talk with her early on in the process**
17:27:39 8 **about her district and the communities of interest**
17:27:41 9 **there. And she took the position that she thought that**
17:27:42 0 **communicating with me would be a conflict of interest,**
17:27:50 1 **given that she's an incumbent, and so she declined to --**
17:27:52 2 **to talk with me throughout the process.**

17:27:52 3 Q And is this you texting with Brady Walkinshaw?

17:28:02 4 A **It appears to be, yes.**

17:28:04 5 Q All right. So this reflects that you got together on

17:28:151

the 12th?

17:28:182

A I think we had a phone call on the 12th.

17:28:213

Q Okay. To discuss redistricting?

17:28:254

A Yeah, just generally we were on the -- the prospect or in the process and the potential for completing our work.

17:28:285

17:28:336

17:28:337

Q Okay. This looks like a repeat.

17:28:498

17:28:529

17:28:510

So were you communicating with April Sims on two different phones, from her work phone and from her personal phone?

17:29:011

17:29:112

17:29:113

A No. Oh, so this is her. I'm the gray there. I was calling her from my work phone, which is a "253" number.

17:29:114

Q Okay.

17:29:115

17:29:116

A Because my phone stopped working on, like, the 14th, and I was only able to make calls using my FaceTime.

17:29:217

17:29:218

Q Okay. So did you retrieve and make available the texting from the phones that you were using?

17:29:319

17:29:320

A Yeah, that "253" number is not a cell phone. It's a landline.

17:29:321

Q Landline. Okay.

17:29:322

So there's no texts on that?

17:29:323

A Correct.

17:29:324

17:29:525

Q Okay. This is a text between April Sims. Is this more just you meeting in the hallway throughout those

17:29:58 1
17:29:59 2
17:30:01 3
17:30:03 4
17:30:06 5
17:30:16 6
17:30:28 7
17:30:29 8
17:30:31 9
17:30:34 0
17:30:38 1
17:30:42 2
17:30:43 3
17:30:44 4
17:30:45 5
17:38:00 6
17:38:01 7
17:38:01 8
17:41:41 9
17:41:42 0
17:41:42 1
17:41:50 2
17:42:00 3
17:42:10 4
17:42:12 5

negotiations?

A Yeah, these -- these text appear to be, I think, from -- from April's phone to me, so they're the same as the ones that I provided but in reverse.

Q Okay. So nothing particularly new there.

Okay. I think we already did that.

MS. MELL: All right. Let's take a quick -- a five-minute break. I'm going to come back and go through this document, and then I will be concluding the deposition. So hopefully we can do that fairly quickly. It's not a particular -- it's a 13-page document.

And, Mr. Court Reporter, can I just have that marked as the next exhibit in order of things?

(Reporter addresses counsel's inquiry.)

(Pause in proceedings from 5:30 p.m. to 5:41 p.m.)

Q (By Ms. Mell) Commissioner Graves, were there any negotiating tactics that you deployed on the 15th after the discussion section and the time of the action item section so that you could move into action?

MR. PEKELIS: Object to form.

THE WITNESS: I'm not sure I

17:42:171

understand the question.

17:42:192

Q (By Ms. Mell) So do you know how much time passed

17:42:213

between the discussion section and the action section

17:42:244

of the public meeting?

17:42:265

A **No.**

17:42:286

Q Do you know if you deployed any negotiating tactics

17:42:317

between the discussion section and the action section

17:42:348

of your meeting so that you could present proposals for

17:42:409

a vote?

17:42:420

MR. PEKELIS: Object to form.

17:42:441

THE WITNESS: I was just strictly

17:42:462

focused at that time on trying to see if we could

17:42:483

complete maps by midnight.

17:42:514

Q (By Ms. Mell) Was there any communication you had

17:42:545

between the discussion section and the action portion

17:42:586

of the meeting that led you to believe you could move

17:43:017

forward with a vote?

17:43:018

A **No.**

17:43:119

Q Do you know how the action portion of the meeting was

17:43:120

initiated?

17:43:121

A **I believe Chair Augustine asked whether there was a**

17:43:222

motion.

17:43:223

Q How did you know to go back on screen?

17:43:224

A **It was around the half-hour mark, I think, or**

17:43:325

thereabouts.

17:43:381 Q So did anything change from the time of the discussion
17:43:472 to the time of the action portion of the meeting
17:43:503 relative to your negotiations?

17:43:524 **A No.**

17:43:545 Q So was the status of -- well, strike that.

17:43:596 Had you and Commissioner Sims agreed to
17:44:037 legislative -- a legislative district protocol during
17:44:128 the discussion -- by the time of the discussion portion
17:44:169 of the meeting, public meeting?

17:44:180 **A I don't recall when the discussion portion of the**
17:44:211 **meeting started.**

17:44:282 Q So if you reached an agreement with Commissioner Sims
17:44:313 at 8:45 and the discussion portion of the meeting
17:44:374 started after 8:45 and you indicated during the public
17:44:415 discussion portion of the meeting that there wasn't a
17:44:506 consensus on either map, was there something that
17:44:517 happened to reach consensus after that point in time?

17:44:578 MR. PEKELIS: Object to form.

17:44:519 **THE WITNESS: Not that I recall.**

17:45:020 Q (By Ms. Mell) Why didn't you share with the public
17:45:021 that you and April Sims had reached an agreement on a
17:45:022 proposal in the discussion section of the meeting to
17:45:123 the public?

17:45:124 **A I wish I had. I -- it was late and chaotic, and I --**
17:45:125 **if I had had more presence of mind, I would have been**

17:45:231 more articulate about the status and where things were
17:45:262 and what we were trying to accomplish before midnight.

17:45:303 Q All right. Showing you what's been marked as whatever
17:45:364 exhibit number it's been marked as; i.e., the e-mail
17:45:395 file, all official sent e-mail.

17:45:486 Do you see that document? Probably not, because
17:45:487 I'm not sharing the screen. Hold on.

17:45:518 How's that?

17:45:549 A Yes, I can see that.

17:45:550 Q Do you recognize this e-mail exchange?

17:45:581 A Yes.

17:46:042 Q Who's Sean Murray?

17:46:073 A He's a nonpartisan staff for the commission.

17:46:104 Q And do you know why you would have e-mailed him?

17:46:165 A I think I was accepting a proposed meeting.

17:46:266 Q Was there a meeting by Zoom -- well, strike that.

17:46:317 Do you know when this -- what meeting you were
17:46:368 accepting?

17:46:319 A This was a meeting that began 7:00.

17:46:420 Q Okay. All right. Same here?

17:46:421 (Clarification by reporter.)

17:46:422

17:46:523 Q (By Ms. Mell) Same here? Are we just dealing with the
17:47:024 same communication here?

17:47:025 A This looks to be about the -- the press conference that

17:47:061

we had scheduled for Tuesday the 16th at 10 a.m.

17:47:112

Q So on November 15th, you were agreeing to participate in the press conference?

17:47:153

17:47:164

A I'd already agreed to. This was just the link to the Zoom meeting that we were going to use for it.

17:47:225

17:47:246

Q Okay. Is this you communicating with Lisa McLean, Sarah Augustine, Joe Fain, Brady Walkinshaw, and April Sims that you considered the e-mail privileged and confidential?

17:47:387

17:47:438

17:47:469

17:47:410

A Will you scroll down so I can see what I'm replying to?

17:47:511

Q Am I going too fast?

17:47:512

A No.

17:47:513

Q Okay.

17:48:014

A Yeah, we were -- you can see that we received a -- all of the commissioners received an e-mail from Emma Grunberg, who worked for the attorney general's office, and I was asking whether it was privileged and confidential.

17:48:015

17:48:106

17:48:117

17:48:118

17:48:119

Q Okay. So is it -- is this e-mail string initiated by Emma Grunberg?

17:48:220

17:48:221

A I don't know.

17:48:222

Q Do you remember Emma Grunberg reaching out to communicate with all of you?

17:48:323

17:48:324

A Now, that e-mail that's on the screen right now, the bottom third of RC000396, does not have me included on

17:48:425

17:48:471

it.

17:48:472

Q Okay. Do you know anything about this communication, what it was about?

17:48:563

17:48:564

A No.

17:48:585

MR. PEKELIS: And I'll just assert

17:49:006

an objection that the question calls for

17:49:037

attorney-client privileged information. And I'd ask

17:49:088

counsel to refrain from probing into an e-mail from

17:49:139

counsel for the attorney general's office.

17:49:170

Q (By Ms. Mell) With regard to this e-mail

17:49:191

communication, when you saw it, were there these

17:49:242

redactions in it?

17:49:263

MR. PEKELIS: Objection; form and

17:49:284

foundation.

17:49:295

THE WITNESS: Yeah, what you're

17:49:316

showing me there, I'm not included on those e-mails, so

17:49:317

I never saw them.

17:49:378

Q (By Ms. Mell) Okay. So at the point in time when --

17:49:399

let's see -- your -- your communication, "I consider

17:49:420

this email privileged and confidential. Please

17:49:501

confirm," had you seen the remaining portion of this

17:49:522

unredacted?

17:49:523

A I'm not sure how this -- this document was produced. I

17:50:024

don't see an e-mail where I'm included on it. I only

17:50:025

see my reply to an e-mail. So it looks like

17:50:091 something's gone a little amiss with the way this was
17:50:122 produced.

17:50:133 Q Okay. Was there a meeting convened with legal counsel
17:50:244 via e-mail among the commissioners?

17:50:295 A No.

17:50:306 Q Was there a call with legal counsel with all the
17:50:357 commissioners on it on November 16th or thereabouts?

17:50:398 A No.

17:50:409 Q What is this e-mail?

17:51:010 A E-mail from me to Lisa Fenton.

17:51:081 Q What is the purpose of the e-mail?

17:51:112 A I was asking her to -- sorry. I was letting her know
17:51:183 that, broken first sentence way, that we had voted
17:51:214 "yes" and just letting her know that happened and that
17:51:315 I was probably going to be largely unavailable 'cause I
17:51:406 know I'd be getting a lot of calls but that I had the
17:51:417 caucus in mind and was planning to be in touch with
17:51:478 them as soon as I could.

17:51:499 Q When you say to Rep Goehner that you have new maps,
17:52:020 what do you mean?

17:52:021 A That was shorthand for we had a framework, we voted on
17:52:082 it, and again I was e-mailing him to let him know the
17:52:123 bad news.

17:52:124 Q Okay. And but by 5:43, you didn't quite have all the
17:52:185 maps, right?

17:52:191 **A No. Correct. That's correct. But I knew what his**
17:52:232 **district was going to look like.**

17:52:243 Q Okay. And was that a district -- that was a district
17:52:274 that changed?

17:52:285 **A Yes.**

17:52:306 Q Okay. Is this you delivering more bad news or inviting
17:52:387 the delivery of more bad news?

17:52:408 **A It is.**

17:52:459 Q What about this one?

17:52:460 **A Appears to be e-mail chain between me and Lisa McLean.**

17:52:571 Q Do you believe this to be true and correct
17:52:592 communication between you and Lisa McLean?

17:53:023 **A I think so.**

17:53:154 Q Can you see what the revisions are below in this?

17:53:185 **A No, I can't.**

17:53:216 Q Do you know how you made your revisions? Did you get
17:53:247 an e-mail that you then typed in and then replied and
17:53:308 hit "reply"?

17:53:319 Do you know what I'm saying?

17:53:320 **A I do. It's 8:10 in the morning on Tuesday, so I was so**
17:53:421 **tired and in a fog, I don't remember how I made some**
17:53:422 **proposed revisions.**

17:53:423 Q Does the content that's reflected here look like what
17:53:504 you recommended?

17:53:525 **A It does.**

17:54:011 Q Do you know if this was content published?

17:54:042 **A I think we had a different statement that we ultimately**

17:54:093 **published.**

17:54:104 Q And did you approve this statement that was ultimately

17:54:145 published?

17:54:156 **A I think I supported it.**

17:54:197 Q How did it change from this statement?

17:54:268 **A I wanted to include in there that our process was**

17:54:349 **marked by mutual respect and hard work. I wanted to**

17:54:310 **make clear that that was true. But I don't remember**

17:54:411 **however else it changed before it was released.**

17:54:512 Q So do you remember receiving this communication?

17:55:013 **A Vaguely.**

17:55:014 Q Do you have any reason -- strike that.

17:55:105 Is this a true and correct communication between

17:55:116 you and Lisa McLean cc'd to Anton Grose and Sarah

17:55:117 Augustine?

17:55:118 **A It appears to be.**

17:55:119 Q Okay. And what are you accomplishing by your

17:55:220 communication "yes" here?

17:55:221 **A Lisa had sent an e-mail asking if I agree with the**

17:55:322 **language, and I was replying that I do agree with the**

17:55:323 **language.**

17:55:324 Q And so do you understand that Lisa McLean was asking

17:55:325 the four voting commissioners whether or not they

17:55:401 agreed with this language?

17:55:432 **A I don't know. It says "from the four of you." And I**

17:55:493 **don't know how to interpret that.**

17:55:504 Q Did you understand that she was seeking consensus on

17:55:565 this language?

17:55:566 **A I understood that she was asking what I thought of that**

17:56:027 **statement.**

17:56:038 Q Okay. And how does this statement compare -- well, did

17:56:089 you make any edits to this statement?

17:56:110 **A I don't remember.**

17:56:141 Q But you approved this iteration?

17:56:112 **A Yes.**

17:56:213 Q Do you remember changing your approval of this

17:56:214 iteration after talking with other commissioners?

17:56:215 **A No.**

17:56:216 Q What is this?

17:56:317 **A This appears to be another draft of a statement the**

17:56:418 **commission could release.**

17:56:419 Q And this is at 10:28 in the morning?

17:56:420 **A That's right.**

17:56:421 Q Authored by you?

17:56:522 **A That's right.**

17:56:523 Q Written by you?

17:56:524 **A I wrote that.**

17:56:525 Q You wrote this language?

17:56:581 **A That's right.**

17:56:592 Q I'm just going to scroll back and see how that compares
17:57:013 to you saying "yes" here timeline-wise.

17:57:054 So does it indicate to you by the time stamp on
17:57:125 this e-mail communication that you'd approved a version
17:57:146 at 8:56 in the morning on the 16th and then later
17:57:217 proposed new language?

17:57:238 **A I think that's right.**

17:57:269 Q Do you know why you proposed the new language?

17:57:280 **A I was so tired, I genuinely don't.**

17:57:361 MS. MELL: Okay. All right. I'm
17:57:372 done with my part of the deposition.

17:57:393 Thank you so much for your time.

17:57:414 MR. WEST: I have just a few quick
17:57:465 questions I'd like to ask.

17:57:516 Can people hear me?

17:57:577 MS. MELL: Yes.

17:57:598 MR. WEST: Okay.

17:58:009 MR. PEKELIS: We can hear you, but
17:58:020 we can't see you.

17:58:021 MR. WEST: My connectivity is down.
17:58:022 If I turn the video on, the sound breaks up. So I hope
17:58:023 you can bear with that.

17:58:024 ////

17:58:025 ////

EXAMINATION

BY MR. WEST:

Q Commissioner Graves, let's get back to the November 16th meeting after 12:30 a.m.

For what purpose was there this convocation of the commissioners and staff in the event room?

A I don't know why everybody was there. I -- I went there to complete the legislative map.

Q Okay. Does this often happen in meetings that last till 12:00, that people go to sit for another seven hours? In your experience, is this common?

A Thankfully, not very common in my experience.

Q And so you attended to finish up the maps, correct?

A Yeah, I had the goal of turning the framework that we voted on into the maps that were produced later that day.

Q Do you believe the other three commissioners attended that convocation for the same purpose?

A I don't know.

Q Did you see the other three commissioners working or approving any form of maps with their staff members?

A Commissioner Sims and I were together, standing behind Anton Grose and Osta Davis, who were translating the framework into the maps.

Q As to the other two commissioners, were they acting in

17:59:551 a similar fashion?

17:59:562 **A I don't recall.**

18:00:003 Q Okay. If someone were to tell you that they were doing
18:00:094 that, would you believe that to be a fact?

18:00:135 MR. PEKELIS: Object to form.

18:00:156 **THE WITNESS: Would depend on who**
18:00:177 **that someone was.**

18:00:208 Q (By Mr. West) Okay. So your testimony is you do not
18:00:229 know what the other two commissioners were doing for
18:00:240 that entire seven hours?

18:00:211 **A The -- the congressional map was completed, I think,**
18:00:312 **around 3 or 4 in the morning.**

18:00:313 Q Okay. At that point, did the commissioners agree to
18:00:314 send that map file to committee staff?

18:00:415 **A I don't -- I don't recall an agreement like that.**

18:00:416 Q Okay. Was it sent to committee staff?

18:00:517 **A I believe it was.**

18:00:518 Q Was it sent that -- without an agreement of the
18:00:519 commissioners?

18:01:020 **A It just -- it wasn't as if we got together and said,**
18:01:021 **"All right, everybody. Okay. We can send it."**

18:01:122 Q How did it get sent, then?

18:01:123 **A I don't know.**

18:01:124 Q Okay. Did you speak with the other commissioners about
18:01:225 urging staff to hurry and finish the maps so they could

18:01:291 be posted as quickly as possible before reporters woke
18:01:322 up?

18:01:333 **A No.**

18:01:364 Q Did you hear any conversation to that effect?

18:01:405 **A I had conversations about the goal of trying to
18:01:476 complete the maps as quickly as we could.**

18:01:497 Q Okay. And who were those conversations with?

18:01:538 **A Anton Grose, April Sims.**

18:01:599 Q Did you speak with either of the other two
18:02:040 commissioners at any time about that?

18:02:011 **A Not that I can recall.**

18:02:082 Q Did you speak with either of the other two
18:02:103 commissioners at any time during that seven hours?

18:02:114 **A I believe that I did, yes.**

18:02:175 Q At what times?

18:02:116 **A Oh, I don't recall. It was so late, and I was so
18:02:217 tired.**

18:02:218 Q Did you speak with either of the other two
18:02:309 commissioners more than six times?

18:02:320 **A I don't think so.**

18:02:321 Q More than three?

18:02:322 **A Maybe. But, again, I -- it was so late and I was so
18:02:423 tired, and my entire focus was on trying to complete
18:02:524 the legislative maps. I -- I have very hazy memories
18:02:525 of that time.**

18:02:561 Q So you could have spoken with them repeatedly a dozen
18:03:082 times and engaged in long conversations possibly?

18:03:123 **A I don't think so. I think I would have remembered long**
18:03:154 **conversations, but...**

18:03:155 Q You think you would have remembered.

18:03:166 But I'm asking: As a definite certainty, can you
18:03:197 tell me today that you had no involved conversations
18:03:228 with any of the other two commissioners?

18:03:289 **A I don't know how to answer the question. I'm trying to**
18:03:310 **tell you from what my best memory is of -- of that**
18:03:311 **time.**

18:03:312 Q Not your best memory. I'm wondering if you have a
18:03:313 definite memory that you -- you're sworn today, and I'm
18:03:414 asking you to speak truthfully as to what happened.
18:03:415 And I'm not asking for what you think might have
18:03:516 happened.

18:03:517 I'm asking: Can you certify under penalty of
18:03:518 perjury today that you did not have any involved
18:03:519 conversations with the other two commissioners?

18:04:120 MR. PEKELIS: Object to form.

18:04:121 **THE WITNESS: I don't know. What do**
18:04:122 **you mean by "involved conversations"?**

18:04:123 MR. WEST: That would be a
18:04:124 give-and-take of more than three statements.

18:04:225 MR. PEKELIS: Objection. There's no

18:04:251

question pending.

18:04:302

THE WITNESS: Could you ask it

18:04:323

again, Mr. West?

18:04:344

Q (By Mr. West) Did you have any conversations with the

18:04:365

other two commissioners that involve a give-and-take

18:04:416

between you and either of the other two commissioners

18:04:447

of more than three statements total?

18:04:478

A I think I had a conversation with Commissioner Fain

18:04:529

about the upcoming press conference that we had

18:04:510

scheduled at 10:00.

18:05:041

Q Okay. So did you discuss with the other commissioners

18:05:062

finishing up the maps so that they could be posted

18:05:113

quickly?

18:05:114

A I was urging our -- my staff and -- and Osta to see if

18:05:215

we could complete the maps as quickly as we could.

18:05:276

Q Did you speak with any of the other two commissioners

18:05:327

concerning that?

18:05:318

A I think at one point I said to Commissioner Fain that I

18:05:419

hope that we can get these maps done quickly.

18:05:420

Q So you discussed with two of the other commissioners

18:05:521

getting the maps done quickly?

18:05:522

MR. PEKELIS: Object to form.

18:06:023

THE WITNESS: Yeah, I -- I was

18:06:024

trying to see if we can get the maps done quickly.

18:06:025

Q (By Mr. West) Okay. And so and in order to do so, you

18:06:091 had a discussion with two of the other commissioners?

18:06:142 **A Not in order to do so. It's not as if having a**
18:06:183 **conversation with Commissioner Fain did it happen any**
18:06:214 **quicker. I was just trying to explain what my focus**
18:06:245 **was at the time.**

18:06:256 Q How close were you to the other two commissioners
18:06:307 during this seven-hour period? Were there times where
18:06:388 you were within earshot of them?

18:06:429 **A Not really, no. I mean, we'd pass each other, you**
18:06:510 **know, when going to the bathroom and things like that,**
18:06:511 **but they were on a different part of -- of the room**
18:06:512 **than I was.**

18:06:513 Q And these discussions that you had, were they during
18:07:014 that period when they were within earshot or without
18:07:015 earshot?

18:07:016 **A Could you ask that again? I'm not sure I understand.**

18:07:107 Q Well, you just said that you were not within earshot of
18:07:108 the other commissioners, and I'm wondering how you
18:07:109 conducted discussions with them if that was the case.

18:07:220 **A It was a couple of hours. And so, you know, you'd go**
18:07:221 **in and out to go to the bathroom or to get a cup of**
18:07:322 **coffee and pass by somebody and say "hi."**

18:07:323 Q So in this seven-hour period, there were times, there
18:07:324 were multiple times when you were within earshot of the
18:07:425 other two commissioners?

18:07:431 **A Probably right. I was drinking a lot of coffee.**

18:07:492 Q Okay. At approximately 5:30 or 6 a.m., did
18:08:023 Commissioner Fain leave the inn?

18:08:064 **A I think it was about that time that he left.**

18:08:095 Q Soon thereafter, did you receive a phone call?

18:08:116 **A Yeah. He and I talked by phone.**

18:08:207 Q What did he tell you? Or what was the conversation?

18:08:278 **A We were talking about the -- the uncertainty of
18:08:319 everything that had happened, the impact of the vote
18:08:310 and the fact that we didn't have a legislative map
18:08:311 done. And we were trying to figure out whether we
18:08:412 considered ourselves to have completed our work on
18:08:413 time.**

18:08:414 Q At that point in time, were you in proximity to
18:08:515 Commissioner Sims and Walkinshaw?

18:08:516 **A I don't remember. I was on the phone.**

18:09:017 Q Okay. After your phone conversation, did you within
18:09:018 the next 20 minutes or so get into the proximity of
18:09:129 Commissioner Sims and Walkinshaw?

18:09:120 **A I went back over and talked to -- I was standing next
18:09:221 to Commissioner Sims most of the time. I don't recall
18:09:222 if Commissioner Walkinshaw was there.**

18:09:223 Q Did you engage in a conversation with -- concerning the
18:09:324 fact that there were some potential legal questions
18:09:325 about the previous night's vote and that might impact

18:09:411 how the maps and the vote should be portrayed to the
18:09:452 public?

18:09:453 **A No. I -- I wasn't concerned with how the maps should**
18:09:514 **be portrayed to the public. I was trying to figure out**
18:09:555 **what it meant to have taken a vote like that but still**
18:10:006 **have maps that we were working on, what that might**
18:10:057 **mean. At some point -- go ahead.**

18:10:078 **Q Did you engage in a conversation concerning that with**
18:10:109 **any of the other commissioners?**

18:10:110 **A I had a conversation with Commissioner Sims about the**
18:10:111 **impact of all of it and what it might mean.**

18:10:222 **Q Was Commissioner Walkinshaw in the vicinity during that**
18:10:223 **conversation?**

18:10:214 **A I don't recall.**

18:10:315 **Q Could they have participated in that conversation?**

18:10:316 **A Who's "they"?**

18:10:317 MR. PEKELIS: Object to form.
18:10:318 MR. WEST: Commissioner Walkinshaw.

18:10:419 **THE WITNESS: Oh. I -- I don't**
18:10:420 **recall.**

18:10:421 **Q (By Mr. West) Okay. So at this point, you're**
18:10:422 **uncertain whether or not at that point you were**
18:10:423 **conducting discussion with two other commissioners.**
18:10:524 **You might have?**

18:10:525 **A I just don't -- I recall having a conversation like**

18:10:581 that with Commissioner Sims, but I don't recall
18:11:002 Commissioner Walkinshaw being there.

18:11:023 Q Okay. But, and you can't certify that neither the
18:11:064 other two commissioners were in -- were -- you can't
18:11:105 certify that Mr. Walkinshaw was not part of that
18:11:146 conversation?

18:11:157 MR. PEKELIS: Object to form.

18:11:188 **THE WITNESS: That was a double**
18:11:209 **negative. I just don't recall --**

18:11:220 Q (By Mr. West) Can you certify under penalty of perjury
18:11:251 that Commissioner Walkinshaw did not take part in that
18:11:292 conversation?

18:11:293 A **I just don't recall him being there.**

18:11:314 Q So would that be a "no"?

18:11:355 MR. PEKELIS: Object to form.

18:11:366 This is getting argumentative, Arthur.

18:11:387 MR. WEST: No, I'm asking for a
18:11:398 "yes" or "no" answer. I believe that that is a
18:11:419 requirement.

18:11:420 Q (By Mr. West) My question is: Under penalty of
18:11:421 perjury, can this witness certify that Commissioner
18:11:522 Walkinshaw was not part of a conversation?

18:11:523 MR. PEKELIS: Object to form.

18:11:524 MR. WEST: And I'd like a "yes" or
18:11:525 "no" answer.

18:11:591 **THE WITNESS: I don't know how to**

18:11:592 **say it differently. I don't recall him being there.**

18:12:033 Q (By Mr. West) Okay. So would that mean, then, that
18:12:054 you cannot certify whether or not he was there?

18:12:095 A I'm trying to tell you what I -- what I remember.

18:12:136 Q Okay. Very good.

18:12:157 Following this discussion, was there a discussion
18:12:258 between you and any of the commissioners as to how they
18:12:309 would portray what had happened?

18:12:310 A I wouldn't say "portray." We had a -- I had a
18:12:411 discussion about the fact that we needed to say
18:12:412 something about what happened.

18:12:513 Q And, again, would your memory prohibit you from
18:12:514 remembering how many commissioners engaged in this
18:12:515 conversation?

18:13:016 A I don't know if that's a fair statement about my -- my
18:13:017 earlier answers. I think I had a conversation with
18:13:118 Commissioner Fain and a separate commission -- a
18:13:119 separate conversation with Commissioner Sims about what
18:13:220 we might say as a commission about what happened.

18:13:221 Q And how long of a time period separated these two
18:13:322 conversations?

18:13:323 A Couple of minutes.

18:13:324 Q Okay. And how close in proximity did these
18:13:425 conversations take place?

18:13:411 **A** The timeline is so hazy for me, I -- I can't really
18:13:462 even give you an estimate.

18:13:473 **Q** So these two conversations could have took place within
18:13:534 two minutes and within, oh, ten feet?

18:13:595 **A** I do recall talking to Commissioner Fain at sort of one
18:14:046 end of the -- of the meeting room, and then I remember
18:14:067 most of my conversations with Commissioner Sims were on
18:14:098 the other end.

18:14:109 **Q** As to this particular conversation, do you recall where
18:14:130 it took place?

18:14:141 **A** We're talking about two conversations, aren't we?

18:14:182 **Q** These particular two conversations, yes.

18:14:223 **A** Yeah, I -- I recall being on sort of one end of the
18:14:264 room, and I talked with Commissioner Fain about the
18:14:295 fact that we needed to say something and what it might
18:14:336 be. And then it was some time later, I think, that on
18:14:367 the other end of the room I talked with Commissioner
18:14:428 Sims about the fact that we needed to say something.

18:14:449 **Q** Good.

18:14:420 Did you ever come to a decision that you did not
18:14:521 want to post the maps publicly at that time?

18:15:022 **A** No.

18:15:023 **Q** So you never had any -- did you have any discussion
18:15:104 with the other commissioners about whether the maps
18:15:125 should be posted?

18:15:151 **A I don't recall.**

18:15:222 Q So you could have?

18:15:233 **A I just don't remember.**

18:15:264 Q Okay. Did you have any discussion about taking down
18:15:355 the congressional maps that had been posted?

18:15:406 **A I do recall a conversation with Commissioner Walkinshaw
18:15:437 where we talked about that.**

18:15:458 Q Could you also have spoken with Commissioner Sims about
18:15:489 that?

18:15:480 **A I don't recall a conversation like that with
18:15:511 Commissioner Sims.**

18:15:522 Q Okay. Are you sure that you -- you don't recall a
18:16:003 conversation. But with the state of your memory, are
18:16:044 you sure that you didn't have a conversation with
18:16:085 Commissioner Sims?

18:16:086 MR. PEKELIS: Object to form;
18:16:107 argumentative.

18:16:118 THE WITNESS: I'll just -- I mean,
18:16:119 all these -- this is -- again, this is -- I've been
18:16:120 awake for more than 24 hours straight, and my primary
18:16:201 focus was on seeing if we could complete the maps
18:16:222 pretty quickly, and so I'm trying to do my best to tell
18:16:223 you what I remember.

18:16:224 Q (By Mr. West) Okay. And, obviously, after staying
18:16:325 awake for that length of time, your memory probably

18:16:351 isn't perfect, correct?

18:16:392 **A My memory is never perfect.**

18:16:423 Q Okay. And so it's just as likely that you could have
18:16:474 had some conversations that you don't remember?

18:16:485 MR. PEKELIS: Object to form.

18:16:496 **THE WITNESS: Slight imperfection is**
18:16:567 **not just as likely.**

18:16:588 Q (By Mr. West) Okay. Is it possible that you had
18:17:009 conversations with the other commissioners that you do
18:17:030 not now recall due to your tiredness and the problems
18:17:061 in your memory that you set forth?

18:17:132 MR. PEKELIS: Object to form.

18:17:113 **THE WITNESS: I mean, I couldn't**
18:17:164 **quote you verbatim everything that I said or heard that**
18:17:215 **night.**

18:17:236 Q (By Mr. West) Was that a "yes," then?

18:17:217 **A Could you repeat the question?**

18:17:218 Q Question is: Was it possible that due to your
18:17:329 tiredness and the state of your memory, that you may
18:17:320 not recall all the conversations that you had with the
18:17:421 other commissioners in that seven-hour period between
18:17:422 12:30 and 7 a.m. in the meeting room?

18:17:523 **A I don't recall the, you know, the transcript of every**
18:17:524 **conversation that I had during that time.**

18:17:525 Q Okay. More so than the transcript, do you not

18:18:051 recall -- is it possible that you do not recall what
18:18:092 conversations you had exactly?

18:18:133 **A I should -- I feel the need to make clear here, you're**
18:18:164 **asking for things that are possible. And it's hard for**
18:18:205 **me to know how to answer that. 'Cause in one sense,**
18:18:266 **anything's possible. But I'm trying here to try to**
18:18:297 **tell you to the best that I can what I -- what I do**
18:18:338 **remember.**

18:18:339 **Q** Okay. So basically your testimony today, rather than
18:18:390 being the whole truth, is what you remember of that?

18:18:411 MR. PEKELIS: Objection. Misstates
18:18:482 testimony. Argumentative. And, Mr. West, bordering
18:18:513 on --

18:18:514 MR. WEST: Okay.

18:18:515 MR. PEKELIS: -- abusive.

18:18:516 MR. WEST: I'll move on. Thank you.
18:18:517 (Clarification by reporter.)

18:19:018
18:19:019 MR. WEST: Thank you. I'll move on.
18:19:120 I think I'm done. Thank you very much for your
18:19:121 time.

18:19:222 MR. PEKELIS: We don't have any
18:19:223 questions for the witness. And we'll reserve
18:19:224 signature.

18:19:225 MR. ROWE: No questions from the

18:19:301 State.

18:19:402 MS. MELL: I'm not doing any

18:19:413 redirect.

4 (Signature reserved.)

5 (Deposition concluded at

6 6:19 p.m.)

7 (Exhibit Nos. 3 through 40

8 marked for identification.)

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

A F F I D A V I T

I, Paul Graves, hereby declare under penalty of perjury that I have read the foregoing deposition and that the testimony contained herein is a true and correct transcript of my testimony, noting the attached corrections.

Paul Graves

Date: _____

1 STATE OF WASHINGTON) I, John M.S. Botelho, CCR, RPR,
2 County of Pierce) ss a certified court reporter
3 in the State of Washington, do
4 hereby certify:

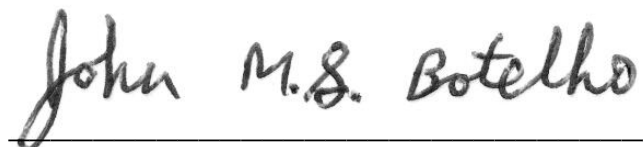
5 That the foregoing deposition of PAUL GRAVES was taken
6 before me and completed on January 11, 2022, and thereafter
7 was transcribed under my direction; that the deposition is a
8 full, true and complete transcript of the testimony of said
9 witness, including all questions, answers, objections,
10 motions and exceptions;

11 That the witness, before examination, was by me duly
12 sworn to testify the truth, the whole truth, and nothing but
13 the truth, and that the witness reserved the right of
14 signature;

15 That I am not a relative, employee, attorney or counsel
16 of any party to this action or relative or employee of any
17 such attorney or counsel and that I am not financially
18 interested in the said action or the outcome thereof;

19 That I am herewith securely sealing the said deposition
20 and promptly delivering the same to Zachary J. Pekelis.

21 IN WITNESS WHEREOF, I have hereunto set my hand
22 this 20th day of January, 2022.

23
24
25


John M.S. Botelho, CCR, RPR
Certified Court Reporter No. 2976
(Certification expires 05/26/22.)

B&A Litigation Services
2208 North 30th Street, Suite 202
Tacoma, WA 98403
253.627.6401

Date: January 21, 2022

To: Zachary J. Pekelis
Pacifica Law Group
1191 Second Avenue, Suite 2000
Seattle, Washington 98101-3404

Case: Washington Coalition for Open Government v. State of Washington
Cause No.: 21-2-02069-34
Deposition of: Paul Graves
Date Taken: January 11, 2022

The above transcript must be read and the Correction Sheet signed within 30 days of this notice or before the trial date. If the Correction Sheet is not signed within that time period, signature will be deemed waived for all purposes.

Please contact the witness and arrange a convenient time and place for reading and signing.

After the Correction Sheet is signed, please retain the signed original Correction Sheet.

Reporter: John M.S. Botelho, CCR, RPR
License No.: 2976

cc: joan@3brancheslaw.com, awestaa@gmail.com, brian.rowe@atg.wa.gov

Exhibits		
Graves Exhibit 3	4:8 130:14,21	15 15:10 95:19
Graves Exhibit 4	4:9 152:25 153:1 154:25	157,200 32:8
Graves Exhibit 5	4:11	15th 11:16,25 14:2 15:6 16:17,22 19:13,16 22:5,9 29:18 30:15 31:3 45:18 58:16 68:9 75:12 76:1 81:22 87:16 88:17 89:5 90:19,20 91:9,14 92:25 93:3,5,7 94:14,16 95:1,12 98:16 99:23,25 104:7 105:10,14 109:17 110:4 112:3 113:18 119:20 121:10 122:20 123:21 128:19,23,24 129:23 132:1 136:2,3,4,21,24 143:14 153:9,20 155:22,25 156:4,7, 10 157:18,22 158:5 159:1,5 165:9 169:20 170:16 171:13,15,19,21,25 172:6,8,9 173:21 174:8 177:8 178:20 182:2 183:12 185:17 186:19, 20,22 189:4,13 191:14 192:10 193:8,12,17 205:19 206:2,9,13 208:4 215:21 219:2
Graves Exhibit 6	4:12	16th 21:23 22:5 39:20 42:24 45:16 46:3,9,11,13,15 50:5 53:16 64:3 71:4,9,10 81:12,15,18,20,25 109:17 129:23 136:5,21,25 137:2,10,15 138:13,25 139:2 141:13 142:7 165:9 169:8,24,25 172:17 174:3 189:20 192:14 193:17 201:4 204:14 205:9, 23 207:6 212:16 219:1 221:7 225:6 226:4
Graves Exhibit 7	4:14	17 7:17
Graves Exhibit 8	4:15	17th 44:15 174:22 213:16
Graves Exhibit 9	4:17	18 7:18
Graves Exhibit 10	4:18	18th 43:12 44:6,22 174:23 175:13 192:12,13,16
Graves Exhibit 11	4:20	19 7:19
Graves Exhibit 12	4:21	1991 92:8
Graves Exhibit 13	4:23	19th 192:15
Graves Exhibit 14	4:24	1:30 169:25
Graves Exhibit 15	5:3	1:39 160:5
Graves Exhibit 16	5:4	1st 15:15 66:25 135:8,9,12,16,20 174:24
Graves Exhibit 17	5:6	2
Graves Exhibit 18	5:7	2 32:15 40:24 107:25 132:14 145:4, 25 146:6,17 147:1 151:25
Graves Exhibit 19	5:9	20 7:20 232:18
Graves Exhibit 20	5:10	200-foot-by-200-foot 46:17
Graves Exhibit 21	5:12	
Graves Exhibit 22	5:13	
Graves Exhibit 23	5:15	
Graves Exhibit 24	5:16	
Graves Exhibit 25	5:18	
Graves Exhibit 26	5:19	
Graves Exhibit 27	5:21	
Graves Exhibit 28	5:22	
Graves Exhibit 29	5:24	
Graves Exhibit 30	6:3	
Graves Exhibit 31	6:4	
Graves Exhibit 32	6:6	
Graves Exhibit 33	6:7	
Graves Exhibit 34	6:9	
Graves Exhibit 35	6:10	
Graves Exhibit 36	6:12	
Graves Exhibit 37	6:13	
Graves Exhibit 38	6:15	
Graves Exhibit 39	6:16	
Graves Exhibit 40	6:18	
	-	
	-in	
	0	
	0.0	
	1	
1	106:6,9,10 169:25	
1.6	105:7,8	
10	219:1	
10:00	50:14 51:9,15,24 138:17 230:10	
10:28	224:19	
10:30	16:14	
10th	67:23 105:22 106:16	
11	7:2 122:24 162:4	
11:00	16:14 70:5 193:1	
11:12	7:2	
11:30	109:13	
11:56	183:25	
11th	175:1,2	
12:00	226:10	
12:22	50:3	
12:30	226:4 238:22	
12:54	50:3	
12th	21:23 32:16 176:5 177:15 214:1,2	
13-page	215:12	
13th	176:7	
1469	7:20	
14th	22:9 110:4 124:15 169:20,22,24 176:1,3 214:15	

2007 11:2	3:31 209:10	
2012 12:24	3rd 15:25 67:6,7 76:25 80:6,19,23 81:2,6	6
2016 13:8 79:23		6 232:2
2017 26:20	4	60,000 32:10,12 147:15
2018 79:23		6:19 240:6
2019 26:20	4 47:20 53:25 55:10 71:8 83:5 152:25 153:1 154:25 227:12	6:21 183:14,25
2020 12:24 13:8 58:19 59:8,21 63:3 78:24 79:24	40 240:7	6:38 185:16 186:17 189:5,13
2021 11:16,25 15:10	41 106:8	6th 16:8 67:13 80:6,20,24 81:2,6
2022 7:2	42nd 105:18,22,23,25 106:2,4 108:3	7
206 818-5607 8:8	44 132:14	7 85:1 118:3 119:24 207:8 238:22
20th 175:13	44th 59:12 105:5,15 111:9 132:18 135:16,18,19 182:19 183:5	75 59:24 61:1,13 62:2,6,19 63:3 145:23
21 7:21	45-minute 47:19	75/25 145:7,24 146:4
22 7:22	45th 174:25	7:00 85:7,14 91:14 132:2 138:20 193:20 218:19
23 7:23	46th 134:13,15,16	7:22 157:18
233 165:18,19,21	47th 105:22 106:12 111:9 182:19 183:5	7:45 102:14
24 7:24 50:17 52:11 83:14 182:12 191:2 237:20	48.75 62:11,12	7th 16:4 67:16
24th 105:22 106:18	49 39:22,25 63:14	
25 7:25 58:25 59:1	4:12 168:22	8
253 214:12,19	4:19 168:22	8 119:20
26th 56:11,21 57:9 105:22 106:14	4:46 155:25 156:4	8:00 138:21
28th 59:12,14,19 60:1,7,12 61:3,11, 15 62:7,19,25 63:5,11,17,20,24 64:5 105:15 111:9 147:19 182:19 183:5	4th 15:21 67:10 76:23	8:10 222:20
2:08 95:24	5	8:24 153:9
2:14 95:24	5 55:10 59:8 156:22 194:16 204:3	8:30 119:20
2:59 125:15	50 59:2	8:37 199:5
2nd 15:18 67:4 80:6,20,24 81:3,6	50/50 59:9 79:11,13 80:18 195:23	8:45 31:11 87:4 91:8,15 99:22 103:1 105:10 112:3 114:10 129:17 147:6 148:13 217:13,14
3	53 59:22	8:55 175:25
3 47:20 53:25 71:8 73:11 83:5 130:14,21 227:12 240:7	5:00 194:21 195:8,11	8:56 225:6
30 171:2	5:30 215:18 232:2	8th 16:2 67:18 134:8
37th 175:2	5:33 184:12 190:16	9
3:00 125:16 127:8	5:40 174:3	9 191:22 194:14
3:02 127:18 184:8	5:41 204:14 215:18	90 146:11
3:09 127:18	5:43 221:24	
	5th 15:21 26:24 67:10 76:23	

91 92:2
98071 7:21
9:00 195:10,13 212:12
9:01 191:14
9:04 157:22
9:37 172:17
9:45 165:11
9:58 192:7
9th 16:6 67:21 134:11

A

a.m. 7:2 174:3 185:16 186:19 189:13
190:16 199:5 219:1 226:4 232:2
238:22
ability 123:9 152:16
absent 7:23
absolute 177:24
absolutely 25:17 180:13 204:18
abusive 239:15
accept 7:23 8:5 132:19
acceptable 100:21
accepted 111:16
accepting 8:3 218:15,18
accomplish 158:9 206:22 218:2
accomplishing 223:19
account 32:19 34:1 40:25 76:21
174:16
accurate 18:25 78:21
act 24:18,19 25:1,16 26:3 27:9 28:8
33:4,20 36:1,4,25 149:3 177:8
200:14 202:25 203:5
acted 52:5 109:2
acting 226:25
action 7:24 23:5 110:9,11 129:22
168:2 184:6 215:22,23 216:3,7,15,
19 217:2
actions 170:16
activity 193:15
actual 18:22 23:17 57:18 65:5 66:10
97:16 154:19,20

Adam 200:3,5
add 32:6 60:3 63:1
addition 96:22 136:12
additional 73:4 149:14
address 7:19,20,22,25 35:4,21
60:20
addresses 215:15
adjourned 113:4
Administrative 22:22 23:9
admission 26:9
admitted 26:8
adopt 23:6 24:2,24 33:11 38:12
39:12,16 40:20 65:2,21 178:8
adopted 22:23 23:4,11 24:4,11,15
26:1 33:15,18 36:7,16
adopting 24:22 26:16
adoption 17:3 23:21 75:15
advance 28:9
advice 190:4
advocated 93:16
affairs 25:11 192:23
affection 26:13
affirm 29:2
affirmatively 39:2
affirmed 38:22
afraid 116:22 117:10 130:25 154:17
afternoon 42:24 46:2 170:1 207:10
ag 189:23
agree 18:16 29:18 30:14 45:9,10,11
47:13,15 52:16 66:9 71:10 87:23
93:7,17,20 95:17 98:22 107:3,18,21
108:5,15 112:1,2 117:14 126:20
142:1 148:1 178:7 186:23 188:1,4,
18 194:13,16 205:19,24 206:14
210:4 223:21,22 227:13
agreed 42:15 50:22 51:24 55:21
62:3 71:18 84:1 98:23 101:19 105:9,
23 106:4,5 159:18 217:6 219:4
224:1
agreed-upon 70:18
agreeing 219:2

agreement 11:15,19 12:1 14:5 31:1
41:22 45:13 46:3,6 71:11 86:15
90:14,18 91:7,8,10 94:22 102:10,24
107:11,13,22 111:2,11 112:7 115:5
117:4,8 122:13 125:12 128:21 129:2
137:1,3,9 138:9 141:12 146:5
177:21 179:11 210:19 217:12,21
227:15,18
AGS 190:25
ahead 15:2 77:21 92:17 105:18,19
126:25 233:7
aid 128:2
air 166:20
Ali 63:4,18 88:11,14 89:13
aligned 65:1,4 76:17 198:14
allowed 101:7 120:13 122:10
alter 22:1
alternative 148:10
ambiguous 44:4
amenable 127:13 145:20
amended 202:12
American 32:20,25
amiss 221:1
amount 112:6
analyst 9:5,15,25 29:24
analyzing 12:23
and/or 25:15
Andy 10:20 136:18,20
angry 208:10
Ann 175:12
annoying 157:10
answers 140:21 235:17
anticipate 90:9 125:18 126:14
anticipated 86:1 90:3,15
anticipating 125:20
anticipation 204:23
Anton 8:21,25 9:7 29:23 30:13 43:1
48:7 54:10 55:17 56:22 57:1,2,6
102:15 110:13 113:19 114:6,7,11,15
116:2 117:24 129:10,14,15 157:9
180:18 181:22 207:8,14 223:16

226:23 228:8
anymore 212:13
anything's 239:6
apparent 128:20 129:1 188:7
appeared 7:3
appearing 129:22
appears 153:3 156:5 157:14 163:4
175:21 183:13 185:18 213:24
222:10 223:18 224:17
Apple 21:6
applicable 27:17 59:4
applied 29:15
appointed 10:6,11,14,15,18,20 27:3
49:16,17
appointee 10:16,17
appointing 136:11 144:14
approval 44:10,18 62:19 84:6,8
87:16 224:13
approve 15:12 38:19 85:17 86:3
173:12 205:20 223:4
approved 43:15,18,25 83:19,21
137:2 205:13,16 224:11 225:5
approving 40:22 226:21
approximately 16:14 31:11 69:21,
22 119:15 149:19 232:2
April 12:25 62:3 83:1 136:11 144:14
156:22 157:7,8,24 160:6 161:6,9,14,
21 162:1,20 197:21 208:3,14,22
209:12 210:4,22 211:19 212:2,6
214:8,24 217:21 219:7 228:8
April's 215:3
area 35:1
areas 48:15 60:4 135:21 179:10
argumentative 234:16 237:17
239:12
arrived 119:20,24 158:5
Arthur 125:21 234:16
articulate 218:1
articulated 17:11 71:23 73:2
articulating 102:12
ascertain 76:8

asleep 173:1
aspects 32:23
assert 220:5
assign 98:13
assigned 8:11 9:17,19 48:15 49:11,
19,23 89:20,24
assignment 48:24
assignments 9:7
assistant 149:23 150:3,24
Association 192:24
assume 27:24 39:2 85:21 169:12
181:16
assumed 73:16 198:13
assuming 27:16 126:3 152:8,9
160:7 180:16 183:12
assumption 84:12
attempt 124:21 212:15
attend 44:25 45:11,13
attended 26:6 33:2 34:16,19,25
37:13,16,19 226:13,17
attention 24:10
attorney 7:23 17:25 79:25 140:2
149:23 150:3,24 151:5 190:4 219:16
220:9
attorney's 18:2 140:3
attorney-client 17:22 139:23
140:14 190:2 220:7
attorneys 140:8
attributable 193:19
attribute 119:12 144:23
Auburn 7:20
audio 183:20
audit 116:4
audited 19:6
Aug- 166:13
August 94:21 151:15,16
Augustine 33:4,9 34:2 35:16,23
36:1 44:14 45:7,19,22 46:6 48:1
52:1,3 93:6 98:4,14 99:16,19,24
100:8,12 110:5 139:6 153:4,6,7,16
154:3 155:20,22,24 157:25 163:5

164:1 165:20 167:8 181:17,24
194:19,24 195:18 208:2 216:21
219:7 223:17
Augustine's 97:20 139:16 166:15
Augustine_fain_11.15. 152:12
authenticate 156:3
Authored 224:21
authority 36:1,12
authorize 141:24
authorized 33:4 36:8,9
authorizes 33:9
average 67:8 79:21,23 80:12,15
awake 18:11 50:17 52:11 191:2
237:20,25
aware 138:8 144:17 147:9 183:11
193:12
awful 168:3

B

back 19:6 20:22 35:15 50:19 51:8
92:23 93:14,22 94:4 109:7,11,20,24
110:1,2 126:18 129:19 130:8 133:10
157:16 167:6 180:2,5,9,15 181:3,18,
23 183:17 184:5 193:24 207:9 209:7
212:2 215:8 216:23 225:2 226:3
232:20
backgrounds 99:2
backup 148:2
backward 194:20
bad 167:19 189:20 190:18 204:25
211:7 221:23 222:6,7
bag 120:5 161:19
Band 34:9
bar 11:3
Barnett 8:21 9:14
barrier 37:8
base 17:6 60:5 67:24 158:8
based 16:16 17:4,24 77:21 104:5
118:14 120:3 140:1 162:5
basically 239:9
basis 17:22

Bates 116:10 152:12
Bates-numbered 155:1
bathroom 95:20,21 119:11 231:10, 21
bear 225:23
bed 180:5
began 218:19
begin 102:12 125:18,25 151:20
beginning 125:16
behalf 8:6 33:5 36:2
belief 112:22 171:14
believed 43:10 76:4 84:16
believing 24:21
belongs 153:5
Bennett 125:16,24 126:6,18,25 127:4,5
big 46:16 48:11 119:2,4 155:16 207:13 211:19
bigger 118:23,24 134:8
biggest 32:14
bill 25:18
Billig 10:20 136:18,20 198:23
Billig's 199:1
bills 25:23 92:23
bipartisan 112:7
bit 21:8 44:3 118:2 158:5 169:21 184:11
black 186:4
blame 143:21,24
blank 114:18 202:14
blue 116:19 169:10,11 173:24 203:15
board 27:1
body 28:10 96:7,14 97:9 101:2
border 67:1
bordering 239:12
BOTELHO 7:3
bottom 116:9,10 219:25

boundaries 40:9 55:24 57:14 59:25 60:18 61:16 64:24 80:19 81:2,4,6 115:20 124:4 171:15 172:25 204:17, 19,21
boundary 57:18 62:8 146:4 171:25
box 7:20 8:1 153:5
brady 10:19 14:21 16:11 164:7 165:18 186:3 197:5,9,12,14,16,21 198:13 200:5,14 208:23 209:2,7,17, 18,24 213:23 219:7
Brady's 199:9,14
Braun 10:18
break 46:24 49:6 50:1 83:5 95:20,21 111:5 127:13 168:9,11 208:11 215:8
breakfasts 26:7
breaks 225:22
briefing 191:12,18,23,24
briefly 159:7
bring 91:12,16
bringing 14:24
brink 196:4
broad 58:9,12
broadcast 45:4
broke 49:23 145:5
broken 221:13
brought 69:9
bubbles 116:19
Bueller 182:4
build 108:23
building 183:17
bunch 116:11
Bureau 40:19 151:18
business 129:25 130:1
busy 204:12
button 183:22

C

C-O-R-E-Y 171:10
C-O-R-R-Y 171:11

calculation 148:14
call 38:10 39:11 66:12 86:12 126:18 169:15 184:1 189:20,22 191:16 204:9 214:2 221:6 232:5
called 23:15 113:21 115:15 152:3
calling 129:15 189:19 190:18,19 204:18 214:12
calls 22:17 25:2 27:12 28:3 77:17 98:7 100:23 139:23 142:15 149:6 187:1 190:1 214:16 220:6 221:16
camera 20:16 94:4 109:8,24
Campos 52:20,22,23,25 53:7,25 54:13,19,24 55:6 117:24 180:18
Canadian 67:1
cancel 46:3
canceled 46:7
candid 166:8
candidate 78:16 79:2
capacity 26:21
car 169:14
card 93:14
cared 77:7 104:11
careful 163:9,17
Carolina 10:25
carry 105:1
Cascades 15:19,22 16:3 32:7 67:5, 20
case 126:22 231:19
catch 130:20
caucus 9:1,8,12,16 89:17,21 92:12, 18,21,25 93:2,5,7 104:7 114:2 115:11,21 118:15,16 119:4,23 120:3,22 121:1 122:2 130:25 133:25 167:3 170:1,4,5,11 180:22 201:2 221:17
caucusing 120:22
caused 110:16,24 145:14
caveat 34:7 50:17 141:2
cc'd 223:16
cd 185:20 210:14
cell 152:10 214:19

census 40:19 94:20 151:17

center 118:25 119:2,16,25 121:19
129:17,20,25 130:1 137:25 138:14
141:13

Central 67:19

certainty 229:6

Certified 7:3,11

certify 229:17 234:3,5,10,21 235:4

chain 188:2 222:10

chair 33:4 35:16,23 36:1,9,12 48:1
97:19,20 98:14 199:4 216:21

chair's 97:12 98:12

challenge 32:6 78:14 97:14,17,18

challengers 78:18

challenges 53:20 99:10

challenging 98:19 136:13,17

chance 142:6 177:5

change 59:11 80:20,25 106:13,15,
17,19 115:20 132:16 135:14 169:18
170:21 179:18 204:23 217:1 223:7

changed 170:11,12 171:6,20 222:4
223:11

changing 169:21 195:10 224:13

chaos 31:21 69:16 193:18,19
201:22

chaotic 18:11 31:17 39:10 66:5 70:6
86:7,23 109:7 153:14 194:1 211:23
213:6 217:24

characteristics 104:9

characterization 108:15

characterize 121:17 145:23 172:2

chart 122:22 123:5,22 160:6,10,11,
12,17,19 161:1,3,10,13,16,21,23,25
162:3,10,15,19

charter 27:2

chase 79:2

chat 116:9

check 89:14 176:2

check-in 88:16 89:15

checked 56:12

checking 125:17 158:19 184:12

Chehalis 35:1,7

chief 201:1

child 94:19

choose 56:20 61:14 62:22 112:10
126:13

choosing 79:22 113:20

Chris 169:2 171:9

chronologically 155:10

chronology 208:21

circumstance 62:14

circumstances 12:17 52:14 98:10
104:19

city 60:4 63:19,23 67:17

clarification 51:19 103:3 155:12
218:21 239:17

clarify 14:6 47:19 69:6 90:21

Clark 146:21

clear 35:22 55:19 75:22 96:24
158:17 159:3 166:20 193:1 196:7
205:12 210:2 211:12 223:10 239:3

clerk 184:19 185:7

clients 127:14

clock 109:15

close 67:7 94:1 95:1,2 148:13
193:21 202:1 204:5 231:6 235:24

Closed 43:6

closer 79:11,13 80:18 111:14
179:11

cloud 20:23 21:1,4

clue 86:23 132:11

clunky 113:22

Coalition 26:4

cocounsel 127:14

coda 192:25

Code 22:22 23:9

coffee 231:22 232:1

collectively 48:3

color 173:23

Colville 34:10 76:24

combined 106:3

comfortable 31:6 65:4,21 66:8
75:16,17,18,19 144:4 179:4 210:8

commenced 85:1 91:15

comment 35:4

comment@redistricting.wa.gov
35:21

commented 167:16

comments 197:10

commission 9:6,17 10:3 12:11,14
13:2 14:25 20:18 22:15,21 23:10
24:24 27:4,18 28:1 29:13 30:1 31:7,
10,13 32:3 33:15,19 35:14 36:2,7
37:9 40:13,16 41:13,14 44:4 58:15
62:4 70:7 72:16,18 88:6 91:13,21,24
92:2,8,19 96:2,3,16,18,23 97:21
98:11 105:2,12 114:3 117:2 131:11,
18 137:17 138:12,23,25 141:19
143:8 149:14,16,18,20,24 150:14
152:8 172:21 176:16 177:1 178:8,
20,22 182:14 184:21,23 193:22
197:2 199:17 201:16 205:8,19
210:24 212:20 218:13 224:18
235:18,20

commission's 27:11 30:7 33:5
45:2 173:2 191:13

commission-related 21:1

commissioned 104:7

commissioner 8:11 10:1,4,5 14:21,
24 15:4,14 16:11,16 17:3,5,7,11
28:21,24 29:11 30:5,13 31:5,12 33:9
34:2 36:5,9 41:12,24 42:7 44:14
45:7,18,21 46:6 48:6,18,21 49:17
50:11,14 51:3,7,14,23 52:1,3,19,25
53:3,12,18 54:8,14,15,17,19,20,21
55:15 57:24 58:2,12 65:1,10 68:5,6,
7,16,22,24 69:7,17 72:5,14 73:3,5
74:1,9 75:5,7,10,14 77:4 82:4 83:19,
21,25 84:3 87:4,22 88:15 89:6,7,23
90:8,13,17 91:6,18 93:2,6 97:18
98:4,18 99:24 100:2,8,16 101:3,5,
16,18 102:10,16 103:2,20,25 104:2,
6,11,23 105:1,9,24 106:20 107:3,4,
12,13,23 108:5,6 110:5 111:2,4
113:5 116:15,19,20,24 117:17
118:11 120:8 121:7,19 122:1,2,6,7,
9,19,21 123:6 124:21 127:21,23,24,
25 128:4 129:6,13 131:3,21,23
133:8 138:16 139:6,16 143:5,15

144:3,22 145:1,3 146:20,24 147:4
150:23 153:4,7,8 155:19,20,24
158:16,19,25 159:12 163:5,11,18
164:1,6,18 165:3,20 166:9,15,19
167:8 175:22 176:25 177:15,20,21
178:1,4,13,18 179:6,8,20 180:8,20
181:16,23,24 182:8 183:8 184:3
185:24 186:5,6,10,11 187:8,14
188:11,18,19,21 189:3,14 190:10,19
191:7 194:19,24 195:5 196:15,17,
18,20 197:1,5,24 198:9 199:18,21
207:20 208:2 210:5 215:20 217:6,12
226:3,22 230:8,18 231:3 232:3,15,
19,21,22 233:10,12,18 234:1,2,11,
21 235:18,19 236:5,7,14,17 237:6,8,
11,15

commissioner's 84:8 165:8

commissioners 10:11 12:1 25:5
29:8 33:1 42:1,4,15 43:12 44:18,20
46:12 47:6,18,24 48:4,9 49:9 50:8,
10 53:14 71:17 82:8 84:9,24 85:2,9,
16,21 90:5 92:14 96:4 100:5,9,14
101:14 103:7,13 104:16,18 105:2
108:17 109:2 113:2,3 115:7 120:23
123:17,18 131:15 132:7,9 137:7
138:1,3,13 139:1,8 141:13 143:9
144:5 154:2 163:8 165:6 181:1,5
185:22 186:25 188:2,4 194:13
195:1,8 206:9 213:11 219:15 221:4,
7 223:25 224:14 226:6,17,20,25
227:9,13,19,24 228:10,13,19 229:8,
19 230:5,6,11,16,20 231:1,6,18,25
233:9,23 234:4 235:8,14 236:24
238:9,21

Commissions 92:5

commitment 25:14 95:9 166:9

committed 24:16,24 94:24

committee 227:14,16

common 64:13,21 70:22 71:1,2,11
226:11,12

communicate 9:21 29:7,17 30:12
31:12,21 32:23 36:6,12 43:7,17,24
50:23 53:14 57:9 81:17 90:3,10
93:18 94:3 100:9,12,13 102:1,4,20
103:7 113:3 115:7 116:24 117:12
120:11 122:5 123:9 124:7 128:4
136:18 153:15,20 160:5,15 172:5
177:10,22 178:1,12 186:12 194:23
195:7 200:7 203:20 219:23

communicated 9:21 18:23 19:12
30:11 41:10,12 43:14 44:10,18 51:4

53:7 65:7 69:25 84:22 85:8 89:22,25
94:5,8 107:15 115:5 122:8 123:3,16
142:4 177:20 187:20 188:10,20
189:2 195:17 197:14,20 199:1
200:16,18

communicating 20:9 29:1 32:5
46:9 53:5 100:4 114:1 135:23
155:21 158:13 163:9 186:11 188:5,
20,25 189:23 194:6,7 196:10 201:5
203:17 204:22 209:18 212:6 213:20
214:8 219:6

communication 19:15 20:13 35:4,
20 84:5 85:10 90:24 116:16 154:5
155:18 156:3 157:16 158:3 169:12
173:14 181:20 186:24 187:4,15
188:7 194:2 198:5 210:4 211:7
216:14 218:24 220:2,11,19 222:12
223:12,15,20 225:5

communications 9:25 18:4 19:16,
24,25 20:22 45:21 50:7 65:14 76:3
100:8 110:23 111:1 144:10 154:1
163:18 190:3,10 198:9

communities 213:18

compare 224:8

compared 106:7,11 148:10

compares 225:2

comparing 116:4

competition 77:18 78:3 80:9

competitive 77:7,9,11,13,14,15
78:10,11 80:2,4,5,7 89:2 145:17,18

competitiveness 162:5

complete 38:21 110:20 115:9 127:1
143:11,17 154:14 159:11 166:25
176:13,16 178:22 187:24 189:1,11
207:10 216:13 226:8 228:6,23
230:15 237:21

completed 27:5 38:24 56:24 71:8,
22,23 81:9 92:8 110:14 114:7
115:11 137:15 141:15,18 142:19,20
196:9 199:17 202:5 205:1,15 206:8,
13 227:11 232:12

completing 158:12 187:6 188:14
214:5

compliance 98:5

compliant 150:4

comply 24:18 163:14 164:13

complying 151:22 163:24

comprised 106:21

compromise 112:7 145:11,20,22
146:10 147:8,12,14,23

compromised 145:6

computer 55:7,13 84:10 113:25
120:6 151:6

con- 182:18

conceded 111:10

concern 136:23 166:9 175:16
190:17

concerned 140:17 233:3

concerns 93:8,9

concession 82:13 111:5

concessions 82:9,21 107:11,22

conclude 126:22

concluded 114:17 240:5

concluding 215:10

conclusion 22:18 25:3 27:13 28:4
83:18 98:8 100:24 110:22 142:11,15
149:7 187:2

condition 39:23

conditioned 81:24

conditioning 81:20

conduct 33:16 92:7

conducted 231:19

conducting 233:23

Confederated 34:9

confer 127:14

conference 42:16 43:11 44:6,22,
23,25 45:6,8,9,10,11,14,15,19,22
46:4 50:15,20,25 51:8,9,11,15,16,
23,24 52:2,5 53:11,16 71:17 119:9
138:17 143:10,11 218:25 219:3
230:9

conferring 204:16

confident 20:14

confidential 219:9,18 220:20

configuration 67:12 115:11 146:15
169:18 179:25

configuring 115:13
confines 73:21 75:1 100:3
confirm 56:24 83:7 220:21
confirmed 56:12 83:10 116:3
conflict 182:17 213:20
conflicts 99:13,16,18
conform 57:13
conformance 56:13
conformed 56:3 115:3
confused 86:7
confusing 43:22
confusion 52:12 150:19
Congress 112:11 199:20,21
congressional 12:3,7,18 13:23
14:3,6,10,11,12,15,18 15:5,6,11,15
16:15,22 35:6 38:3,6 44:21 49:13
53:22,24 54:1,2,4,16,20,22,25 55:1,
10 64:15,20,23 65:8 66:10 68:4,15,
25 69:19,20,25 70:9,11,19 71:3,11,
18 72:6,11 73:1 74:21 75:25 76:15,
19 77:5 78:15 79:14,17,20 80:5,22,
23,24 81:3,11,14,18,21 82:2,10,22
83:4,6,12,17,18,22 84:1,4,17,25
85:6,15 87:17 88:5 101:11,21
102:23 103:10,14 106:25 108:10,13,
21 133:18,23 134:1 137:10,13,21,23
138:7 145:8 186:13 187:22 188:10
189:5,6,15 199:15,25 200:10,14
202:4,17 205:20 209:20 210:16
227:11 237:5
conjunction 160:11
connecting 19:5
connectivity 184:4 225:21
consensus 87:17 110:20 166:6
212:16 217:16,17 224:4
consent 175:6 212:22
consequences 170:15
consideration 14:25 30:7 83:24
91:21 94:6 174:15 176:21
considerations 41:4
considered 42:16 44:4 123:12
133:23 141:4 219:8 232:12
consistent 178:14 188:25 189:8,17
consistently 188:15 189:11
consolidated 15:16 67:2
constitute 120:14 128:17
construct 89:17
consultation 33:8,14,16 36:7,15
consulted 32:21
contact 36:21 200:13
contacts 199:13,25 200:11,14
contained 23:18 27:16,25 40:1 74:9
84:16
contemplating 178:25
content 19:11,14 53:7 93:18 124:9
127:22 141:6,9 152:17 202:3,11
222:23 223:1
contested 79:4
context 8:20 23:3 77:4 191:1
continuation 53:10 156:16 184:14
202:21 208:16
continue 76:24 126:14,17 158:24
159:4 166:10 193:25 199:22
continued 91:18 99:6 144:9 165:24
211:16,17
continuing 67:18 72:8 158:16
206:2 208:25
contract 73:16
Contractors 192:24
contracts 73:18
convened 221:3
convenient 46:24
conversation 28:17 35:24 46:8,10
50:10,23 52:18,21 53:8 81:10
116:17 136:5,7 138:12 153:13
156:16,17,18 166:17,21 176:14
195:20 210:10 228:4 230:8 231:3
232:7,17,23 233:8,10,13,15,25
234:6,12,22 235:15,17,19 236:9
237:6,10,13,14 238:24
conversations 48:8 72:8 137:4
143:20,24 144:1 196:19 228:5,7
229:2,4,7,19,22 230:4 235:22,25
236:3,7,11,12 238:4,9,20 239:2
conversing 50:11
convey 88:20,23 100:16 120:19
161:2
conveyed 160:8 161:9 162:2
convocation 226:5,18
convoluted 30:20 117:20
corner 116:9
corners 73:13,15 74:23
correct 9:11 14:19 19:18 22:24
23:12 25:13 34:17 38:21 39:1 40:8
51:1 54:22 55:14 58:18 60:17 61:4
62:24 63:10,22 64:12,13 68:14,21
69:1 71:21 72:18,21 74:21 84:24
85:4,23 89:24 90:5 91:11,22 94:15
115:1 123:14 128:21 132:10 139:15
147:13 154:15 156:21 160:8 177:20
186:14 187:8 197:5 205:16 206:7,
10,23 207:12 214:23 222:1,11
223:15 226:13 238:1
correctly 45:7 48:2 129:5 177:25
correspond 12:2
corridor 15:16 67:3 147:12,23
Corry 169:2,21 171:9,24 172:7
council 27:4 37:17,19,22 149:15,20
150:14 205:5
counsel 11:13,14 18:4 220:8,9
221:3,6
counsel's 215:15
count 39:22 119:8
counted 79:1
counter 131:4
counteroffers 111:14
counterpart 10:10 12:25
counties 32:7
counts 196:7
County 15:16,17 16:6,9 27:4 32:16
67:15,21 96:23 145:2,4 146:1,13,18,
21 149:15,20 150:13 205:5
couple 32:4 46:25 66:15,22 70:21
71:15 76:10 81:9 99:17 133:3,4
183:24 185:23 213:3,5 231:20
235:23
couple- 120:17
court 7:3,11 139:10 141:14,17,22,24

142:2,5,9,12,22 143:1,4,6,12,17,22 144:5 148:3,4,15,20 155:7 176:12, 22 177:12,23 178:5,23 179:4,13,24 184:19,21,22 185:10 195:13 197:11 198:1,4 212:8 215:13	175:23 184:18 192:9 194:17 206:22 226:16	144:4 182:22 196:18 197:5,10,23 198:10,14,16,19
court's 176:20	days 44:7 71:16	Democrats 105:7,8 106:7 117:16 132:17 148:6 182:21 197:13 199:16
covered 149:25	deadline 44:5 66:6 86:14 87:2 92:9, 11 113:10,11,16 184:2 194:8,9,17, 18 195:14 196:2	Dems 196:12,13,16
create 23:23 79:19 156:13 163:6 164:17 202:13	deadlock 111:6 145:5	dense 67:2
created 147:2 162:19 163:13 164:13 165:5	deal 196:6,8,23,24 199:10,14	depend 13:19 19:3 128:10 142:17 227:6
creating 61:15	dealing 218:23	depended 140:18
creation 23:21	debate 92:24	Depending 39:22 61:2 119:8
cross 16:3 144:25 145:19	decade 67:8 97:18,19 134:10 135:14 193:6	depends 142:13 206:4
crossed 109:16	decide 143:7,22 211:14	deployed 88:2 200:5 215:21 216:6
crossing 32:18 40:24 107:24 145:22	decided 45:19 77:21 105:9	deploying 199:8
crouched 167:15,25	decision 45:6 52:15 55:23 110:19 114:5 137:9 141:21 143:22 148:13 236:20	deposed 7:12 126:21
CSRS 23:16	decisions 60:23	deposition 125:15 126:22 139:11, 16 140:4,13,22,25 215:10 225:12 240:5
cubby 130:1	declined 213:21	depositions 126:6
cumbersome 21:11	deep 26:13	describe 56:16 60:16
cup 231:21	deeply 104:11	description 40:12 69:19 70:4 173:8
current 12:23 59:19 122:25 134:9 179:25	defer 18:23 63:20 168:17	descriptions 17:5 115:18
cut 60:21,22 174:5	define 72:9 78:9	designated 60:24 61:10,17 62:8
cute 181:8,10 185:9,11	defined 62:23,25 171:16,25	designed 24:17
cutesy 181:19	definite 229:6,13	desire 52:4
	definitive 172:6	detail 73:23 86:13 104:25 173:11
	degree 10:23	detailed 172:24 173:8
	delayed 202:1	details 65:20 106:24
D	delaying 144:11	determine 63:7 78:6,11 80:13
	delegated 72:12	device 20:13
damn 203:25	delegation 199:16	Devices 152:4
dashed 87:13	deleted 21:22	difference 28:13 92:12 110:8
data 20:23 22:2 94:20 124:22 151:17 160:7	deliberations 137:4	differences 144:18,22,23,24
data-based 124:23	delivering 204:25 222:6	differently 84:2 93:16 112:5 235:2
date 159:5 186:17	delivery 222:7	difficulties 11:15
Dave's 115:15	democracy 78:1	digital 20:22 21:19 22:2 85:10
Davis 30:23 48:7 54:10 102:16 226:23	Democrat 10:15,17 49:10,18	direct 206:21
day 19:19 43:9 46:4,20 48:20 83:8 87:1,14 95:6 119:18 121:14,21 155:23 158:18 159:10 165:25 167:5	Democratic 12:25 59:1,13,16,23 61:1,13 63:2 104:6 106:11 113:24 114:8,13 120:22,23 121:8 136:8	directing 143:24

directly 12:6 34:4,15,21 35:19 38:23
41:5 55:21 66:16 90:8 206:20

director 98:15 139:4 201:16

disagreement 117:4

discovery 21:25

discrepancies 116:6

discuss 92:22 211:19 214:3 230:11

discussed 29:2 72:5 178:15 182:24
208:17 230:20

discussing 13:7 30:24 42:8 111:13
124:19 127:24 147:11

discussion 28:9 39:9 68:8,17 69:3
72:3 73:8 88:15 109:12,21 110:9,11
112:12 113:8,13 129:5 138:4,15
145:12 155:13 169:17 215:22 216:3,
7,15 217:1,8,10,13,15,22 231:1
233:23 235:7,11 236:23 237:4

discussions 15:3 28:12 29:12
33:17 36:10 57:23 58:7 91:19 97:3,6
100:1 101:2 111:15 121:12 128:14,
18 131:16 135:25 151:19 155:23
161:12 162:11 176:15 178:12 179:9
180:19 183:7 231:13,19

disrespectful 35:1

dissension 138:6

district 12:3 13:23 14:12,15,20
15:7,13,15,17,20,25 16:5,7 26:23,24
29:3,8,9,19 32:9,12,13,16 38:13,14
39:12 40:2 43:25 49:20 54:16 55:14,
25 56:11 57:13,16 59:2,15,23 60:19
61:16,21 62:7,8,20 64:14 65:8 66:25
67:3,5,17,18,20,22,24 69:19,20
70:12,19 71:3 72:12 73:1 74:21
75:25 76:19,25 77:6 78:22 79:9,15,
17,20 80:19,25 81:4,14,21 82:11,22
83:12,17,18,22 84:1,4,17,25 85:15
88:5 91:7 101:11,12,15,20,21,24
102:1,5,6,11,23 103:10,13,14,20,21
104:2,8 105:5,6 106:3 107:5 108:4,8
111:3 112:13 115:8,20 132:18
133:18 134:1,8,9,11,14,16 135:5,9
136:24 137:5,10,13 138:7 145:8
147:16 169:17,20,22,24 171:19
172:24 173:9,20,22 174:6,8,9,18,23,
25 175:2,13 179:18 187:22 188:9
202:4,17 204:19,21 205:20 209:19,
20 210:16 213:16,18 217:7 222:2,3

district's 173:4,6

districting 96:23 148:18 149:15,20
151:8

districts 11:17 12:19 14:3,7,10,11
15:11,21 16:16,22 29:16 30:14
32:12,13 33:24 35:6 38:6,15,18
39:5,25 40:16,22 41:5,15 42:13
44:11 56:3 57:8 58:8,10 59:5,7,13
63:14 64:15,25 68:4,13,15,25 69:25
70:10 76:23 77:8,12,14,15,20,22,24
78:6 79:10,12 80:2,4,5,12,14,15,17,
21,22 81:3,11,18 99:12 105:13,17
111:20 122:25 132:15 135:13
145:17 147:11,20 160:14 162:4
170:11 171:5 174:12 177:16 179:20,
25 182:20 189:20 190:18

divide 32:8 76:24

division 67:11

document 36:11,14,16 152:14,16
156:6 162:17 215:9,12 218:6 220:23

documents 155:4

double 234:8

double-check 186:16

downloads 21:14

downstairs 183:18

dozen 229:1

draft 74:13 76:14 77:2 138:24 139:3
146:20 195:24 224:17

drafted 123:15

drafting 129:16

drafts 213:3,5

draw 17:4 41:5 60:25 61:21 62:16
77:8 79:10 113:19 148:4,8 179:3

drawbacks 132:4

drawing 56:22 57:7 78:2 112:5
114:14 115:14 148:3 174:10 193:25

drawn 59:25 60:1,3 81:2,11,15 83:2
184:20

dream 132:5

drew 61:2,5,11,25 174:7

drinking 232:1

drove 180:4,5

due 35:9 103:3 185:2 238:10,18

Dufault 173:17 174:21 175:10

Duke 10:25

duly 7:10

Durham 10:25

dyad 49:11 92:3,12,13

dyads 91:23 96:1

dying 168:10

E

e-mail 20:4 23:24 35:4,21 43:1,3
85:10 122:21 123:17,20 124:7,9
127:22,24 160:8,17,19 163:10
218:4,5,10 219:8,15,19,24 220:8,10,
24,25 221:4,9,10,11 222:10,17
223:21 225:5

e-mailed 212:19 218:14

e-mailing 20:11 221:22

e-mails 20:15 204:6 208:13 220:16

earlier 68:21 69:12 87:1,4 90:22
93:10 131:24,25 132:1,16 137:15
157:16 184:15 185:21 212:19
235:17

early 136:4 207:10 213:17

earn 131:21,22

earnest 94:21 151:20

earshot 231:8,14,15,17,24

easier 115:15 156:12

easily 118:23

east 15:21 32:7 60:13

east-side 32:13 147:16

east-west 15:23 67:11

eastern 67:19

edge 113:21 115:17,22 196:22

edits 224:9

education 10:22

effect 56:9 141:14,18 228:4

effective 128:16

effectively 101:5

elected 135:23 136:1 150:20 173:18
174:11,14,17 175:6,9,14 201:10

election 13:3,4,9,11,15,17,19,21,25

14:4 29:14 58:7 77:23 78:13,21 79:4,21	ex- 154:19	extracted 154:19
elections 13:6 77:20 78:15,17 89:2	exa- 31:19	extremely 30:19
electoral 77:18	exact 27:15 42:12 54:3 110:10 145:24 159:20 211:24	<hr/> F <hr/>
elements 72:20	EXAMINATION 7:15 226:1	face-to-face 159:14,21 183:7
eloquent 107:17	exceptions 59:12	faced 32:5,15 53:20
email 220:20	exchange 133:5 157:21 218:10	Facetime 214:16
Emma 219:15,20,22	exchanged 183:4	facets 39:18,21
encompassed 76:4	excluded 60:9,11 63:11	facilitate 200:11
encourage 77:18 199:20,21 200:14	excuse 80:22 126:2 174:12	facing 98:19
encouraged 114:15 150:8	executive 98:15 139:4 201:15	fact 20:12 21:11 83:10 113:16 123:7 138:16 145:6 158:15 159:10 165:25 193:20 227:4 232:10,24 235:11 236:15,18
encouraging 184:4	exercise 160:9	Fain 10:18 14:24 15:4 17:3,7,11 48:21 49:1,7,9 50:14,23 51:3,7,14, 24 52:19 53:1,5,8,12 54:13,14,15, 16,22 55:2,5 58:11,12 65:1,7,11 68:22,24 69:17 72:5,13,14 73:5 74:1,10 75:7,14,21 76:8,18 77:4 83:13,19,21,25 84:9 85:2,11,16,21, 25 86:2 87:22 100:18 101:19,23 102:2 103:25 106:20 107:3,12 108:6 115:8 117:24,25 118:3,11 120:8,11 122:2,6,19,21 123:6,13,20 128:4,9, 21 129:13,19 130:2 133:17,24 138:16 146:19 153:4,8,16 158:13, 20,25 159:22 160:15 164:7 165:12, 19 175:22 176:14,25 177:21 178:3, 4,9,13,15,25 180:9,12,13,16 181:3, 23 183:14 184:3 185:19,24 186:2,6, 12 187:14 188:8,18,20 189:3,14,19 190:19 191:7 195:3 199:6,18 200:7, 10,13,16 219:7 230:8,18 231:3 232:3 235:18 236:5,14
end 111:20 117:19 236:6,8,13,17	exhibit 130:14,21 152:25 153:1 154:25 157:12 168:6 215:14 218:4 240:7	
ended 31:24 95:5	exhibits 154:24 155:3,8	
engage 163:19 232:23 233:8	existence 23:5 71:21	
engaged 166:24 229:2 235:14	existing 179:18	
engagement 159:9 165:24	exited 109:20	
engaging 158:24 166:10 199:22	expect 76:18 83:25 102:20	
entertain 87:16	expectation 54:25 82:10 84:5 100:7 101:23 102:9 113:15	
entire 73:6,10 79:1 135:13 189:18 227:10 228:23	expected 90:3	
entirety 24:5 60:7,8 73:12	experience 12:10,11 226:11,12	
entity 49:15	explain 93:23,24 95:15 132:5,13 231:4	
equal 150:1	explained 31:20 69:8	
equally 79:1	express 40:16,18 45:13 57:3 71:24 80:9,11 104:18 107:9,18,21 142:1 187:14	
essential 37:24	expressed 41:8 44:6 65:25 72:20, 24 73:7 74:11 75:7,10 76:22 84:19, 21 115:21 166:8 175:16 198:18 202:18	Fain's 52:23 76:8 83:16 84:3,6 101:21 102:4,22 124:25 127:22,24 146:20,22 160:17 187:20 190:10 199:25
estimate 236:2	expressing 89:18 136:23 167:17 198:3	Fain-drafted 123:13
evaluate 122:24 123:5	expressions 73:1	fair 108:15,23 112:10 127:11 132:5 142:8 148:12 197:24 235:16
evaluating 122:23 123:25	extensive 149:22	fairly 215:11
Evan 8:21,22 9:24 90:22,24	extent 26:8	faith 108:19
evening 198:7	extract 160:19 161:13	fall 57:14
event 46:11 47:10,13,16 50:6,13 53:16 55:6 118:25 119:2,16,25 121:7,11,19 129:15,17,20 137:25 138:14 141:13 159:16 165:21 167:20 176:12,16,25 179:23 184:10 226:6		fare 147:20
events 159:20 211:24		
eventually 94:2 99:20 128:24		

farther 79:12 135:19,20
fashion 142:1 227:1
fast 195:24 219:11
faster 195:21
fastest-growing 135:12
favorable 148:6
fax 129:25
fears 99:3
February 148:14
fed 208:9
Federal 22:6,12,13 46:16 180:4,5
feedback 41:1
feel 20:14 56:14 169:14 179:4 210:8 239:3
feet 236:4
fellow 132:6
felt 31:6 65:4,21 66:8 75:15,17,19 144:4 145:19
Fenton 200:24 221:10
Ferris 182:4
fewer 91:23 101:1
figure 78:5,8 232:11 233:4
file 152:3,5,7 154:4,12,16,18,19,20, 25 195:15 202:16 218:5 227:14
final 42:12 43:15,18 44:1,10,19 58:3 60:6 71:7 73:23 77:3 81:21,24 92:10 99:22 102:15 104:10 105:11,14 111:7,18,19 116:5 129:5 145:15 170:17 172:19 184:6 196:13 202:12, 13,14
finalization 137:6
finalize 117:1 204:16
finalized 70:18
finalizing 53:24
finally 51:11 105:23 112:2 137:2
find 21:13 32:9 47:1 117:3 128:2 161:15
fine 168:16
finish 49:6 126:2,3,19 198:1 208:12 226:13 227:25

finishing 189:10 230:12
five-minute 127:13 215:8
fleece 184:22
flexibility 126:16
flipped 134:9
floor 92:23 118:21 120:4 133:11,12, 13,15
flow 170:8,14,15
focus 48:17 95:6,7 129:9 228:23 231:4 237:21
focused 59:5 83:2 87:25 94:16 104:7 145:16 146:25 162:4 216:12
fog 222:21
foggy 50:18 138:15
folder 152:3,5,8 154:25
follow 26:3 37:4 101:19,21,23 140:3 156:12
follow-up 210:10
food 183:18
Forest 134:16,18 135:6,21
forgetting 34:13 35:2 175:3,4
forgotten 202:23
form 11:20 12:4,20 14:13 15:8 16:18,25 17:20 18:19 19:2 20:2 21:19,21 22:17 23:7,22 24:12 25:2 26:12 27:12,20 28:3 29:4,10,20 30:3,16,18 31:4 33:6 34:18 37:25 38:7 41:18,23 42:6 43:19 44:1,2,10 49:21 58:5 61:24 66:2,11,19 70:14, 24 71:5,7,13,25 72:2,21 73:9 74:17 75:3 82:12 86:5,20 88:7 96:5,20 97:7 98:7 100:23 129:3 141:8 143:2 150:6 153:10,21 154:6 160:10 161:17 163:15 164:25 166:2 173:3 174:13 180:23 181:6,12 187:1,16 188:22 197:7 198:6 206:1,11,16,25 207:24 208:24 209:1,8,14,21 210:6, 20 212:17 215:24 216:10 217:18 220:13 226:21 227:5 229:20 230:22 233:17 234:7,15,23 237:16 238:5,12
formal 26:9 111:13
formalities 96:8 97:10
formally 26:8
format 22:3

formulate 14:4 29:9
formulated 94:6,9
forward 91:17 97:25 182:15 216:17
found 21:9 114:23
foundation 12:21 70:15 88:8 102:7 220:14
four-hour 207:17
fourth 155:9
frame 21:23
framework 12:6 17:3 31:22,23 38:23 46:18,19 48:19 55:4,9,18 56:4,13 58:9,13 64:18 66:21,24 70:20,23 87:5,8 94:2 102:15 112:9 113:6 114:6 115:4 116:4 118:18 129:6,11 174:2 196:8 202:7 204:12 205:17 206:19 210:23 211:9 221:21 226:14,24
frameworks 205:22
free 165:17 169:14
Freight 11:12,14
front 64:21 89:13 182:13
frustrated 166:11
full 31:7,10,13 32:2 71:7 72:16 96:3 113:20
fumbling 93:22 132:12
functioning 212:13
funny 57:4 63:14 82:24 183:20
future 117:13 170:10,19

G

gain 16:8 67:9
game 56:14,18
gauge 78:22 79:8
gave 117:11 170:2 212:22
general 11:14 14:23 15:3,13 17:5 27:7 54:3 58:12 64:24 68:11 72:2,25 73:3,25 75:7,10 76:7,8,25 81:7 84:15,16 134:2 135:3 149:23 150:3 158:11 182:8 187:4 192:24
general's 79:25 150:25 151:5 190:5 219:16 220:9

generally 65:15 83:8 158:23 197:13 214:4
generate 115:18
generous 55:15
genuinely 39:10 225:10
geographic 17:5 107:10,22 124:4
geographies 14:23 15:13 16:1 60:15 64:25 67:6 68:11,23 72:6 73:3,25 75:5,10,24 77:1 82:3
geography 105:25 106:4 135:15
get all 34:7
give 7:22 83:23 87:25 110:7 117:1 118:18 169:15 191:18 197:2 204:8 210:24 212:7 236:2
give-and-take 229:24 230:5
giving 136:15
glad 95:10
goal 38:1 187:24 195:7 226:14 228:5
goals 26:11,15
Goehner 192:4 221:19
good 7:20 26:1 50:22 51:18 65:3 66:1 77:19 79:8 85:11,12 98:25 108:19 130:20 138:22 139:7 156:9 158:6 160:3 168:7 199:13,19 235:6 236:19
good-faith 108:16
gosh 138:15
government 24:10,15,24 25:9,11 26:2,5,25 33:21 93:12 95:10 96:4,13 168:2 190:17 192:23 203:2
government-to-government 33:17 36:10
governments 37:12
governor 79:24
graph 162:5
Graves 7:4,10,18 8:6 54:20 126:18, 23 127:1,23 152:3 203:10,19,22,24 204:8 215:20 226:3
gray 116:18 169:9 214:11
gray-area 190:9
great 46:24 78:4

green 153:7 194:11
grew 67:7
Grose 8:21,25 9:7 29:24 30:13 43:1 48:7 54:10 102:15 117:24 223:16 226:23 228:8
grounds 189:25
group 188:12 207:22
grouping 153:19 154:2
groups 96:2
grow 67:14
Grunberg 219:16,20,22
guess 39:2 53:22 82:16 141:2 142:13 176:7 179:16
guidance 55:20
gut 95:4
guys 127:7 133:14 158:9 167:2 211:14

H

half 9:12 89:8 93:15,17 109:24,25 110:7 113:22 193:24 211:17
half-an-hour 110:8
half-hour 216:24
hallway 117:20 120:18 129:7 132:25 133:2 167:9,12 208:18 211:25 212:1 214:25
Hampton 22:6,7,10 47:12 50:6 53:17 118:11 131:1 158:22
hamstrung 123:8
hand-fistedly 31:14,17
handled 92:10
happen 21:16 69:24 77:19,24 86:24 95:5 109:9 117:2 120:19,21 184:21 187:12 199:23 226:9 231:3
happened 18:5 22:11 51:13,22 99:1 110:15 137:12 143:25 145:13 147:25 148:21 170:7 192:18 193:2, 7,11 217:17 221:14 229:14,16 232:9 235:9,12,20
happening 31:25 53:21,23 95:16 156:24
happy 168:11

Harbor 11:12,14
hard 78:18 108:22 110:13 148:19 166:14 186:13 189:6,16 194:13,16 199:9,14 210:25 223:9 239:4
Hasegawa 175:1
hated 175:18
haze 84:11
hazy 228:24 236:1
head 41:6,7,10 42:4,11,21 43:8 80:8 175:4
headed 209:7
heading 156:19 161:8 194:17
hear 31:15 34:2 35:22 40:3 48:22 77:10,13 133:24 134:24 148:15 170:13,14 177:25 225:16,19 228:4
heard 33:22 34:4,15 35:19 87:24 134:7 135:1 143:20,24 144:1,2 198:22 238:14
hearing 134:3
heavily 135:17
hectic 73:23
held 74:1 75:14 76:8
helpful 128:3 161:10,15,23 162:23
hesitation 56:19 206:18
hey 120:19 122:15
high 24:19 25:9 93:11
high-level 128:19
higher-level 128:14
highest 10:22
Highway 32:15 40:24 107:25 145:4, 25 146:6,17 147:1
Historical 92:1
hit 146:6 171:14 172:10 183:22 222:18
hold 24:19 25:9,12 45:6,10 93:10 218:7
home 180:4 181:23,25
honestly 191:1
hope 31:22 87:7,11,13 102:14,18 132:6 142:8 161:2 193:4 225:22 230:19

hoped 76:21 142:6 143:12

hopeful 166:25 193:3

hopes 131:24

hoping 123:3 154:8

hot 167:14

hotel 46:11 47:11 50:6 118:19,21
119:6,20 130:4 180:21

hotel- 185:19

hotels 129:24

hour 46:23 69:21,22,23,24 70:3
89:8,9 93:15,17 95:19 109:24,25
110:7 121:23 127:10 145:13 165:14
168:7 193:24 196:13 208:10 211:18

hours 47:7,9,10,14,17 50:12,18
52:11 57:6 66:15,22 70:21 71:15
81:9 83:14 110:15 113:23 119:16,
19,22 140:5,9 171:2 182:13 191:3
193:8,12,17 196:17 204:2 226:11
227:10 228:13 231:20 237:20

house 9:1,5,13,15,23,25 10:9 12:25
49:16,18 136:8 144:18,24 170:1
174:8 189:19 190:18 201:1

House/senate 144:15

hovering 55:16

How's 218:8

how-are-we-doing 88:16

hunched 55:7

hundreds 57:6

hurry 227:25

I

I-90 145:2 146:12 147:1,12,23

i.e. 218:4

ice 167:15 168:1

idea 42:1,3 50:22 51:18 66:10,13
137:23 138:23 139:7 157:21 177:3
188:15 200:16 209:10

ideal 65:5 66:6 86:13

ideas 76:19 182:24

identifiable 75:1

identification 240:8

identify 40:8,21

ignore 191:20

impact 52:13 170:15 193:1 205:12
213:7 232:9,25 233:11

imperfection 238:6

implications 170:7

importance 89:1

important 119:12

improve 59:16 63:2

Improved 182:22

improvement 61:1,13

in-house 11:13

incentive 79:2

include 32:9 56:21 69:3 115:19
164:6 171:4 179:12 223:8

included 63:5 106:2 124:5 161:16
162:10 163:7 197:4 219:25 220:16,
24

includes 210:5

including 41:1 102:21

incongruous 137:21

incorporate 213:10

incorporated 162:15

incorporating 76:18

incorrect 63:6

increasingly 210:2 211:12

incumbent 213:21

independent-minded 101:25

indicating 7:23 13:10 150:4 208:22
211:25

individual 13:12 37:17 76:14
154:24 155:3 179:15

individually 99:5

influence 147:7

information 33:20,22 35:16 52:4
64:23 66:7 73:4 74:9,16 100:12
107:1 141:6,14,17,21 151:2 190:1
220:7

initially 179:14

initiated 216:20 219:19

inn 22:6,7,10 47:12 53:17 118:11
232:3

inopportune 191:22

input 41:2 55:2,3,20 56:9,11,15,16,
17,20 81:14,16 83:3 114:25 115:2
117:15 173:3 193:15

inquiry 215:16

insist 94:13

instant 20:9

instruct 17:21 139:24 140:19
189:25 190:2

instructed 140:12

instructing 26:2

instruction 17:24 18:2 140:1,3
189:22

integrated 127:21 161:24

intended 114:22 159:4 190:3

intentionally 163:6

interacted 48:6

interactions 89:10

interchangeably 28:18

interest 203:2 213:18,20

interested 18:6 199:17 205:8

interject 49:3

interlineations 23:18

internal 194:17,18

interpret 224:3

interpreted 97:1

interrupt 125:6

interruption 185:2

inviting 222:6

involve 37:11 99:24 100:19 139:1
230:5

involved 25:10 29:14 48:8 58:7
66:25 67:4,6,10,13,16,18 101:13
128:11 131:8 142:12,18 143:1
229:7,18,22

involvement 23:21

involves 140:14

involving 156:3

iphone 20:21
issue 83:24 104:11 108:2 190:22
issues 19:4,9 37:15 79:6 98:19
99:21 102:15 105:11 134:8 184:4
item 215:22
iteration 114:9 147:2 224:11,14
iterations 100:10

J

J.T. 10:6,7,8 136:3 194:5
January 7:2
Jeremie 173:16,17
Jerry 192:20,21
Jim 185:8
Jinkins 136:6,7,8 144:10
Joan 125:14 127:12 130:13
Joe 10:18 117:24 153:16 157:4
158:3,13 160:1 183:14 185:19
191:12,18 195:3 199:9,13 219:7
Joe's 160:6,12,19 161:1,13,20,25
162:3,15,19
John 7:3 10:18 139:13
Johnson 185:8
joined 9:12 26:6
joining 158:18,21
Joint 60:4 67:24
July 94:19
jumped 46:22
June 11:2
Justice 148:16,18
Justin 125:16,24 126:6

K

Kalispell 34:10
Keith 192:4
Kenmore 134:17,18,21,25 135:6,21
key 99:11 132:15 145:16 147:20
160:14 162:4

kids 94:23 180:5
kind 13:6 14:3 19:15 20:20 48:11
56:14 58:9 62:13,17,21 69:15 73:16,
24 77:22,24,25 79:6 85:11 86:7
88:16 89:14,15 95:5 97:22 101:5
113:22 117:19 118:8 123:2 133:2
134:7,15 144:23 149:1 167:14
176:11 179:11 182:9 187:4 193:15
201:24

kinds 57:7

King 15:16 16:6 27:3 67:21 96:23
145:2 146:1,13 149:15,20 150:13

Kloba 174:24

knew 14:21 15:13,18,21,25 16:2,4
34:21 41:21 42:4,8 54:22,23 57:12,
16 61:8,12 64:17,24,25 65:17,18
69:6 74:1 75:13,14 81:7 86:2 100:20
101:7,16 104:10 107:13 115:6
120:13 122:10 123:7 128:12 131:18
132:9,11,12 142:21 151:19 158:20
171:25 172:10 189:15 195:3,5
201:21 205:11 207:15 222:1

knowing 109:14

knowledge 16:10,21 37:7 105:3
107:4,8 141:11 164:20 167:3

Kraft 174:22 175:11 213:14,16

L

label 152:9

labeled 152:11 208:20

laid 15:14

Lake 67:1,3 134:16,18 135:3,6,18,
21,22

Lakewood 60:4,6,8,11,13,15,18
61:21 63:1,4,10,11,13,16,19,23

landline 214:20,21

language 23:18 223:22,23 224:1,5,
25 225:7,9

laptop 151:8,9,12

large 48:5 119:6

largely 15:19,22 16:1,4 32:15 40:24
59:11 67:6 107:25 167:20 176:19,22
221:15

late 45:17 116:25 127:8 136:4
143:21 145:13 182:7 193:8,12,17

204:1 217:24 228:16,22

latest 143:10 160:10

Laurie 136:6,7,8 144:10,13 200:20

law 10:23 73:16 194:8

laws 26:1,3,16 96:25

lawyer 213:8

lay 47:21

lead 101:19,21,23

leader 10:21 37:17 49:17 198:19

leadership 144:4 197:10,23 198:2,
10,14,16,21

leading 92:10

learn 107:1

learned 74:9 83:11

leave 121:25 143:17 162:22 232:3

led 147:7,23,25 216:16

left 92:6 116:18 138:19,21 157:11
167:4 180:4 207:8 232:4

leg 196:23,24 209:23 210:11

legal 22:18 25:3 27:13 28:4 40:12
98:8 100:24 115:18 142:15 149:7
187:2 190:4,22 221:3,6 232:24

legis- 39:11 122:23

legislative 11:17 12:2,7,19 13:2,23
14:3,9 25:19,23 26:24 29:3,8,9,15,
19 30:14,24 31:2,7,9 32:2,6,9,16
35:6 38:2,6,12,18,19 39:5,11,12,14,
16,25 40:16,20,22 41:15 43:25
44:11,20 49:19 55:13,25 58:17
59:12,15 60:19 62:7 64:14,17 76:15
78:15,24 80:19,21 83:2 87:3,18 88:1
91:7 101:12,15,20,24 102:1,5,6,11,
22 103:8,13,20,21 104:1,8 105:6
107:2,5 108:8,14 111:3 112:13
115:8 122:24 123:6,25 134:16
136:24 137:16,22 145:8,10 171:15
172:20 173:21 175:2 182:19 186:14
187:22 188:9 189:5,7,16 202:4,17
205:14,16,20 207:7 209:19 217:7
226:8 228:24 232:10

legislators 25:18 92:19

legislature 25:22 26:17 92:20
112:11 150:21 195:13

length 121:18 150:1 237:25

letter 106:2		232:10
letters 33:1	<hr/> M <hr/>	
letting 143:22 221:12,14	M-C-L-E-A-N 139:4	mapping 9:5 29:24 43:1 48:7,18 52:20,22,23,25 53:2,3,4 55:6 82:25 83:1 102:16,17 114:21
level 10:22 134:2	M.S. 7:3	maps 12:3,7,23,24 13:2,23 17:4 31:23 38:3,24 42:14,16,20 43:18 44:7,8,16,19,21 46:19 48:20 49:13 53:22 55:10,18,22 57:8 59:7 60:6 64:9,18,20,24 66:16,22,25 70:21 76:14,15 78:2,24 83:2 87:3,8,14 93:24 94:17 95:2,11 102:17 112:5,8, 9,13 113:7,18,19 115:19 131:25 132:5 133:18,23 134:14 136:23 137:1,5 142:7,19,20 143:12 145:9, 10 148:3 154:9 160:13 170:9,17,18, 22 171:1,3 172:20 173:3,25 174:2, 10 178:23 184:20 185:20 187:22 188:10 189:5 193:4,5,23,25 195:8, 24 196:2,9 202:5,8,13,14,17 205:10, 11,13,16,18,21,23,24,25 206:8,9,12, 15,20 207:5,7 209:24 210:12,16 216:13 221:19,25 226:13,15,21,24 227:25 228:6,24 230:12,15,19,21,24 233:1,3,6 236:21,24 237:5,21
Lewis-mcchord 60:5 67:24	machine 129:25 167:15 168:1	mark 130:16,21 152:24 154:25 155:7 201:8,9 216:24
licensed 11:7	made 33:23 39:4 45:6 55:23 64:4 68:25 77:3 82:22 84:12 90:25 96:24 110:19 111:15 112:14 113:10 124:22 134:13,14,15 141:21 143:21 180:25 222:16,21	marked 130:16 215:14 218:3,4 223:9 240:8
life 18:15 199:9,14	mail 8:3	materialize 86:16
limit 25:13	main 48:17 118:8,10 121:11 177:16 179:20	materials 150:25 151:7,11 161:16
limited 13:7 16:23 97:17	maintain 15:22	math 32:5
limiting 75:11	maintained 76:25	math-based 124:23
lines 10:13 11:12,14 22:20 28:7 35:25 48:24 54:6 57:19 61:6 86:22 128:16	maintaining 67:10	matrix 160:13
link 43:2,4 45:1 116:2,5 202:13 219:4	majority 10:20 91:24 96:7 97:1,2,10 98:11 101:1	matter 32:11 82:17 135:3 207:11
link 43:2,4 45:1 116:2,5 202:13 219:4	make 22:1 39:5 53:10 78:3,8 82:9 103:6 106:6 110:6 113:7 115:3 126:9 145:17 148:5,13 151:21 155:16 163:9,17 172:4,6 174:10 199:9,13 214:16,17 223:10 224:9 239:3	McClean 98:15 139:3 194:19 201:15 202:22 212:19 219:6 222:10,12 223:16,24
Lisa 98:15 139:3,10 200:23,24 201:15 219:6 221:10 222:10,12 223:16,21,24	making 56:2 60:23 126:10 127:4 131:9,13 158:22 182:11 199:17	McClean's 139:10
listen 141:10	man 191:7	meaning 116:23
listened 69:9	manner 193:16	meanings 12:10
live 174:15	map 15:5 30:25 31:2 32:6 37:24 39:13,19 40:9 42:10,12 43:2,4,7,12, 15,25 44:10,14 49:20 53:22,24 54:1, 2,4,16,21,22,25 55:1,4,14,25 56:10 58:17 60:2,19 63:7,21,25 64:1,7,17 65:6,9 66:10 70:10 71:7,16,18,22 72:6,19 73:11 74:13 77:2,3 78:3 81:8,15,21,25 82:2,6,7,11,18 83:4,6, 12,17,18,20 84:4 85:6 87:17,18 90:16 102:13 108:21 110:14 112:24 113:20,23 114:6,8,12,14,18,20 115:8,12,13,21 116:2 129:7,11 132:3 134:1,13 137:10,13,16,21,22, 23 138:7 146:12,20 148:5,8,11 154:20 169:24 172:19,20 177:16 179:15,24 186:13,14 188:14 189:6, 7,10,16 204:8,10,11,13 205:14 206:6 209:19,20 210:3,14,19,25 211:13 217:16 226:8 227:11,14	meant 32:11 59:19 82:16 95:8,9 131:14 132:25 133:11 135:14 181:16 182:12 210:16 213:8 233:5
lobby 156:24		measure 38:4,5,9
located 122:3		
logo 184:22		
logos 184:18		
long 18:12 42:9 65:25 85:11 96:17 117:19 120:18 121:15 126:15 133:2 140:4 160:25 168:13 207:2 229:2,3 235:21		
longer 85:19 113:25 119:22 121:22, 23 161:15 162:9 174:8 211:4		
looked 17:15,16 42:10 84:12 116:3, 7 150:23,24 151:14 165:8,14		
lose 62:25 67:9		
lost 95:7 134:16		
lot 12:10 21:9 73:19 84:19 94:18 134:4 136:16 139:14 145:12 157:1 165:13 167:5 199:13 204:7 221:16 232:1		
loud 54:5		
Lummi 34:8 106:1 108:3		

measures 111:21,23

media 74:13 190:15

mediations 99:18

mediative 166:15

mediator 97:22 98:25 99:24

meet 36:6 56:23 62:1,2 89:5 98:17
113:15 133:6 149:4 165:19 185:20
211:19

meeting 14:22 16:12,17 19:8,22
20:6,8,11,12 22:5,8,13 24:1 30:15
31:2,14,17,20 33:2 34:17,19,25
35:7,10,11,13 36:25 37:8,9,13,16,
18,19,22 38:5 65:10,11 66:5 68:9,17
69:16 70:23 72:7 73:5,8 74:10 84:25
88:17 89:15 91:10,15,23 92:6,10
93:14 95:8 96:9 97:2,11 98:5 99:8
100:20,22 101:6,10 104:21 107:16
109:20,21,22 110:12 113:4 114:17
117:22 118:9,10 119:17 120:14
128:7,17 129:23 130:1 132:2,13
138:21,22 161:8 163:12 164:7
167:14,24 180:12,14 184:5 188:13
193:16,20,25 196:21 208:25 211:17
214:25 216:4,8,16,19 217:2,9,11,13,
15,22 218:15,16,17,19 219:5 221:3
226:4 236:6 238:22

meetings 22:16 24:18 26:7 27:9
28:8 33:2 36:25 37:11,12 74:12
76:11 88:25 121:18 122:11 123:8
149:3 163:19 226:9

Mell 7:16 8:7 11:24 12:8 13:4 14:16
15:9,10 16:21 17:7,23 18:3,22 19:11
20:5 21:22 22:21 23:12,14 24:4,14
25:12 26:16 27:16,24 28:13,19 29:7,
17,22 30:2,8,12,17,21,22 31:8 32:24
33:11 34:21 38:4,10 41:21 42:3,10
43:21,24 44:9,17 46:21 47:2,5 49:2,
5,7,25 50:5 58:14 62:5 66:9,14,24
70:18 71:2,10,20 72:3 73:13 74:8,20
75:9 82:14,15 86:10,25 88:11 95:18,
22 96:1,10,15,16 97:5,12 98:13
101:9 102:9 103:6 125:5,19 126:1,8,
12,24 127:7,15,20 129:12 130:15,
19,23 139:25 141:12 142:23 143:5
149:8,17 150:11 152:19,24 153:1,
12,24 154:15,23 155:5,15,18 161:19
163:20,24 164:12,19 165:2 166:5
168:5,8,10,19,24 174:17 181:3,9,15
185:7 187:7,19 189:2 190:9 197:14
198:13 206:2,6,14,21 207:3 208:3,
25 209:5,10,17,23 210:11 211:2
212:22 215:7,20 216:2,14 217:20

218:23 220:10,18 225:11,17 240:2

member 9:20 11:3 26:4,8 98:12
205:5

members 10:11 28:10 33:23 92:21,
22 96:7 97:9 112:11 170:11 171:5,
21 172:5,8 189:19 190:18 199:15,
19,21 226:21

memo 123:3,12,13,14 161:4

memories 228:24

memory 18:14,21 229:10,12,13
235:13 237:13,25 238:2,11,19

mentioned 40:24 51:18 80:13 87:4
93:10 99:9,17 106:1 108:2 132:16
133:2 184:9 197:22 207:13 212:19

message 20:4 100:16 130:6,14
133:5 153:17 164:7 175:21 181:19

messages 20:25 21:2,5,12,17,23
116:14 151:24 153:3 164:5

messaging 20:9 85:10

met 44:5 60:25 83:10 116:4 159:21
165:20 180:13,16

method 78:8

metric 12:12 13:10,16 60:24 61:23
62:6,19 79:11,17,21 80:10 105:8,25
106:8 125:2

metrics 11:16,19 12:2,9 13:7,10,22
14:4,9 29:2,8,9 57:17,22 58:1,14,21
59:3,14 79:14,19 99:7 105:5,14,20,
23 106:12,21 107:6,10,19 112:2
124:2,25 147:11,18,22 160:7 182:25

midday 207:9

middle 70:5 133:6 151:15,16

midnight 31:24 46:15 66:5 70:7
86:14 87:1,2,7,10 88:1,6 94:18
95:12 102:19 107:2 110:14 113:10
129:11 142:20 154:9,13,16 158:12
178:20 184:2 193:23 194:8,20,22
196:2,5,7 202:2 207:7 210:3 211:1,
13 216:13 218:2

Mike 203:7,10,17,20,23 204:8,16

millions 39:22,25 40:6

mind 83:24 108:24 124:9 143:4
148:14 181:14 201:23 217:25
221:17

mine 65:18

ministerial 201:25

minute 109:5 120:18 125:18 132:22
157:3 204:9

minutes 46:25 73:23 95:19 113:11
120:20 121:17 168:12 184:2 232:18
235:23 236:4

misleading 172:3

misname 91:3

missed 130:14 180:2

misspelled 139:11

Misstates 239:11

mistake 90:25

modestly 59:13

modifier 31:15

moment 65:22 75:18 82:24 83:7,24
84:11 86:23 129:9,14 142:21 201:22

moments 87:1

Monday 155:25 156:4,5,6,7 182:2
183:12 184:24 185:1 189:4,13
191:22 192:10 196:20 199:5 208:4
212:11

month 9:11

months 91:19

morning 45:16 46:2 47:20 50:9
53:25 55:11 71:8 73:11 83:6 88:17
89:5 119:21 131:25 136:5 138:19,21
157:22 158:5,6 159:7,13 160:3
184:24 185:1 186:20,22 196:20
204:3 222:20 224:19 225:6 227:12

motion 17:8,9,12 38:10,11,12,19,22
39:4,5,7,9,12 68:20 69:1,2,9,10,13,
20 70:4,19 112:13,14 216:22

motions 70:6 113:9,10

mountains 32:18 107:25 144:25
145:20,23

move 45:19 122:16 129:17 145:14
157:11 179:25 215:23 216:16
239:16,19

moved 17:3,12 41:25 51:11,12 65:2,
21 66:7 68:22 75:15 135:2,5 174:18,
22,24 175:1,12 179:11 201:20

moves 175:7

moving 17:4 45:22 51:8 53:15
65:24,25 69:17 75:18 113:23 157:1

167:5 182:14
Muckleshoots 34:12
Mullen 8:21,23,24 9:24
Mullet 90:22 201:9
multiple 231:24
Murray 218:12
mutual 223:9

N

n't 97:24
Nate 205:2,3
nation 34:8,9,10 37:20
nations 106:1 108:3
native 22:3 32:20,24
natural 52:14
naturally 48:25 135:20
nature 75:2
necessarily 18:16 159:23
needed 9:21 16:9 52:9,10 62:14
67:14 100:15 104:8 112:23,24,25
115:19 117:2 127:5 133:5 169:18
189:11 194:22 235:11 236:15,18
negative 234:9
negotiate 49:12 98:3 111:25 128:15
136:13 143:16 162:1
negotiated 91:14 104:2 105:13
107:5,6 135:10
negotiating 12:24 14:6,10 65:18
74:1,4 75:14,16 76:13 83:22 84:24
87:15 92:3 94:13 96:2 108:18 117:7
120:10 122:6 124:10 125:2,4,8,9,11
128:8 133:18 135:17 144:9 146:25
158:16 160:14 161:16 177:16
179:21 188:1 215:21 216:6
negotiation 127:22 135:17 145:15
negotiations 64:15 72:12 76:19
82:21 89:16 92:7 110:16 121:25
123:21 128:2 131:7 134:1,6 135:24
136:21 143:14,21 144:8,12,16,20
158:10 159:19 160:23 165:9 179:9
182:15 183:10 200:11 215:1 217:3
negotiator 65:3

negotiators 108:16,21
Nehring 205:3
news 204:25 221:23 222:6,7
night 16:14 18:18 45:17 70:5 113:9
170:7 181:23 182:7 185:20 193:2
212:11 238:15
night's 232:25
nominee 58:25 59:1,23
non- 142:1
nonpartisan 97:16 114:3 218:13
nonvoting 97:15 98:12
Nooksack 34:9 106:1 108:3
north 10:25 62:11 135:16,21
north-south 15:23 67:11 76:23
northeast 67:2,3
northeastern 15:16
northern 15:19 67:4

Nos 240:7
note 95:18 125:14 168:6
noted 44:23 45:7 128:1
notes 130:18 209:12
notice 37:15
noticed 35:10,13 36:22 116:6
125:15
noticing 37:8
November 11:16,25 14:2 15:6,10
16:17,22 19:13 29:17 30:14 31:2
46:3 50:5 76:1 156:4 192:12 219:2
221:7 226:3
number 8:7,13,18,19 13:24,25 32:8
39:18,25 59:24 62:16 93:24 116:10
123:23,24 135:25 152:12 202:25
214:13,19 218:4
numbers 39:23,24 62:2 124:22
207:12

O

O'NEIL 63:4,18 88:11,14,17 89:4,9,
13
Oak 11:12,14

oath 140:10 148:21
object 11:20 12:4,20 14:13 15:8
16:18,25 17:20 18:19 19:2 20:2
21:21 22:17 23:7,22 24:12 25:2
26:12 27:12,20 28:3 29:4,10,20
30:3,16 31:4 33:6 34:18 37:25 38:7
41:18,23 42:6 43:19 44:2 49:21
52:16 58:5 61:24 66:2,11,19 70:14,
24 71:5,13,25 73:9 74:17 75:3 82:12
86:5,18 88:7 93:8 94:12 96:5,20
97:7 98:7 100:23 129:3 141:8 143:2
150:6 153:10,21 154:6 163:15
164:21,23 166:2 174:13 175:15
180:23 181:6,12 187:1,16 188:22
189:25 197:7 198:6 206:1,11,16,25
207:24 208:24 209:1,8,14,21 210:6,
20 212:17 215:24 216:10 217:18
227:5 229:20 230:22 233:17 234:7,
15,23 237:16 238:5,12
objection 17:24 28:15 30:9,17
44:12 96:12 102:7 139:22 142:2,14
149:6,12 163:21 164:10,15 206:3
220:6,13 229:25 239:11

objections 24:7,9 26:10
objectives 26:11
observe 37:21 55:5
obtain 60:23
obtained 33:20
obvious 52:10 134:6
occur 22:13,16
occurred 86:25 93:18 101:10
157:22 193:15
occurring 123:21
offense 139:13
offer 91:20 103:6 111:16,17 131:4,6,
9,13 178:5,6
offered 213:17
offering 131:4
offers 111:13
office 22:12 151:5 190:5 219:16
220:9
official 33:15 135:23 151:17 173:18
201:10 218:5
officials 26:2 136:1 174:11,15,18
175:6,9,14

Olympia 22:16 67:23
one's 49:9,10
one-on-one 101:7
ongoing 58:7
open 18:23 24:10,14,16,18,24 25:8,
24 26:5 95:9 96:4 98:5 130:22
190:17 203:2
opened 43:4
opening 152:11 155:16 157:10
openness 24:20 25:10,14 93:11
operate 77:17
operated 92:2
operating 58:9
opinion 143:6
OPMA 24:25 25:15 149:1,4 150:5,25
163:14,24 164:14
opportunity 52:16 122:5 136:15
138:4 166:20 170:21,22
opposed 8:3 36:22 96:3 202:14
opposite 108:16
option 61:23 62:6,18,23
options 61:14 62:22 145:7 146:25
oral 72:24 73:1
order 215:14 230:25 231:2
organization 26:11,14
orientation 15:23,24
original 21:18
originally 35:15
Osta 30:23 48:6 54:10 55:17 56:22
57:1 102:16 114:13 207:8 226:23
230:14
outcome 177:7
outstanding 21:25
oversaw 98:15
overseeing 97:21
Owens 148:16,18

P

p.m. 31:11 50:3 91:8,15 95:24
125:16 127:18 160:5 168:22 172:17
183:25 191:14,22 209:10 215:18
240:6
Pacific 7:2
Pardon 61:19
Park 134:16,18 135:6,21
parking 165:13
part 11:18 18:8 29:14 32:17 41:3
52:15 60:11 76:2 79:3 103:18 135:1,
17 139:18 163:22,24 164:12 175:21
187:25 189:1 225:12 231:11 234:5,
11,22
participate 29:1 138:4 159:23 219:2
participated 233:15
participation 160:2
particulars 81:8 128:11
parties 79:5
partisan 10:13 13:17 41:4 57:11
60:22 78:7 80:13 99:7,11,13,15
111:8,20,22 114:2,4,5 123:1 177:17
179:22
partisanship 77:21 78:22 79:7,9
partners 33:18 41:2
parts 19:8 60:2 63:11 134:17,21,25
167:23
party 49:8 77:23 78:16 92:21,22
108:22 134:10
pass 231:9,22
passed 69:18 216:2
paths 202:16
pathway 202:14
Paul 7:4,10,18 52:20,22,23,25 53:7,
25 54:13,19,24 55:5 117:24 180:18
203:10,19,22,24 204:8
pause 50:2 95:23 127:17 168:21
215:17
pay 24:10
PDF 172:23
PDFS 172:23
PEKELIS 8:5 11:20 12:4,20 14:13
15:8 16:18,25 17:20 18:19 19:2 20:2
21:21 22:17 23:7,22 24:12 25:2
26:12 27:12,20 28:3,15 29:4,10,20
30:3,9,16,19 31:4 33:6 34:18 37:25
38:7 41:18,23 42:6 43:19 44:2,12
46:21 47:4 49:2,21 58:5 61:24 66:2,
11,19 70:14,24 71:5,13,25 73:9
74:17 75:3 82:12 86:5,18,20 88:7
95:18 96:5,12,20 97:7 98:7 100:23
102:7 125:5,14,24 126:5,9,20 127:2,
12,16 129:3 130:13,17 139:22 141:8
142:14 143:2 149:6,12 150:6 152:15
153:10,21 154:6 155:2 161:17
163:15,21 164:3,10,15,21,25 166:2
168:5,9,16,20 174:13 180:23 181:6,
12 187:1,16 188:22 189:24 197:7
198:6 206:1,3,11,16,25 207:24
208:24 209:1,8,14,21 210:6,20
212:17 215:24 216:10 217:18 220:5,
13 225:19 227:5 229:20,25 230:22
233:17 234:7,15,23 237:16 238:5,12
239:11,15,22
penalty 229:17 234:10,20
pending 230:1
people 19:4,17 25:25 32:10,12 47:8
59:1 77:25 86:9 90:2,4,9 93:25
94:17 106:5,6 112:10 118:12 119:13
132:5 147:15 148:12 225:16 226:10
percent 59:2,22 105:8 106:7,8,9,10
percent/50 59:2
percentage 59:8
perfect 86:16 170:22 238:1,2
performance 41:4 57:12,17,21
58:1,8 59:16 61:1,13 63:2 99:11,13,
15 111:20,22 123:1 179:22 182:22
performances 111:8
performed 59:21,24 108:17
period 231:7,14,23 235:21 238:21
perjury 229:18 234:10,21
person 13:18 37:13 83:12,16 84:3,6
89:18 90:23 114:9 116:18 136:13,14
163:10 172:5 175:12 193:3 207:18
person's 171:7
personal 7:24 8:4,9,10 20:17,19,20
152:4 200:1 203:23 214:10
personally 37:1
perspective 36:2
perused 173:11
phone 8:9,10,11,13,15,17,18,19

20:13,17,18,19,20 152:10 156:8,13
183:22 203:10,20,23 214:2,9,10,12,
15,19 215:3 232:5,6,16,17
phones 214:9,18
phrase 27:15,22,23 38:16 39:14
phraseol- 27:23
physically 158:21 159:17
pick 126:12
picture 184:24 185:6
place 111:19 120:1 203:3 211:9
235:25 236:3,10
placeholder 86:15 109:6
places 76:10
plan 14:15 31:7,9 32:2,23 37:24
38:20,22 39:13,15,17 40:21 70:12,
19 71:3,12,23 72:12 73:2 74:21
75:25 76:19 77:6 79:20 82:22 84:17,
20,21,25 85:15 88:5 89:19 91:7
101:11,12,20,21 102:6,11,23
103:10,13,14 104:2 105:6 107:5
108:8,10,13,14 111:3 148:2 173:4,6
177:14
planned 45:15 87:19
planning 221:17
plans 166:1 202:4
play 56:18
played 95:14
playing 56:14
PO 7:20 8:1
point 18:25 31:6,8 36:25 50:9,17
57:4,8 59:17 74:25 83:15 85:8,14
90:17 102:18 109:12 110:6 111:14
115:7 116:22 117:9 118:5 120:17
130:24 131:8 135:11 143:15 159:2
161:23 171:2 172:19 173:1 177:4
180:16 182:12,15,17,19,25 191:3
203:22 204:12 210:2,18 217:17
220:18 227:13 230:18 232:14 233:7,
21,22
points 18:15 59:8 63:3 105:7 111:7
132:14,18 145:16 182:18,23
policy 9:1,7,12,15,20,23 33:8,14,16
36:8,15
political 12:1 13:12 57:21,25 58:14
59:3 80:9 106:8 107:6,10,18 112:2

147:10,18,22 160:13
politically 57:18
population 16:8 60:3 67:9,13
146:12
populations 32:7
portion 19:22 22:4 68:17 73:8
129:23 216:15,19 217:2,8,10,13,15
220:21
portions 60:13,14 110:12
portray 235:9,10
portrayed 233:1,4
position 24:23 36:5 37:5 72:11
85:25 86:2 87:15,20,21 101:9
103:12,19 108:9 111:10 117:11
126:25 131:14 142:25 146:11
187:20,21 188:9 189:8,15 198:3,12
199:1 209:19 210:5 213:19
positions 101:14 119:7
possibility 87:12 104:3,5 110:21
189:9
possibly 229:2
post 190:11 236:21
posted 116:5 190:11,13 228:1
230:12 236:25 237:5
postponed 52:1
potential 29:15,25 30:24 31:1 94:1
100:19 104:12 169:19 170:9 171:3
177:7 179:10,12 187:5 188:13
195:11,14 198:11,15 212:20 214:5
232:24
potentially 62:9 190:1
potentials 185:6
power 97:16
practical 194:9
practice 11:7,9 92:20
precedent 92:1
precinct 40:9 58:22,24,25 62:10,12,
14 63:12
precincts 40:1,4,5,17,18 56:21
59:20 63:16,19 80:15 174:11
precise 213:9
precisely 17:7

preclude 37:15
predominantly 145:25
prefer 127:10 154:23 197:11,25
preferences 35:5
prepare 18:7
prepared 31:9 126:11 205:25
preparing 90:11 140:4
prerecorded 150:10
presence 88:21,24 217:25
present 52:18 54:7 79:5 88:18
89:10 100:1 104:9 131:20 138:1
159:17 193:21 216:8
presentation 170:2
presented 23:15
presenting 184:25 185:6
preserved 21:17
President 79:24
press 42:15 43:11 44:6,22,23,25
45:6,8,9,10,11,14,15,19,22 46:4,9
50:15,19,25 51:8,11,14,15,23,24
52:1,4 53:11,15 71:17 138:10,13,17
143:9,10 212:7,16 218:25 219:3
230:9
pretty 20:14 55:19 67:7 93:11
114:23 118:23 121:21 135:15
156:25 162:3 169:18 170:19 171:20
188:14 237:22
prevailed 13:12
previous 59:7 68:2 69:3 127:3
156:16,17,18 157:14 232:25
previously 188:12
primarily 48:6 59:5 118:13 164:5
primary 20:13 95:6 129:9 182:18
237:20
print 160:19
prior 14:2 23:5 31:3 42:11 43:15
70:19 71:10 84:22 85:1 92:4,5
101:10 102:2 103:15,17,21 107:23
121:19 137:5 155:22
priorities 15:4 65:2,17,19 73:25
75:7,13,17 76:7,9,12,16 78:2 84:15,
16,19,21 88:20,23 89:18

priorities-based 124:24

prioritizing 76:17

private 97:5

privately 29:2,9 36:22 89:3 94:6,9
97:5 110:12

privilege 17:22 139:23 140:15,17
190:2

privileged 219:8,17 220:7,20

probing 220:8

problem 209:24 210:12 211:2,5,10,
11,15,20

problems 204:1 238:10

proceedings 7:6 50:2 95:23 127:17
168:21 215:17

process 24:17 26:9 76:11 94:19,24
97:15 99:3 112:6 114:1,24 133:20
142:10,12 151:18 158:24 159:4,9
165:24 166:4,6,10,24 175:19 177:4
182:8 199:22 207:13,17 213:17,22
214:5 223:8

processed 115:21

produce 21:12 113:23

produced 42:14 46:19 48:20 64:9
82:3,18 161:20 220:23 221:2 226:15

product 90:11 161:5,14 162:6,14,19

professor 73:18

progress 182:11 185:25

progressing 193:16

prohibit 235:13

prohibition 27:10 28:9

proper 16:5 67:17

proportion 145:24

proposal 13:1 14:23 23:15,17
29:13,14 30:6,24 31:1,13,18 41:13,
14,20,21 42:8 49:13 58:3,15 59:4
72:15,17,20,23 73:2,7,10,12,14,20
74:8,15,20 75:1,18,23 76:2,5,22
79:16 82:11 84:17 85:3,6,18,22 86:4
87:6,18,19 88:1 90:14,18 91:8,12,
16,20 98:2 99:22 100:10 101:15,16,
24 102:2,5,6,11,23 103:14,20,21
104:1,10,15,18 105:12 106:21,25
107:2 108:24 109:5 112:1 114:10
117:1,5,11,14 122:9,24 124:1

128:12 131:17,20 132:10,13,15,19
133:22 146:4,22,24 158:25 160:10
161:2,25 162:2,9 176:11,20,22,24
177:11 178:2,5,10,11,14,19 179:1,3,
12,19 182:13,16 197:1 202:6 210:23
217:22

proposals 29:25 32:20 72:23 94:1,
2,6,9 97:4,23 101:2 108:23 123:6,10
144:21 151:21 183:3 193:21 194:21
216:8

propose 31:9 62:3 131:17 176:20
178:7

proposed 23:25 24:8 25:23 32:15
41:20,22 42:13 59:14 106:2 145:2,3
146:12,15,17 147:4 177:15,22
178:10 179:15 218:15 222:22 225:7,
9

proposing 30:1 31:6 65:7 190:11

prospect 158:12 214:4

protected 190:2

protocol 217:7

proud 31:19

provide 55:20 79:14,17 178:19

provided 36:15 40:19 154:2 212:25
215:4

providing 114:25

provisions 23:9 24:10,15

proximity 232:14,18 235:24

public 14:22 16:11,12,17,24 17:1
18:23 19:18 20:5,8,11 22:4 24:1,18,
25 25:15,20,24 27:1,9 28:7,10,12
30:15 31:2,20 33:23 35:4,9,10,13
36:16,24 37:21 38:5,17 41:1 44:7,25
70:23 74:10,12,16 76:11 77:5 88:25
89:3 91:10,15,22 93:19 94:9 95:15
96:7,9,19 97:2,11 98:5 101:6 105:10
107:16 109:11,20,21 113:7 132:2,13
136:22 149:2,3 163:12 167:23
169:16 180:14 184:5 188:13 193:5,
12 197:9,22 198:10,18 202:25 203:5
211:17 216:4 217:9,14,20,23 233:2,
4

publication 137:5,12,14 172:23
173:10

publicized 19:22

publicly 32:2,3 36:18,22 37:8 44:23
58:23 75:12 84:22 94:5,13 98:6

104:22 107:19,21,24 115:14 150:9
170:9,19 203:3 212:21 236:21

publish 137:1

published 74:16 137:16 148:22,24
172:21 173:4,7 223:1,3,5

publishing 202:24

Puget 15:19 67:4,19

Pull 130:8

pulled 160:1

pulling 158:4

pure 193:18

purpose 167:11 221:11 226:5,18

purposes 13:22 146:5

purview 91:22 93:19

push 50:19 135:19,20

put 57:6 58:15 60:6 64:21 66:3 76:13
93:14 94:18 116:8 136:22 146:23
147:16 152:19 180:5 197:9 203:3

putting 160:10 161:3 207:11

Puyallup 34:11

Q

quarter 23:2 24:2 149:18

question 11:18 13:13 17:24 19:10
25:7 29:6 30:22 34:24 35:15 47:3,23
49:4 51:20,21 62:18 68:1,2,3 69:5
74:19,25 78:4 85:19 91:5 103:18
139:23 140:1 145:21 147:14 156:9
188:16,23 190:1,6 216:1 220:6
229:9 230:1 234:20 238:17,18

questions 32:14 140:13,21,25
141:10,11 143:7 225:15 232:24
239:23,25

quick 133:5 157:3 208:11 211:7
215:8 225:14

quicker 231:4

quickly 48:19 55:19 113:6 114:23
115:16 170:12 193:22 196:1 200:22
204:7 208:13 215:11 228:1,6
230:13,15,19,21,24 237:22

quo 59:11,17 106:7,11,13,15,17,19
132:17 147:24 148:1,7,9,11 171:6
176:4,9,19,23 177:11,17,22 178:2,

10,11,25 179:1,16,17,21,23	35:13,24 36:8 38:12,17,19 39:6,7,10	refer 9:2 13:22 123:20 161:11
quote 54:3 193:7,11 238:14	45:7 46:5,10 48:2 50:11 51:2 52:17	referred 13:3
	53:13 54:12 63:12,15 72:5 87:20	referring 33:13 181:4
R	108:1 111:15 124:6,15,19,21 127:24	refers 157:6
	129:5,21 131:8 137:11 150:7 153:7	reflect 78:3 82:6 169:23 190:4
R-I-D-L-E-Y 90:25	154:8 158:13,17 160:4 190:7,12	reflected 19:7,12,23,25 42:11,13,20
R-R-Y 171:12	195:9 198:20 199:7 200:9,15 202:19	43:7,10,13 82:7 222:23
race 57:10 58:20,23 59:9,21 63:3	210:9 211:16,23,24 212:9 217:10,19	reflective 157:18 201:17
78:25 79:24,25 80:1	227:2,15 228:11,16 232:21 233:14,	reflects 213:25
races 78:19	20,25 234:1,9,13 235:2 236:5,9,13	refrain 220:8
ran 97:24 161:14	237:1,6,10,12 238:10,20,23 239:1	refresh 151:21 159:25 162:17
rank 123:2		refuse 17:23 139:25
ranked 122:24	recalled 18:10	refusing 140:16 143:16
ranks 162:4	receive 110:23 111:1 150:9 232:5	regard 18:22 29:18 39:4 53:21,23
rapid 113:23	received 20:4 23:24 35:3 41:1,2	55:13 61:16 65:8 75:9 82:10 84:15
RC000396 219:25	43:1 52:4 84:6 149:2,13 150:13	89:16 96:1,4 130:6 131:14 137:12
RC525 152:13	151:17 152:8 202:25 219:14,15	187:21 188:7 220:10
RC91 116:11	receiving 20:6 84:5 188:8 223:12	regret 95:10
re- 123:1	recent 13:3,4 29:14 78:13,15,21	regular 92:20 155:23
re-ask 43:23	recently 22:20	regularly 9:20 123:7
reach 11:19 31:1,8 46:3 91:6,16,20	recess 211:14	reject 124:25
94:22 107:11,22 110:19 111:11	recognize 152:5,14 157:12 173:14	rejected 128:5 146:22
117:7,14 137:1 141:12 142:11	175:20 191:4 194:2 218:10	related 21:3 23:10 162:10 190:17
145:11 166:6 178:19 194:18 195:7	recognizing 35:8	relationship 69:12 98:1 200:1
212:15 217:17	recollection 18:17 138:2 159:25	relationships 199:19
reached 31:6 70:23 90:13,18 91:8,	162:18	relative 10:2 23:20 29:18 108:7
10 102:10,24 110:21 122:12 128:20	recommended 92:6	131:10 178:2 217:3
129:1 196:6 210:22 217:12,21	recommendation 141:3,5	release 212:16,21 224:18
reaching 146:5 219:22	recommendations 140:24	released 39:19 64:3 74:13 76:14,15
read 17:17,19 18:5,7,9 22:21 23:1,3	recommended 222:24	138:23,25 139:2 141:20 142:7
24:5 33:8 124:12 139:16,19 152:16	reconcile 211:6	143:13 144:22 146:20 213:2 223:11
173:6,11	record 7:17 16:24 17:2 39:3 75:23	relied 75:21
ready 113:18 125:25 126:7,11	76:1 89:3 91:2,16 139:15 155:13	rely 18:24 36:14 109:17,18 161:11
156:22 208:9	156:14 183:3,9,10	relying 18:16
real 21:10 66:18 78:18 104:3,5,12	records 24:19,25 25:16,19,21,24	remain 15:25 76:23 132:16 179:21
127:8 168:13 193:7,11 194:9	149:3 183:24 202:24,25 203:5	remainder 32:10
reason 18:4 36:20,21 56:17 85:17,	redactions 220:12	remaining 220:21
20 86:25 94:12 100:15 103:24	redirect 240:3	remember 17:8 23:14 24:21 32:1,5
104:14 113:8 163:23,25 164:12	redistricting 9:6,8,17 10:2 12:11	46:8 52:8 68:1 72:10 73:17 87:21
223:14	21:3 23:10 27:4,18 28:1,20,24 37:3,	110:3 111:12 112:15,17,19 116:21
reasonable 148:11	24 38:20 39:14,17 40:13,15,21 45:2	
recall 17:10 20:3 23:19,25 24:8,14,	88:23 89:12 92:5 115:15 137:17	
16 26:6 27:14 32:22 33:9 34:11	143:7 149:24 151:9 166:1 172:21	
	184:23 201:16 205:6 214:3	
	redrawn 123:2	

118:1 122:14 124:13 131:2,7 134:3,5 136:4,22 137:3,4,9,19 139:5 148:25 150:2,3 153:12 155:9 159:20,24 160:3 161:7 162:16 167:8 182:25 191:1 195:10 209:11 211:21 219:22 222:21 223:10,12 224:10,13 232:16 235:5 236:6 237:3,23 238:4 239:8,10

remembered 7:1 229:3,5

remembering 235:14

remind 51:21 155:8

reminding 185:23

reminiscing 53:18

remove 60:1 135:18

renote 126:2 127:1

Rep 221:19

repeat 68:23 214:7 238:17

repeatedly 229:1

repetition 204:7

replied 222:17

reply 207:21 220:25 222:18

replying 207:25 208:1 219:10 223:22

report 123:1

reporter 7:3,12 74:4 103:3 125:3,7,13 139:10 155:7,12 164:8,11,23 165:1 185:2 215:13,15 218:21 239:17

reporters 228:1

reporting 13:11 93:17,19

represent 152:7

representative 10:8 26:22 169:4,21 171:8,24 172:7 173:21 174:21,22,24 175:10 191:10 192:6 203:9 213:16

representatives 10:9 171:18

represents 169:22 213:16

Republican 9:1,5,15 10:1,14,16,19 49:10,16,17 58:25 113:24 118:16 119:4,23 120:3 122:1 130:25 133:25 170:1 201:1

Republicans 9:13,23 147:20 148:9

request 22:13 36:9 92:25 202:23

requested 51:16,17 93:2

requests 33:23 203:1,5

require 22:15 25:23

required 8:4

requirement 234:19

requirements 25:15 57:25 98:5 149:5

requires 97:1 112:6

reschedule 126:4

rescheduled 51:16,23 52:5 125:23

rescheduling 50:25

research 21:8,9

reservations 106:3

reserve 239:23

reserved 240:4

reshare 130:10

resolution 105:14 154:4,13 195:15 201:17,20,21,24 202:3,11,12,16,18

resolve 99:18 105:11

resolved 99:20 102:14 145:18 147:10

respect 11:16 17:8 19:22 29:2 35:9 75:21,23 76:7 87:3 179:22 223:9

respectfully 139:14 168:15

respective 167:3

respond 160:17 175:17

responding 210:13

response 39:7 120:11 209:24

responsibility 172:15

rest 29:13 30:1 74:5 125:10 146:4 161:12 178:7,20

restless 157:1 167:4

result 14:4 64:19 80:16 109:10 136:10

resulted 51:15 73:11 111:2 112:9 193:16

results 13:3,5,6,9,15,17,19,21,25 29:14 58:19,23 59:20 78:13,21,24 79:6,22,23

retain 22:1

retreat 170:2

retrieve 20:25 21:12 214:17

return 122:1

reveal 190:3

revealed 109:16

reverse 215:4

review 18:3 25:20 137:6 151:6

reviewed 23:4,24 43:4 151:2

reviewing 44:14 56:2

revisions 23:25 24:8 222:14,16,22

Ridley 90:25

right-hand 116:9

risk 101:3

Rivers 175:12

role 26:25 28:23 97:12,14,15,16 142:22

rolling 101:6

room 46:11,17 47:5,13,14,16,17,21,25 48:1,4,10,11,16,22 50:6,13 53:16 55:6 92:22 98:4 117:23 118:1,3,7,13,20,23,24,25 119:2,3,4,7,9,13,17,23,25 120:3,12,25 121:1,3,6,8,9,11,19 122:2 128:21 129:2,13,15,17,19,25 130:1,25 133:7,11,25 137:25 138:14 141:13 159:16 165:18,21 167:4,6,19,20 180:18,19 181:2,22 184:10 199:5 211:19 212:2 226:6 231:11 236:6,14,17 238:22

rooms 46:16 117:19,21 121:2,3,6 133:3,14 167:3 180:22,25

ROWE 239:25

rule 23:15,17 100:25

rules 22:15,20,21,22 23:1,3,5,6,20 24:11,15,21,23 27:11,17

rumor 171:21

run 78:18 80:14 101:3 162:14

running 97:20 99:11 160:6 161:1,20 162:19

S

sad 129:24 167:13,17

Sarah 128:15 153:6,15 154:3 156:15
157:2,24 160:6 161:5 163:25 166:13
181:15 189:22 195:17 219:7 223:16

Saturday 176:5

save 130:12 151:11

scenarios 154:11

scene 70:6

scheduled 45:16 46:4 50:14 51:9,
14,25 126:6 138:17 219:1 230:10

schools 27:2

scooch 162:24

score 80:13

screen 151:23,25 152:20 157:11
216:23 218:7 219:24

screen-share 87:10

screens 155:17

screenshot 157:20 192:8,11,15

screenshots 21:2,7,10,18 154:1

scroll 153:2 219:10 225:2

Sean 218:12

seat 167:17

seated 119:7

Seattle 16:4,5,7 67:17,22 134:12

second- 154:10

seconded 41:25 112:18

seconds 183:24

secret 27:8,10,16,19,25 28:6,13,19

secretary 58:22 79:25 148:22

section 68:8 72:4 109:21 215:22,23
216:3,7,15 217:22

sections 48:12,14

seek 190:4

seeking 144:11 224:4

selected 10:5 62:23

Senate 10:10,12,20 79:24 104:6
144:3,11,19,24 197:10,12,23
198:10,16,19

senator 10:19 58:11 87:22 175:1,12
190:18 198:23

senators 189:20 190:20

send 176:25 203:5 227:14,21

sending 20:6,15

sends 183:24

sense 199:15 239:5

sensing 56:19

sentence 221:13

separate 150:13 155:4 163:6
164:13 178:21 203:5 235:18,19

separated 48:11,13 167:2 235:21

separately 114:16 150:16 155:6
157:7 177:2

sequence 159:20 211:24

serial 100:20,22 101:10 120:14
122:11 123:8 128:7,17 163:19
186:24

series 58:6 116:14

serve 7:22,25 27:1

served 26:25

service 7:24 8:3,4,5 28:20

serving 97:22

session 18:23 53:18 109:11

sessions 121:15

set 117:22 118:10 129:15 162:6
167:14 238:11

seven-hour 231:7,23 238:21

shape 154:4,12,16,18 195:15

share 57:25 99:13 151:23 159:22
161:5 162:14 217:20

shared 162:18 165:3 171:7,23 179:1
187:7,15 193:8 200:17

sharing 35:16 186:2 205:9 218:7

sharp 18:15

she'd 98:17

Shelley 174:24

shielded 25:19

shift 61:15

shop 129:16

short 95:21 121:22 170:2

shorthand 174:1 197:9 204:11
221:21

shortly 137:17 142:24

shoulder 114:21

shoulders 55:17

show 59:1 93:25 94:17 95:3

showing 218:3 220:16

side 35:14 48:22 62:11,12 111:10

sign 45:1 201:18,20

signature 239:24 240:4

signed 201:21,23 202:5,16

significance 96:2

signing 201:25

similar 108:9,14 146:15 227:1

similarly 36:23,24 44:18 109:2

simple 162:3

simpler 21:7

simply 13:11 109:6 120:11

Sims 12:25 29:11 30:5,13 31:5
41:12,24 42:7 48:6,18 49:17 50:8,12
53:19 54:8,19 55:12,15 57:24 58:2
87:4 90:8,13,17 91:6,18 98:18
100:2,16 101:16,18 102:10,24 103:8
104:2,23 105:1,9,24 107:6,12,14,23
111:2,4 113:5 116:15,19,20,24
117:9,17 120:10 121:7,9,19 122:1,7,
9,17 124:7,10,17,19,21 127:21,25
128:5,8 129:6 130:24 131:3 145:3
146:16,24 155:20,21,24 157:24
160:6 162:12,14,20 177:10,15,21
178:1,11,13,18 179:2,6,8,20 180:8,
12,13,20 182:8 183:8 195:5 196:15,
17 197:1,4 199:2 207:20 208:4,14,
22 210:5 211:19 212:2,6 214:8,24
217:6,12,21 219:8 226:22 228:8
232:15,19,21 233:10 234:1 235:19
236:7,18 237:8,11,15

Sims' 31:12 102:16,21 103:2,21

simultaneous 103:4 185:3

simultaneously 153:16

single 35:24 63:12

sit 23:19 63:9,15,22 78:7 157:5
161:7 226:10

sitting 34:8,14 119:10 124:6 127:10
situated 133:8,9
situations 166:12
six-month-old 18:13
skew 79:6
skilled 108:21
skills 166:15
sleep 43:6 47:22 182:1 184:10
207:1,2,4 212:12
sleeping 18:14 207:6
sleepy 181:20
slept 207:8
Slight 238:6
slowing 185:15
smaller 119:9
Smith 200:3,5
Snohomish 15:17 32:16 145:4
146:18 205:5
Snoqualmie 32:17 40:25 108:1
146:1
social 74:13 190:15
software 21:14 113:21 115:12,15,
17
sole 95:5
solely 16:16
something's 221:1
sophistry 206:18
sort 18:11 53:18 68:10 95:7 123:24
128:1 145:6 167:15 201:25 208:16
236:5,13
sound 15:19 67:4,19 225:22
sounds 168:3
south 16:6 60:2 62:12 67:21,22,23
134:12 135:19,20
southeast 60:4 146:9
southwest 135:3 146:21
southwestern 77:1
sovereign 33:17 37:12
sovereignty 37:14

space 22:8,12 117:22 118:9,10
speak 89:12 118:15 227:24 228:9,
12,18 229:14 230:16
speaker 49:18 136:8
speakers 185:3
speaking 51:7 103:4
specific 12:18 38:5 68:20 69:24
76:3 107:5 162:1 202:3
specifically 60:18 65:13 75:11 99:7
150:8 163:13
specifics 99:9 105:1 123:9 172:22
speed 113:23
spell 139:10
spend 132:2 136:16 140:4
spent 21:8 140:8
spirit 26:3
spitballing 182:6
spoke 51:4,13 70:12 149:23 175:14
spoken 229:1 237:8
spot 167:14
spotty 167:21
spreadsheet 122:22
staff 8:18,19,20 9:2,20,23 48:9,18
55:1,12,22 60:23 83:12,16 84:3,6
85:9 89:18,21 90:2,4,9,10 97:21
102:4,5,11,20,21,22 103:2 105:2
114:2,3,5,8 115:5,11,21 118:12
120:24 122:2,6,7 133:24 154:3
181:5 196:15 201:1 207:14 218:13
226:6,21 227:14,16,25 230:14
staffer 43:2 48:7,8 52:20,23,25 53:2,
3,4 54:13 56:5 83:1 88:11,14 90:23,
24 102:16,17 113:24 114:13 209:13
staffers 89:20,22,23 90:1 114:4
stairwell 118:22
stamp 225:4
stance 78:7
stand 127:2 197:24
stand-in 197:12
standard 24:20 25:9,12,16 28:17
93:11

standards 24:25
standing 226:22 232:20
standoff 144:15 159:1
start 114:11,15 161:21,22 162:7,8
193:20
started 40:4 93:13 114:18 217:11,
14
state 7:17 10:8,9,12,18 11:3,6,8
21:13 26:22 28:20,24 33:18 58:19,
22,23 67:8 79:1,3 86:7 96:14 99:4
113:20 135:13 148:22 149:24 151:9
169:4 173:21 191:10 192:6 203:9
237:13 238:19 240:1
state's 27:1 79:25
stated 17:6 177:17
statement 63:10 74:12,24 93:20
127:3 136:22 138:23,24 139:2,9
141:19 172:6 198:18 212:7,20,23,24
213:2 223:2,4,7 224:7,8,9,17 235:16
statements 76:16 197:23 198:11,22
229:24 230:7
states 11:5
statewide 78:25
statistics 124:25
status 13:12 59:11,17 106:7,11,13,
15,17,19 132:17 133:25 147:24
148:1,7,8,11 158:8 171:6 176:4,9,
19,23 177:11,17,22 178:2,10,25
179:1,16,17,21,22 185:25 191:13
217:5 218:1
statute 27:17,25 77:17 87:2
stay 48:15 127:8 162:22 211:14
212:11
stayed 144:8 185:20
staying 22:10 237:24
Steele 203:7
Steele's 203:10
Stephanie 8:21 9:14
Stevens 135:18
sticking 111:7 145:16 182:18
stipulation 126:9 127:3
Stoep 191:8,9

stop 194:13,16
stopped 214:15
story 192:25 193:7,11
straight 82:25 191:3 237:20
straightforward 78:12
strategized 122:19 128:8
strategizing 128:10,19
strategy 87:23 88:2,4 122:16
123:11,12
straw 28:6,14,23
street 60:15,20
stretch 47:20
strictly 216:11
strike 11:24 15:9 24:22 33:11 36:20
39:1 43:16,21 64:5,6 70:10 84:2
86:1 92:4 96:10 100:3 110:24 217:5
218:16 223:14
string 153:15 219:19
strongly 26:14 145:19
studied 22:19
study 83:9 104:7
subject 53:15 57:23
submit 30:6
substantial 52:12 86:8,10,12 112:6
169:16 170:6
substantially 135:15 148:6 169:19
170:12 171:20
suburbs 67:19
sufficient 149:4 154:13 195:16
suggest 176:12 178:14 179:14
210:7 211:22
suggested 15:24 23:25 24:8 51:22
104:8 137:19,20 179:6,8,19 212:23
suggesting 179:4 197:10,25 211:8,
10
suggestion 171:24
suggestions 33:23 128:5
suggests 208:20 209:3
suite 119:6
Sultan 146:6,7

Sunday 175:25 180:4,12,17 181:23
198:7
support 108:23
supported 101:16 223:6
suppose 19:20 69:14 140:18
supreme 141:14,17,22,24 142:2,5,
9,11,22 143:1,4,6,12,17,22 144:5
148:3,4,15,20 176:12,20,22 177:12,
22 178:5,23 179:4,13,24 184:19,21,
22 185:10 195:13 197:11 198:1,4
212:8
surmise 108:13
surmised 134:5 148:5
surprised 110:18
survey 28:9
swearing 148:16
swing 58:10 59:7 122:25 132:15
145:16 177:16 179:20
sworn 7:10 229:13
sympathy 167:17
system 92:3

T

Tacoma 16:9 60:1,2 62:25 67:14,23
tactics 215:21 216:6
takes 115:16
taking 32:17,19 55:17 60:3 67:13
87:21 137:13 161:2 211:4 237:4
talk 13:9 19:19 37:2 89:1,4 95:3 96:9
97:8 98:23 99:7 100:16 101:3,4
122:15,17 123:11 124:17 132:22
148:18 157:2 159:8,12,13 165:23
166:1,5 167:11 169:13 170:10
171:5,22 172:8 175:9 180:8 200:5
208:18 213:17,22
talked 26:16 29:23 30:4 32:19 44:13
50:14 73:5 76:10 82:5 89:8 90:8
99:2,21 104:23 107:24 113:5 122:8
123:7 136:3 158:11,15 159:7,9
161:21 162:12 165:12,24 166:3
170:4 171:18 175:10 178:9 188:12
191:21 232:6,20 236:14,17 237:7
talking 19:17 52:8 57:17,18 58:13
68:7 73:16 90:2 98:1 127:20 132:3

159:25 167:8 169:23 173:8,10
176:5,11,24 178:18 181:24 182:7,14
190:25 196:13,16,25 204:10,24
211:3 224:14 232:8 236:5,11
task 98:13 136:17 201:25
technical 11:15 19:4,8 25:15
Teetering 196:22
Telephone 8:7
televised 20:1 45:3
telling 55:23 69:7 84:3 141:7 199:8
ten 49:4 168:12 236:4
tentative 131:19 196:22,24,25
term 12:12,14 13:22 38:8
terms 13:16 25:12 26:11 28:14 62:7
64:7 72:25 73:20 81:7 90:10 141:6
147:18 150:1 158:11 178:25 208:17
terrific 136:14
testified 7:13 63:4,18
testify 126:7,11
testifying 140:10
testimony 16:15,21 18:24 62:5 73:6
94:8 107:9 109:4 125:25 127:5
227:8 239:9,12
text 20:4,6,22,25 21:2,5,12,17,22
116:8,14,16 120:10 130:6,14 136:5,
7 151:24 152:10 153:3,5,15,17,19,
22 155:19,22 156:2 157:15 159:18,
21,25 163:4,10 168:24 170:3 171:15
172:2 173:14 174:1 175:20,21 184:1
186:2,11,23 187:9,17 188:2,7,8
190:8,9 191:1,4,7 192:4,9,21 194:2
195:17,19 196:3 197:8 200:7 201:15
202:21 203:6,11,14 204:11 207:19,
20,22 208:1,3,12 209:17 210:4,13
211:22 213:15 214:24 215:2
text-tired 174:1
texted 8:18,19 130:23 136:9 144:13
172:9 188:19 191:12 192:16
texting 20:15 116:18 117:9,25
120:15,16 131:3 169:5 194:4
203:12,23 205:6 213:23 214:18
texts 152:4 155:1 165:9 185:22,24
198:24 214:22
thank-you 200:20

thanked 136:15
Thankfully 226:12
thanking 144:13
that'd 46:24
theoretical 66:10,13
theory 62:9,15 66:17
thereabouts 216:25 221:7
thing 26:1 52:10 71:21 77:19 90:21
91:4 111:18,19 178:21 183:20
things 12:16 19:5,7 20:15 32:4
40:23 50:18 74:11,13 75:20 77:3,18
99:10 111:18 112:4 117:6 128:16
154:12 162:24 178:16,17 179:14
215:14 218:1 231:10 239:4
thinker 101:25
thinking 123:25 154:10 181:22
187:5 196:12
third-case 154:10
thought 25:5 34:16 65:11 82:16,19
83:8 87:25 92:13 93:13 95:13 100:9
110:21 112:4,6 113:2 124:21 125:1
136:20 138:22 148:7,10,23 197:24
198:8,11,15 199:20 203:1 211:4
213:19 224:6
thoughts 65:15 82:1 86:16 213:10
thousand 106:5 136:11
thread 155:19 156:2 157:15 163:4,7,
8 164:17 165:11
threads 163:6,13,25 164:13 165:3,5
three-and-a-half- 207:17
three-month-old 18:13
three-quarter-point 61:15
three-quarters 59:17
thumbs-up 156:15,20
Thursday 42:15 43:11 44:6 45:20,
23,24 51:12 143:10 191:21
Thurston 16:9 67:14
till 226:10
time 7:2 18:11,12 20:1,4 21:8,23
24:4 31:8 33:15 35:17 38:22,25
40:15,20 42:4,9 43:8 44:9 45:17,24
46:24 47:18,24 48:3 51:13,14,22
54:19 57:22 58:4 64:8,9 66:17 69:18

70:12,13 71:20 72:23 73:14 77:21
81:8 83:16 85:8,14 87:15,24 88:20
90:17,18 91:6 93:25 94:11 96:9
99:21 101:10 105:21 106:24 107:1
109:8,12,14,25 111:12 113:1 115:16
116:24 118:1 119:24 120:2 126:10,
21,23 127:4 130:23 132:2 136:16,21
140:8 142:23 143:1,11,15 145:1,3
147:5 149:21 150:1,12 151:3 154:14
157:18,19 158:14 159:2 160:22
163:11 165:13 166:14 167:1,9,25
168:7 169:14 171:14 176:13,17
178:22 181:2 182:17,25 186:16
187:10 189:18 191:22,24 194:1
196:3 197:16,20 198:4 203:22
205:15,18 206:8 207:2 209:4
210:18,19,21 211:11,24 212:4
215:22 216:2,12 217:1,2,8,17
220:18 225:4,13 228:10,13,25
229:11 231:5 232:4,13,14,21 235:21
236:16,21 237:25 238:24 239:21
time-limited 120:16
timeline 236:1
timeline-wise 225:3
times 61:12,22,25 89:1 93:19 97:22,
24 118:6 133:4 136:11 228:15,19
229:2 231:7,23,24
timing 110:10 125:17
tired 222:21 225:10 228:17,23
tiredness 238:10,19
title 9:5 10:2
today 18:7 63:9,22 125:15 127:6
140:10 229:7,13,18 239:9
told 54:19,24 57:2 58:11 77:7,11
108:12 140:19 141:5 161:14 170:18
175:18 188:19 194:24,25 200:8
207:15
tomorrow 204:3
top 78:2 80:8 153:2 175:4
topic 46:22
topics 149:25
total 230:7
touch 158:8 221:17
tough 136:12
track 208:10
traction 147:19

training 149:1,4,14,15,18,19 150:4,
13,25 151:11
trainings 149:2 150:10
transcript 17:13,15,17,19 18:3,9,
17,24 19:6,12,17,23,25 21:4,14
139:12,17 238:23,25
transfer 115:17
translatable 55:22
translate 38:23 48:19 66:22
translated 12:6 39:19 66:15
translating 55:9 226:23
transmit 141:14,21
transmittal 141:24 142:2
transmitted 141:17
transmitting 177:12
transparency 24:20 25:10,14 93:11
95:9 203:2
transparent 24:17 25:8
transpired 18:17 183:9
treasurer's 57:10 58:19 59:8,21
63:3 78:25
treat 36:24 155:5
treated 36:23
tribal 33:8,13,16,18,20 36:7,15
37:14,17,19,22 41:2
tribe 33:3 34:11,17,20,25 35:2,7,9,
12,14,18,23 37:9 76:24
tribes 32:20,25 33:5 34:2,4,6,16,22,
23 35:3,5,17,19 36:3,6,13,21 37:8,9
true 61:5 222:11 223:10,15
truth 140:19 141:3,4,7 144:7 239:10
truthfully 229:14
Tuesday 7:1 39:20 42:14,24 45:15,
20,23 46:2 51:12 64:3 169:7,8 174:3
184:8 190:16 192:13,14 193:1 201:3
204:14 205:9 212:12 219:1 222:20
Tulalip 34:10
turn 36:11 46:18 70:20 87:6,8 90:15
101:4 102:17 113:6 114:6 193:3
202:7 204:13 206:19 210:23 225:22
turned 25:21 31:23 129:11 193:23
205:22 210:25

turning 55:3,18 174:2 205:17
226:14

turns 133:3

TVW 109:16

two- 118:20

two-floor 118:21

twos 96:18

typed 222:17

typically 13:7

U

U.S. 40:19 79:24

ultimately 31:24 63:16 87:13 112:1,
8 131:19 138:25 141:19 144:9 147:3
165:20 195:12 197:19 223:2,4

unanimous 212:7

unavailable 221:15

uncertain 233:22

uncertainty 86:8,10 95:14 170:6
213:6 232:8

understand 11:22 13:13,15 27:18
28:2,8 29:6 74:19,24 92:1 112:25
114:7 128:7 131:10 133:17 140:10,
11 149:5 179:16 188:23 203:14
216:1 223:24 224:4 231:16

understanding 12:8 27:7 64:14,21
65:23 70:22 71:1,2 73:22 96:17,24
98:3 100:22 113:12,14 198:2 210:18

understood 34:16 69:16 85:5 96:21
133:21 143:15 163:14 184:16
210:17 224:6

undertaking 76:20

unique 79:6

unite 108:3

University 10:25

unredacted 220:22

unrelated 18:4

unsuccessful 47:22

upcoming 230:9

update 201:12

updates 110:7

uploaded 115:12

upstairs 183:18

urging 227:25 230:14

utilize 200:10

V

vague 123:22

Vaguely 153:14 223:13

Valley 32:17 40:25 108:1 146:1

Vander 191:8,9

Vanderwood 192:21

verbatim 238:14

version 116:5 157:15 225:5

versions 57:7

vicinity 233:12

Vicki 174:22 213:13,14

video 150:10 225:22

videoconference 7:4 11:15

videos 150:16 151:1

view 36:25 97:20 176:18 188:24,25
189:4

viewed 97:14

vindication 144:11

virtual 34:25 35:7

virtues 132:3

vote 14:12,14 16:23 17:6 25:18 27:8,
10,16,19,25 28:6,11,14,19,23 38:17,
25 40:15 42:1 46:15 52:13 58:15
64:22 65:8 71:14 72:24 73:2 79:1,2
80:25 81:5,21,24 82:6,7,25 84:22
85:1,22 86:4,8,9,15,17 90:11 92:24
95:4 101:11 102:2,6 103:22,25
104:1,4,13,15 107:19,23 108:7
109:6,9,10 110:16,18 112:20,22
113:1,13,15 121:13,20 131:10,21,22
132:7,8 148:2 155:22 201:22,24
205:12 206:9,14 209:18,25 213:7
216:9,17 232:9,25 233:1,5

voted 12:5 16:15 24:2,23 39:2,8,11,
16 40:20 41:6,7,11,15 42:5,17 43:8,
10 44:8,16,21 56:1,23 57:1,3,22
58:4,25 59:4 60:19 61:7 62:24 64:8,
10,11,16 66:9,17 68:4,14 69:5 70:13

71:15,18,20 72:11,18 73:7,14 74:8,
15,20 75:12,23 76:5 81:3,22 82:11,
23 83:10 84:13,18 85:15 92:23
106:22 107:7,14 108:25 112:21
142:8,20,23 143:1,4 144:9 196:8
197:19 202:9 205:22,25 206:7,19
221:13,21 226:15

voters 61:2,3

votes 43:13

voting 14:2,16 15:7,11 29:7 31:3
42:11 47:18,24 65:4,6,22 66:8
68:16,18 75:19 86:11 92:14 96:2,7,
18 97:1,2,10 98:10 101:1,15 103:15,
17,19 108:7,11,12,14,16 163:11,18
164:1,17 165:3,5,8 181:1 186:25
187:8 188:4,21 195:8 210:8 223:25

W

wait 176:5

walk 118:22 120:18

walked 68:10 199:4

Walkin- 89:8

walking 133:10 183:17 212:2

Walkinshaw 10:19 14:22 15:14
16:12,16 17:6 48:21 49:1,7,9 54:17,
18,21 55:2,5 65:10 68:5,6,8,16,20
69:8,12 70:8,12 72:3,14 73:3 75:5,
11,24,25 76:4 82:4 84:10 85:2,16,
21,25 86:2 88:16 89:6,8,13 100:18
102:22 103:25 104:6,11 106:20
107:4,13 108:6 115:8 121:7 133:8,
17 143:6,16,20,25 144:3 145:1
146:14 158:17 159:1,13,22 163:5
164:7 165:18 166:19 177:10 185:25
186:5,10,12 187:15,21 188:11,21
189:4,15 196:20 197:25 198:9,13
199:22 208:23 213:23 219:7 232:15,
19,22 233:12,18 234:2,5,11,22
237:6

Walkinshaw's 69:18 70:4 160:1
166:9 198:3 209:19

waning 110:15

wanted 32:25 34:3,5,22 35:17,18,23
37:2 77:5,11,14 79:12 86:13 91:16
94:24,25 95:4 111:24 134:22
144:18,19 145:17 146:14 151:21
158:6,23 172:7 177:6 181:25 187:7
189:3,17 192:1,17 197:21 203:4

207:16 223:8,9
wanting 19:21
Washington 7:21 10:8 11:6,7,8,9
22:22 23:9 26:4 28:20,23 67:1,3
77:1 96:14 112:10 132:6 135:4,22
146:21 148:12 149:23 151:9 184:19,
22
watch 151:1
ways 79:10 108:14 116:3 128:14
wear 184:18
website 45:2 116:6 137:17 150:9,25
151:5 172:21 173:2
Wednesday 44:15 46:2 83:9 191:21
wee 204:2
week 17:18 89:9,12 98:16 140:7
week-to-go 89:15
weigh 177:5
west 16:9 67:14 126:17 135:20
225:14,18,21 226:2 227:8 229:23
230:3,4,25 233:18,21 234:10,17,20,
24 235:3 237:24 238:8,16 239:12,
14,16,19
west-side 32:12 147:15
whatsoever 139:13
Wi-fi 167:21
wife 19:19 94:19,23
Wilcox 10:6,7,8 136:3 194:5 196:10
197:3,20 199:8 200:8
wildly 69:14
willingness 29:1
win 77:23
window 152:18
wishes 53:10 76:22 81:17 88:20
89:23 90:4,10
wit 7:6
woke 228:1
won 13:11
wondering 11:24 229:12 231:18
word 9:19 12:9 40:3,4,6 49:23
56:14,18 115:2 140:18 154:20
170:14

words 18:22
work 8:9,25 9:8,14 11:11,12 20:18
27:5 45:24 48:17 49:11,24 53:19
70:9,11 88:11,13 90:11,15 92:9
93:12 96:22 97:25 98:18 99:6 101:2
108:17 110:13,20 112:23 113:1,16
114:6,7 128:12 129:10,12 131:17
141:15,18 143:11,18 148:19 154:14
158:12 159:4,11 161:5,13 162:6,14,
18 166:25 176:13,16 177:1 178:22
187:6,24,25 189:1,12 191:13 198:1
199:18 205:6,8 214:6,9,12 223:9
232:12
worked 129:16 138:24 194:19 207:7
211:15 219:16
working 9:3 38:2 48:25 49:8 54:16
55:5,25 72:15 79:16 83:4 85:3,6
89:18 90:4 93:23 94:21 97:3,23,24
102:12 108:22 114:9,11,15,18,20
122:10 123:10 136:16 160:11,13
162:9 193:22 199:19 210:24 212:7
214:15 226:20 233:6
works 9:1 192:23
world 65:5 66:6 86:13
writing 41:8 57:3 64:11 116:21
written 35:3,20 72:21 96:25 161:3
183:10 224:23
wrong 152:19 166:13 183:22
wrote 187:9 213:3 224:24,25

Y

Yakama 33:3 34:9,20 35:11 37:13,
19
Yakima 104:8 169:17
year 9:4 12:23 13:24 21:3 23:2,11
24:2 27:3 37:1 53:19 57:7 61:11
74:14 75:8 92:11 94:20 96:23 136:1,
16 149:19 182:10
years 13:8
yesterday 9:9 139:12 140:6 192:7,
14,16

Z

Zach 154:23 164:8,24
zealously 65:19