IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

SHANNON PEREZ, et al., *Plaintiffs*, - and - EDDIE BERNICE JOHNSON, et al., - and - TEXAS STATE CONFERENCE OF NAACP BRANCHES, et al., *Plaintiff Intervenors*, v. RICK PERRY, et al., *Defendants*,	CIVIL ACTION NO. SA-11-CA-360-OLG-JES-XR [Lead case]
MEXICAN AMERICAN LEGISLATIVE CAUCUS, TEXAS HOUSE OF REPRESENTATIVES (MALC), *Plaintiffs*, - and - HONORABLE HENRY CUELLAR, et al., *Plaintiff Intervenors*, v. STATE OF TEXAS, et al., *Defendants*	CIVIL ACTION NO. SA-11-CA-361-OLG-JES-XR [Consolidated case]

TEXAS LATINO REDISTRICTING TASK FORCE, et al., *Plaintiffs*, v. RICK PERRY, et al., *Defendants*,	)	CIVIL ACTION NO. SA-11-CA-490-OLG-JES-XR [Consolidated case]
MARAGARITA v. QUESADA, et al., *Plaintiffs*, v. RICK PERRY, et al., *Defendants*,	)	CIVIL ACTION NO. SA-11-CA-592-OLG-JES-XR [Consolidated case]
JOHN T. MORRIS, *Plaintiff*, v. STATE OF TEXAS, et al., *Defendants*,	)	CIVIL ACTION NO. SA-11-CA-615-OLG-JES-XR [Consolidated case]

EDDIE RODRIGUEZ, et al.,	)	CIVIL ACTION NO.
	)	SA-11-CA-635-OLG-JES-XR
	)	[Consolidated case]
Plaintiff,	)	
	)	
v.	)	
	)	
STATE OF TEXAS, et al.,	)	
	)	
Defendants.	)	

TEXAS LATINO REDISTRICTING TASK FORCE, ET AL. PLAINTIFFS' PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

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PROPOSED FINDINGS OF FACT

I. H283 Dilutes Latino Voting Strength in Violation of Section 2

A. *Gingles* Prong I

1. Latino Opportunity to Elect in the Benchmark Plan H100

1. The benchmark plan, H100, contained 33 districts in which Latinos had the opportunity to elect their candidate of choice.

2. State redistricter Gerardo Interiano identified 32 districts in H100 in which Latinos can elect the candidate of their choice: State House Districts 31, 33, 34, 36, 37, 38, 39, 40, 41, 42, 43, 51, 74, 75, 76, 77, 79, 80, 90, 103, 104, 116, 117, 118, 119, 123, 124, 125, 140, 143, 145, and 148. (PL Ex. 201 [Dkt. 387-201, at p. 1]; *see also* Ex. J-61 at Vol.1 143:25-144:3 [Dkt. 419]).

3. In addition, HD 35 in H100, although it elected the Latino preferred candidate in only 2 of 5 exogenous general elections from 2006-2010, elected the Latino preferred candidate in 2 of 3 endogenous elections during the same period. For that reason, HD35 is a Latino opportunity district in the benchmark plan. (PL Ex. 290).

4. Among the Latino opportunity districts in the benchmark plan are HD 33 and HD 78, even though these districts failed to elect the Latino candidate of choice in the 2010 Texas House of Representatives election. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 25).

5. Dr. Engstrom estimated that in the 2010 election, House District 33 the incumbent, Solomon Ortiz, Jr., received 92.3% of the Latino vote and 11.0% of the non-Latino vote. (2011 Tr. 510:8-17)

6. The turnout in House District 33 was 45.08% Latino. (2011 Tr. 510:13-14)

7. In the 2010 House District 78 election, Dr. Engstrom determined that voting there was racially polarized. He estimated that Latino support for the incumbent in HD 78 candidate 79.6 percent and that non-Latino support 28.4 percent. (2011 Tr. 510:15-22).

8. The turnout in the House District 78 election was 34.88 percent Latino. (2011 Tr. 510:22-23).

9. Dr. Engstrom defines a Latino opportunity district as one in which there is a reasonable opportunity for the candidate of choice to be elected, which means better than a 50/50 chance of being able to elect a candidate of choice within the district. He stated that the reasonable opportunity has to be above 50/50 but not a guarantee (2011 Tr. 510:24-511:4; 511:14-512:1).

10. Dr. Engstrom testified that to determine whether a district is an opportunity district includes what happens in elections that occurred within a district as well as other elections. (2011 Tr. 512:4-21).

a. Nueces County

11. In plan H100, Nueces County contains two Hispanic Citizen Voting-Age Population majority state house districts. (PL Ex. 324 [Dkt. 325-4, at p. 2]; 2011 Tr. 461:3-11).

12. House District 33 historically was located in the heart of Corpus Christi, Texas, and was a majority SSVR district. (Flores Report, Ex. E-8 [Dkt. 191-1], at p. 9).

13. In 2010, HD 33 Latinos supported their candidate of choice, Solomon Ortiz, Jr., with 92.3% of their votes, as compared to just 11.0% of votes cast by non- Latinos. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 25-26).

b. El Paso County

14. In the benchmark plan, Latinos in HD 78 were on the verge of consistently electing their candidate of choice. (Ex. 414 ¶ 10 [Dkt. 330-5, at p. 77]).

15. In 2010, HD 78 Latinos supported their candidate of choice with about 79.6% of their votes, as compared to just 28.4% of votes cast by non-Latinos. But only 34.88% of voters who cast ballots were Latinos, and the Latino incumbent received 47.59% of the total vote. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 25-26).

c. Harris County

16. In plan H100, there are three Hispanic Citizen Voting-Age Population majority districts in Harris County. (PL Ex. 346 [Dkt. 326-2, at p. 2]).

17. An additional district, House District 148 was a performing Latino opportunity district in the benchmark. (2011 Tr. 80:20-22).

2. Latino Opportunity to Elect in the Enacted Plan H283

18. The State's only expert witness on polarized voting and minority opportunity districts, Dr. Alford, did not conduct any analysis of or present any opinions related to the State's enacted House redistricting plan H283. (2011 Tr. 1855:17-1856:14).

19. Dr. Jorge Chapa testified that there is sufficient population that is sufficiently concentrated to form more majority-minority districts than exist in H283. (2011 Tr. 186:23-189: 25).

a. HD78

20. Mr. Interiano, the State's primary mapper for the House Plan, testified that HD 78 in plan H283 is <u>not</u> a Latino opportunity district. (2011 Tr. 1444:13-16).

21. The redistricters drew only four Latino SSVR majority districts in the enacted plan, H283, where it was possible to draw five, as shown in proposed plan H292. (2011 Tr. 462:1-5; Pl. Ex. 340 [Dkt. 325-4, at p. 19]).

22. El Paso County contains over 80 percent Latino population and the adopted plan maintains District 78 below 50 percent Spanish surname registration. (July 2014 Tr. at 715:25-716:5 and 697:12-18; 2011 Tr. 84:21-85:13; Def. Ex. 109 at 44).

23. The distribution of the Latino population and SSVR is uneven across the five House districts in H283 in El Paso County. (July 2014 Tr. at 697:12-18; ; Def. Ex. 109 at 44; Flores Report, Ex. E-8 [Dkt. 191-1], at p. 9).

24. Eliminating the "arms" from HD 77 and allocating population to districts on a basis more consistent with the geography would have increased Latino population in HD 78. (2011 Tr. 378:19-24).

b. HD117

25. HD117 was an opportunity district in the benchmark plan and elected the Latino-preferred candidate in 4 out of 7 racially contested elections. (PL Ex. 201; PL Ex. 258 at 4; PL Ex. 259; PL Ex. 260 p. 3; PL 290)

26. HD117 is not an opportunity district in H283. The non-suspense SSVR of HD117 was reduced from 50.8% to 50.1% and HD117 elects the Latino preferred candidate in only 3 of 7 elections. (PL Ex. 201 at 1; PL Ex. 263 at 4; PL Ex. 264 at 9; PL Ex. 265 at 3; PL Ex. 290; PL 993 at 6; US Ex. 384)

c. HD33

27. In plan H283, Nueces County contains one Hispanic Citizen Voting-Age Population majority state house district. (PL Ex. 325 [Dkt. 325-4, at p. 3]).

28. The H283 Plan eliminates House District 33 that exists in Nueces County in the benchmark plan. (2011 Tr. 461:17-18; July 2014 Tr. at 646:7-14).

29. Mr. Interiano agreed that Plan H283 eliminates a Latino opportunity district from Nueces County. (2011 Tr. 1452:15-22).

30. There is no comparable Latino opportunity district to District 33 in Nueces County in the enacted State House Plan. (2011 Tr. 84:18-20).

31. The effect of eliminating House District 33 is that, under H283, Nueces County is deprived of a Latino-majority district and also its representatives are reduced from three members to two. (Flores Report, Ex. E-8 [Dkt. 191-1], at pp. 9-10; 2011 Tr. 461:13-22)

32. The elimination of House District 33 represents the elimination of a district where Latinos had the opportunity to elect a candidate of choice. (2011 Tr. 461:17-18; Flores Report, Ex. E-8 [Dkt. 191-1], at p. 10).

33. The State House of Representatives map enacted by the Legislature subtracts a Latino-majority district from Nueces County by unnecessarily packing the Latino population of Nueces County into one House district, denying the community a second Latino opportunity district and the political representation it needs to overcome the discrimination it still faces today. (Ex. 412 ¶ 14 [Dkt. 330-5, at p.70]).

d. Rio Grande Valley

34. The enacted plan, H283, creates four districts in Hidalgo County and spills the excess population into a district shared with Starr County. (2011 Tr. 463:5-9; PL Ex. 342 [Dkt. 325-4, at p. 21]).

35. The enacted plan, H283, creates two districts in Cameron County and spills the excess population northward into a district shared with Willacy and Kennedy counties. (2011 Tr. 463:10-13; PL Ex. 342 [Dkt. 325-4, at p. 21]).

e. Harris County

36. In plan H283, there are three Hispanic Citizen Voting-Age Population majority state house districts in Harris County. (PL Ex. 347 [Dkt. 326-3, at p. 1]).

3. *Gingles* Demonstration Districts

37. The demonstrative redistricting plan offered by the Texas Latino Redistricting Task Force, H292, created thirty-four Latino opportunity districts: 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 51, 74, 75, 76, 77, 78, 79, 90, 103, 104, 116, 117, 118, 119, 123, 124, 125, 140, 143, 145, and 148. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28; 2011 Tr. 516:14-20).

38. The demonstrative redistricting plan offered by the Texas Mexican American Legislative Caucus, H205, creates an additional Latino opportunity and HCVAP majority district in Harris County, totaling five HCVAP districts in that county. (MALC Ex. P-1, P-2).

39. The interim plan ordered by this Court, H309, created thirty-four Latino opportunity districts, including additional Latino opportunity districts in Bexar County, El Paso County, Harris County and the Rio Grande Valley: 31, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 51, 74, 75, 76, 77, 78, 79, 80, 90, 103, 104, 116, 117, 118, 119, 123, 124, 125, 140, 143, 144, 145, and 148. (Dkt. 690; Ex. PL- 464,468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 487, 490 and 492).

40. Plan H309 has three more Latino opportunity districts than does the enacted plan, H283. (Dkt. 690; Ex. PL- 464,468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 487, 490, 492 and 1627).

a. Nueces County

41. It is possible to draw two Latino majority districts in Nueces County in the House plan, as was done in proposed plan C292. (2011 Tr. 461:19-22; PL Ex. 341 [Dkt. 325-4, at p. 20]).

42. Plan H292 creates two Latino opportunity state house districts in Nueces County, where plan H283 creates one. (PL Ex. 341 [Dkt. 325-4, at p. 20]).

43. In plan H292, Nueces County contains two Hispanic Citizen Voting-Age Population majority districts. (PL Ex. 326 [Dkt. 325-4, at p. 4]).

44. In plan H292, Nueces County contains two whole state house districts with a third crossing the county line. (PL Ex. 326 [Dkt. 325-4, at p. 4]).

b. Rio Grande Valley

45. Plan H292 creates seven Latino opportunity state house districts in Hidalgo and Cameron Counties, where Plan H283 creates six. (PL Ex. 342 [Dkt. 325-4, at p. 21]).

46. It is possible to spill the overpopulation of Hidalgo and Cameron counties toward each other to make an additional Latino opportunity district. (2011 Tr. 463:14-19; PL Ex. 342 [Dkt. 325-4, at p. 21]).

47. There has been tremendous growth in the Latino population of Rio Grande Valley in the last ten years. (Ex. 419 ¶ 5 [Dkt. 330-5, at p. 97]).

48. Latinos make up the majority of the population in the Rio Grande Valley. (Ex. 419 ¶ 6 [Dkt. 330-5, at p. 97]).

49. The Valley is an integrated economic, cultural, social and political region. (Ex. E-8 [Dkt. 191-1], at p. 10).

50. The small towns in this area share a rich common history reaching far before the founding of Texas and represent a unique community of interest. (Ex. E-8 [Dkt. 191-1], at p. 10).

51. The shared cultural affinities and social conditions of these Latino communities have led to a high level of political cohesiveness of the Latinos in this area. (Ex. 419 ¶ 6 [Dkt. 330-5, at p. 97]).

52. The counties of Starr, Hidalgo, Willacy, and Cameron are overwhelmingly similar in their socio-economic characteristics, geography and challenges they face. (Ex. 419 ¶ 7 [Dkt. 330-5, at pp. 97-98]).

53. A district that combines portions of Cameron and Hidalgo Counties reflects a community of interest. (Ex. 419 ¶ 7 [Dkt. 330-5, at pp. 97-98]).

54. Colonias like Cameron Park are not the exception in the Rio Grande Valley and the conditions in Cameron Park are typical of the conditions of other communities in Cameron County and communities in Hidalgo County. (Ex. 419 ¶ 9 [Dkt. 330-5, at p. 98]).

55. Michael Siefert a resident of the Rio Grande Valley for 24 years, characterized colonias as communities similar to shanty-towns with sub-standard housing consisting of multi-family homes on single properties and lacking basic infrastructure. (July 2014 Trial Tr. 542:24-543:4).

56. Mr. Siefert described the issues that most concern community members in the Rio Grande Valley with whom he works as education, health services, housing and jobs. (July 2014 Trial Tr. 551: 11-18).

57. Residents formed the community groups with which Mr. Siefert works after a series of town hall meetings in 2008 in Hidalgo and Cameron Counties. At these town hall meetings, residents expressed their concern regarding issues that they felt were not being addressed by their elected officials. (July 2014 Trial Tr. 541:14-24).

58. There are colonias today that still do not have roads. (July 2014 Trial Tr. 545:8-10).

59. Mr. Siefert described Cameron Park, one of the communities in which he worked, as a colonia inhabited by about 8,000 people and located entirely within the city of Brownsville. He described it as the largest and oldest colonia in Texas. He said that when he first arrived to the community in 1996, it looked like a shantytown without services. (July 2014 Trial Tr. 545:11-25).

60. The per capita yearly income typical in Cameron County is $4,100.00. (July 2014 Trial Tr. 549:25-550:6).

61. In Cameron Park, the smell of burning plastic was typical because there was no garbage collection. Mr. Siefert said the lack of garbage collection and other services is still the case in Hidalgo County colonias. (July 2014 Trial Tr. 547:11-17).

62. Cameron Park is similar to other communities in the Rio Grande Valley in terms of its poverty rate, but it differs from other communities in the Valley because the community's organizing efforts have brought improvements to services and infrastructure. (July 2014 Trial Tr. 550:23-551:10).

63. Another issue that Rio Grande residents face is the lack of a public hospital. (July 2014 Trial Tr. 551:25-552:7).

64. The nearest public hospital to the Rio Grande Valley is in San Antonio and travel by bus to that hospital would take six hours. (July 2014 Trial Tr. 552:19-22).

65. Most of the employment available to residents of the Rio Grande Valley consists of service jobs. Other significant employment comes from the oil and gas fields, work which takes people away from their families for months at a time. (July 2014 Trial Tr. 553: 15-23).

66. The economy in the Rio Grande valley has been more service-oriented since clothing industry jobs moved to Central American, Mexico and China in 2000. (July 2014 Trial Tr. 553:24-554:3).

67. Ramon Garcia is a County Judge in Hidalgo County in the Rio Grande Valley. Judge Garcia was born in McAllen, which is in Hidalgo County, and has lived there for all but two and a half years of his life. (2011 Tr. 620:13-621:6)

68. County Judge Garcia's office consists of the administration of county budgets and state- and federally mandated services in Hidalgo County. (2011 Tr. 621:22-622:5).

69. County Judge Garcia testified that the needs of Hidalgo County included medical care facilities, flooding and drainage infrastructure, a comprehensive interstate or highway system for the region, and increased funding for the poor school districts in the county. (2011 Tr. 623:13-629:1).

70. Other infrastructure needs of the Rio Grande Valley include the lack of roads and sewage management in communities known as "colonias." (2011 Tr. 629:2-629:13).

71. Cameron and Hidalgo counties share a similar concern because both are part of the same flood plain. Flooding from either the Gulf Coast or the Rio Grande River would affect the whole area. Thus the regions of Hidalgo and Cameron are united in their need for extra resources to address the dangers associated with hurricane season and flooding. (Ex. 419 ¶ 12 [Dkt. 330-5, at p. 98]).

72. County Judge Garcia testified that having five State House Representative Districts in Hidalgo and Cameron counties as opposed to four would give his community more representation and better enable the voices of his community to be heard. (2011 Tr. 630:2-18)

73. Having a State House district that spans Hidalgo and Cameron counties, such as demonstrated in Plan H292, would better serve the needs of the community according to County Judge Ramon Garcia. He testified that Cameron and Hidalgo counties are one community. (2011 Tr. 630:19-631:4).

74. The Latino communities in Cameron and Hidalgo counties are politically cohesive because of their shared interests. (Ex. 419 ¶ 16 [Dkt. 330-5, at p. 99]).

75. An additional State House Representative in the Rio Grande Valley based in Cameron and Hidalgo counties would increase the number of state legislators that represent the communities in the Rio Grande Valley and bring more sustained attention to these communities. (Ex. 419 ¶ 17 [Dkt. 330-5, at p. 99]).

c. El Paso County

76. Plan H292 creates five Latino opportunity state house districts in El Paso County, where plan H283 creates four. (PL Ex. 340 [Dkt. 325-4, at p. 19]).

77. HD 78 in H292 connects downtown with the Westside of El Paso, uniting a historical community of interest. (Ex. 414 ¶ 13 [Dkt. 330-5, at p. 77]; Ex. 418 ¶ 21 [Dkt. 330-5, at p. 95]).

78. HD 78 in H292 reflects the growing Latino population in downtown, the Westside, and the town of Canutillo. (Ex. 414 ¶ 13 [Dkt. 330-5, at p. 77]).

79. HD 78 in H292 will allow the residents of Canutillo to vote in cohesion with the Latino residents of downtown and the Westside and provide a much stronger possibility that Latinos will elect their candidate of choice in HD78. (Ex. 414 ¶ 14 [Dkt. 330-5, at p. 77]).

80. In H292 the residents of Canutillo will be united with Latinos living in downtown, south of I-10, and the pockets of Latinos along Doniphan road that were carved out of HD 78 in the enacted plan. (Ex. 414 ¶ 15 [Dkt. 330-5, at pp. 77-78]).

81. HD78 in H292 encompasses the growing Latino population, which has established businesses and restaurants in downtown and on the Westside. Residents of the Westside and downtown frequently travel common streets including Mesa Street and I-10. (Ex. 418 ¶ 23 [Dkt. 330-5, at p. 95]).

82. HD 78 in Plan H292 reflects the growing Latino population in downtown, the Westside, and the city of Canutillo. (Ex. 418 ¶ 21 [Dkt. 330-5, at p. 95]).

4. Compactness

a. Compactness in H283

83. H283 on the whole is less compact than the benchmark plan. (2011 Tr. 44:2-3; Kousser Decl., Ex. E-2 [Dkt. 128-1], at p. 85).

84. HD 33 in Plan H283 is the least compact district by the area to rubber band measurement. (Ex. J-42, at 47: 1-6).

85. HD 145 in Plan 283 is the least compact district by area to smallest circle measurement. (Ex. J-42, at 47: 7-12).

b. Compactness of Districts in Plan H292

86. HDs 33 and 34 are very similar in Plans H115 and H292. HDs 35, 78, and 117 are the same in Plans H115 and H292. (*Compare* Ex. J-23 *with* Ex. J-37).

87. District 33 in plan H115, the Task Force legislative proposal, has good compactness scores. (Ex. J-42, at 31:6-9).

88. District 34 in plan H115, the Task Force legislative proposal, has good compactness scores. (Ex. J-42, at 31:10-14).

89. District 35 in plan H115, the Task Force legislative proposal, does not raise any compactness concerns. (Ex. J-42, at 32:11-15).

90. District 78 in plan H115, the Task Force legislative proposal, does not raise any compactness concerns. (Ex. J-42, at 32:16-20).

91. District 117 in plan H115, the Task Force legislative proposal, would not likely raise compactness concerns and conforms to the elongated shapes of the districts in Bexar County. (Ex. J-42, at 32:21-33:4).

C. *Gingles* Prong 2 and 3: Racially Polarized Voting in Texas

92. There is racially-polarized voting in Texas. (2011 Tr. 220:6; 229:12-14).

93. The State of Texas conceded that racially polarized voting has been established by expert analysis in almost every area of the state in general elections, except in Nueces and Kleberg counties. Texas conceded that generally in the State, except in Nueces and

Kleberg counties, Anglo voters tend to prefer different candidates than African-American and Latino voters. (July 2014 Tr. 2168:22-2169:7).

94. The State of Texas also took the position that in Democratic Party primaries, there is no dispute that there is generally racially polarized voting between African-American and Latino voters. They conceded that although it is a complicated picture, the same occurs between Anglo and either Latino or African-American voters. (July 2014 Tr. 2169:14-19).

95. The electoral data demonstrates that there is racially polarized voting in Texas regardless of the statistical methodology used to analyze the data. (2011 Tr. 217:1-6).

96. Voting was racially polarized from 2000-2012 in Bexar County, South Texas, Dallas County, Tarrant County, Nueces County, Harris County, Travis County and El Paso County. (2011 Tr. 502:17-20, 503:5-7, 503:8-13, 20, 504:11-12, 506:1-12, 506:16-17, 507:2-9; 507:22-23).

97. Controlling for partisanship, data from Democratic primaries makes clear that there is even greater cohesion among Latinos voting in racially contested Democratic primaries than when Latinos vote in general elections. (2011 Tr. 223:16-20; 230:1-4; Kousser Decl., Ex. E-2 [Dkt. 128-1], at p. 26, 36; [Dkt. 128-2], at p. 9).

98. Anglo Texans are less likely to vote for somebody who is Latino and not just because the candidate is a Republican or Democrat. (Ex. J-51, at 64:9-21).

99. The race for railroad commissioner in which Victor Carrillo lost in the Republican primary is an example of racially polarized voting. (Ex. J-51, at 56:18-59:17).

100. When racially polarized voting exists in a geographic area, the group composition of election districts in that area are a crucial determinant of Latino opportunities to elect representatives of their choice. (Engstrom Report, Ex. E-7 [Dkt. 154-1], at p. 18).

101. Latino voters have been very cohesive in their preferences for Latino candidates across different offices in general and Democratic primary elections during the last three state-wide election cycles (2006, 2008, and 2010). (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 24).

102. Latino voters do exercise discretion, however, in choosing which Latino candidates to support; not every Latino candidate on the ballot can expect to be the Hispanic candidate of choice. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 24).

103. Other voters, who are mostly Anglo, usually cast the majority of their votes for the opponents of Hispanic candidates of choice in both primary and general elections. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 25).

104. Dr. Engstrom analyzed racially polarized voting in south Texas and testified during the *Sessions v. Perry* case challenging the 2003 Congressional redistricting in Texas. The district court in that case found that there was racially polarized voting. (2011 Tr. 491:1-16).

105. Dr. Engstrom was asked in this case to analyze the extent to which voting could likely be racially polarized in seven counties in Texas, plus a 52-county area identified as south Texas. Dr. Engstrom testified that from the counties he was asked to analyze, possible Latino majority districts could be created. He was also asked to assess the number of districts that provided Latinos with reasonable opportunities to elect candidates of their

choice in the benchmark Congressional plan, the adopted plan and the illustrative remedy that Task Force Plaintiffs provided. (2011 Tr. 491:17-492:10).

106. Since the 2011 trial, Dr. Engstrom performed a supplemental analysis of the 2012 election for completeness. (2011 Congressional Phase of 2014 Trial, 478:9-478:13, Aug. 12, 2014)

107. Dr. Engstrom analyzed the elections that provided voters with a choice between or among Latino candidates—in statewide elections just as in his previous analysis of the elections in seven counties and South Texas. (2011 Congressional Phase of 2014 Trial, 478:25-479:14, Aug. 12, 2014)

108. Dr. Engstrom looked at two Republican primaries, each involving a Latino candidate. One was for a seat in the Texas Supreme Court and the other was for U.S. Senate. (2011 Congressional Phase of 2014 Trial, 479:7-16, Aug. 12, 2014)

109. Dr. Engstrom performed both bivariate and multivariate analyses on the elections for his supplemental report on the 2012 elections. (2011 Congressional Phase of 2014 Trial, 479:17-479:19, Aug. 12, 2014)

110. Dr. Engstrom used Ecological Inference in his analysis of the 2012 elections. (2011 Congressional Phase of 2014 Trial, 480:6-480:7, Aug. 12, 2014)

111. For his analysis of certain 2012 elections, Dr. Engstrom used votes by precinct for the various candidates in the elections, and for the bivariate analysis he used data from the Secretary State's Office. Through the Secretary of State data he could determine he could determine who voted in the elections and how many of them were Latino. For the multivariate analysis he included African-Americans. (2011 Congressional Phase of 2014 Trial, 480:10-480:22, Aug. 12, 2014)

112. None of Dr. Engstrom's conclusions regarding the 2012 republican primary results altered his conclusion that racially polarized voting exists in the analyzed areas of Texas. The supplemental report did not alter his conclusion expressed in his initial report. (2011 Congressional Phase of 2014 Trial, 483:20-484:2, Aug. 12, 2014)

1. Dallas-Fort Worth Metroplex

113. In Dallas County, both bivariate and multivariate analyses of the state-wide elections from 2006 to 2010 reveal the presence of racially polarized voting in both general elections and primary elections. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 12; 2011 Tr. 506:1-12).

114. Latino voters of Dallas County have been highly cohesive in their support of Democrat Latino candidates in the general elections (83.8% to 90.9% in bivariate analyses; 81.1% to 88.0% in multivariate analyses) and in the Democratic primaries (71.5% to 84.7% in bivariate analyses; 60.3% to 87.8% in multivariate analyses), and for a Latino candidate in the Republican primary (78.5% in bivariate analysis; but only 41.8% in multivariate analysis). (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 12-14 & tbl. 5; 2011 Tr. 506:1-7).

115. The preferences of Latino voters in Dallas County in the general elections are shared by African Americans, but not with other voters whose estimated support never reached 30% for any Latino candidate. The preferences of Latino voters in primary elections are not consistently shared by the rest of the primary voters. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 14-15 & tbl. 5; 2011 Tr. 506:6-11).

116. Dr. Engstrom testified that African-Americans in Dallas County were the least likely group to support Latinos in a Democratic primary. (2011 Tr. 506:7-8)

117. Dr. Engstrom testified that voters other than Latinos and African-Americans in Dallas County supported the Latino candidate in only two of the six Democratic primaries. He further testified that this further indicated racially polarized voting. (2011 Tr. 504:9-12)

118. In Tarrant County, both bivariate and multivariate analyses of the state-wide elections from 2006 to 2010 reveal the presence of racially polarized voting in both general elections and primary elections. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 21; 2011 Tr. 507:2-9).

119. Latino voters of Tarrant County have been highly cohesive in their support of Democrat Latino candidates in the general elections (94.9% to 99.8% in bivariate analyses; 84.3% to 98.3% in multivariate analyses) and in the Democratic primaries (70.7% to 99.9% in bivariate analyses; 64.3% to 85.0% in multivariate analyses), and for a Latino candidate in the Republican primary (92.4% in bivariate analysis; 56.1% in multivariate analysis). (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 18-20 & tbl. 7; 2011 Tr. 507:9-12).

120. The preferences of Latino voters in Tarrant County in the general elections are shared by African Americans, but other voters cast the majority of their ballots for the opponents of the Latino candidate in every instance. The preferences of Latino voters in primary elections are not consistently shared by the rest of the primary voters. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 18-21 & tbl. 7; 2011 Tr. 507:13-18).

2. South and West Texas

121. Dr. Engstrom testified that he discovered that there is a high level of racial polarization in voting in Bexar County. (2011 Tr. 504:11-12)

122. In Bexar, both bivariate and multivariate analyses of the statewide elections from 2006 to 2010 reveal the presence of racially polarized voting in both general elections and primary elections. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 12; 2011 Tr. 504:11-12).

123. Latino voters of Bexar County have been highly cohesive in their support of Democrat Latino candidates in the general elections (86.0% to 91.8% in bivariate analyses; 78.3% to 86.0% in multivariate analyses) and in the Democratic primaries (85.3% to 93.2% in bivariate analyses; 83.3% to 89.2% in multivariate analyses), and for a Latino candidate in the Republican primary (80.7% in bivariate analysis; 63.3% in multivariate analysis). (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 9-11 & tbl. 4; 2011 Tr. 504:12-14).

124. The preferences of Latino voters in Bexar County in the general elections are shared by African Americans, but not with other voters whose estimated support never exceeded 22% for any Latino candidate in the multivariate analysis. The preferences of Latino voters in primary elections are not consistently shared by the rest of the primary voters. (Engstrom Report, Ex. E-7 [Dkt. 154-1], at p. 7; & tbl. 2; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 9-12 & tbl. 4; 2011 Tr. 504:14-25).

125. African-American voters in Bexar County were the least likely of the three groups of voters to support Latino candidates in a Democratic Primary. (2011 Tr. 504:15-19)

126. Non-Latinos who were also not African-Americans in Bexar County supported the Latino candidate in the Democratic primaries three of the six times. (2011 Tr. 504:20-25)

127. In South Texas—a 52-county area near the Mexico border—the bivariate analyses of the state-wide elections from 2006 to 2010 reveal the presence of racially polarized voting in

both general elections and primary elections across the 52 counties. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 9; 2011 Tr. 503:8-13, 20).

128. Latino voters of South Texas have been highly cohesive in their support of Democratic Latino candidates in the general elections (80.5% to 88.5%) and in the Democratic primaries (76.8% to 93.5%), and for a Latino candidate in the Republican primary (69.73%). (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 7-8 & tbl. 3; 2011 Tr. 503:14-18).

129. Non-Latinos of South Texas largely do not share this preference, only supporting the Hispanic candidates of choice in only one general election and no primary elections across 17 general and primary elections. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 8-9 & tbl. 3; 2011 Tr. 503:14-18).

130. Racially polarized voting still occurs in the Rio Grande Valley. (Ex. 419 ¶ 18 [Dkt. 330-5, at p. 99]).

131. Latinos are the vast majority in the Rio Grande Valley, but Anglos and Latinos do not cohesively vote for the same candidates. (Ex. 419 ¶ 18 [Dkt. 330-5, at p. 99]).

3. Nueces County

132. In Nueces, the bivariate analyses of the state-wide elections from 2006 to 2010 reveal the presence of racially polarized voting in both general elections and primary elections. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 7; 2011 Tr. 503:5-7).

133. Latino voters of Nueces County have been highly cohesive in their support of Democrat Latino candidates in the general elections (90.1% to 97.8%) and in the Democratic primaries (70.2% to 85.7%), and for a Latino candidate in the Republican primary (72%). Non-Latinos of Nueces County largely do not share this preference, only supporting the

Hispanic candidates of choice in one general election and no primary elections across 17 general and primary elections. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 6-7 & tbl. 2; 2011 Tr. 502:22-503:5).

134. There was racially polarized voting in the 1987 election for Mayor of Corpus Christi. The Latino candidate got much of his support from the predominantly Latino West Side, while the Anglo opponent's support came from predominantly Anglo neighborhoods, such as those along Shoreline Boulevard, Kings Crossing, Padre Island and Flour Bluff. (Ex. 412 ¶ 9 [Dkt. 330-5, at p. 69]).

135. There is a high degree of racially polarized voting in Nueces County. (Ex. 412 ¶ 10 [Dkt. 330-5, at p. 69]; 2011 Tr. 503:5-7).

136. Dr. Engstrom estimated that in House District 33 the incumbent, Solomon Ortiz, Jr., received 92.3 percent of the Latino vote and 11.0 percent of the non-Latino vote in the 2010 election. (2011 Tr. 510:8-17)

137. The turnout in House District 33 was 45.08 percent Latino. (2011 Tr. 510:13-14)

4. El Paso County

138. In El Paso County, the bivariate analyses of the state-wide elections from 2006 to 2010 reveal the presence of racially polarized voting in both general elections and primary elections. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 5).

139. Latino voters of El Paso County have been highly cohesive in their support of Democrat Latino candidates in the general elections (82.0% to 90.1%) and in the Democratic primaries (70.2% to 85.7%), and for a Latino candidate in the Republican primary (72%). (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 4-5 & tbl. 1; 2011 Tr. 502:7-16).

140. Non-Latinos of El Paso County largely do not share this preference, only supporting the Hispanic candidates of choice once in a general election, twice in Democratic primaries, and never in Republican primaries across 17 general and primary elections. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 4-5 & tbl. 1; 2011 Tr. 502:17-20).

141. Dr. Engstrom found that Latinos in El Paso were very cohesive in their support of the Democratic Latinos in both general elections and Democratic primaries. They were very supportive of Latinos who had Democratic nominations in general elections and also in Democratic primaries. (2011 Tr. 502:11-16).

142. The preference of Latinos for Latinos who had Democratic nominations and for those in the Democratic primaries was only shared once by the non-Latino voters in El Paso. This meant to Dr. Engstrom that there was polarized voting in both the general elections and the primary elections in El Paso. (2011 Tr. 502:17-20)

143. In the 2010 House District 78 election, Dr. Engstrom determined that voting there was racially polarized. He estimated that Latino support for the incumbent in HD 78 candidate 79.6 percent and that non-Latino support 28.4 percent. (2011 Tr. 510:15-22)

144. The turnout in the House District 78 election was 34.88 percent Latino. (2011 Tr. 510:22-23)

5. Harris County

145. In Harris County, both bivariate and multivariate analyses of the state-wide elections from 2006 to 2010 reveal the presence of racially polarized voting in both general elections and primary elections. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 18; 2011 Tr. 506:16-17).

146. Latino voters of Harris County have been highly cohesive in their support of Democrat Latino candidates in the general elections (74.9% to 83.0% in bivariate analyses; 76.4% to 84.6% in multivariate analyses)—with one exception where a candidate received almost half of the Latino vote—and in the Democratic primaries (78.1% to 91.7% in bivariate analyses; 59.0% to 87.8% in multivariate analyses), and for a Latino candidate in the Republican primary (78.5% in bivariate analysis; 54.9% in multivariate analysis). (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 15-17 & tbl. 6; 2011 Tr. 506:17-19)

147. The preferences of Latino voters in Harris County in the general elections are shared by African Americans, but not with other voters whose estimated support never reached 30% for any Latino candidate. The preferences of Latino voters in primary elections are not consistently shared by the rest of the primary voters. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 16-17 & tbl. 6; 2011 Tr. 506:19-507:1)

148. Dr. Engstrom testified that African-American voters did not support Latino candidates in the Democratic primaries in Harris County. He said that the non-Latino voters who were not African-American supported Latino candidates in the Democratic primaries only one of the six times. (2011 Tr. 506:23-507:1)

6. Travis County

149. Dr. Engstrom concluded that voting in Travis County is racially polarized. (2011 Tr. 507:22-23)

150. Dr. Engstrom said that Latinos in general elections have been very cohesive in their preference for Latino candidates in the Democratic primaries. (2011 Tr. 507:23-508:1)

151. Dr. Engstrom testified that African-American voters strongly supported Latino candidates in general elections in Travis County, but said that that support was not present for Latino candidates in the Democratic primary. (2011 Tr. 508:2-5).

152. Non-Latino voters other than African-American voters cast their ballots more often than not for the opponents of Latino candidates in primaries in Travis County. (2011 Tr. 508:6-8).

7. Dr. Alford's Analysis

153. Dr. Alford testified that voting in Texas was racially polarized when he served as an expert witness for the State of Texas in the 2001 Texas congressional redistricting case. (2011 Tr. 1913:17-25).

154. In 2011, Dr. Alford built his own analysis of racially polarized voting around the analysis provided by Dr. Engstrom. (2011 Tr. 1858:22-1859:23).

155. In 2014, Dr. Alford did not perform any analysis of racially polarized voting. (Aug. 2014 Day 6 Tr., 1885:9-1886:9, Aug. 16, 2014)**.**

156. The levels of racially polarized voting from 2006 to 2010 are similar to those reviewed by the district court and U.S. Supreme Court in *LULAC v. Perry*.

157. Although Dr. Alford relied on the analysis of Dr. Engstrom, he offered further conclusions based on his own averaging of Dr. Engstrom's county-specific and region-specific results. However, the averaging of percents conducted by Dr. Alford in his report is not reliable because Dr. Alford admitted that he did not weight the counties by the registered voters or turnout, thus attributing the same weight to Travis County, which had only 604,348 registered voters, as he did to Harris County, which had 1,937,827

registered voters. (2011 Tr. 1889:12-1892:7; PL Ex. 401; PL Ex. 333 [Dkt. 325-4, at p. 11]).

158. Dr. Alford agreed that the un-weighted averages presented in his analysis could over-represent the amount of Anglo crossover for Latino candidates in Travis County and under-represent the amount of Anglo crossover in Harris County. (2011 Tr. 1892:20-1893:23).

159. Dr. Alford conceded that although he was using his un-weighted percentages to characterize the level of voting as more polarized or less polarized, he does not know the true amount of polarization if it were weighted by turnout. (Alford 1893:24-1894:8).

160. Dr. Alford relied, for his conclusion that Latino electoral cohesion is in the low 60% range, on an exit poll conducted by CNN. However, Dr. Alford testified that, with the respect to the exit poll, he did know what questions were asked or how they were asked, did not know how the pollsters ascertained the Latino identity of the voters, and did not know how many Latinos were included in the poll, although he stated he believed that information was available on the CNN website. (Ex. J-17 [Dkt. 308-1 at 4]; see also 2011 Tr. 1894:24-1895:16).

161. In contrast to the CNN poll report of 61% cohesion, Dr. Alford reported that Dr. Engstrom's analysis showed 89% and 91% Latino cohesion in his bivariate and multivariate analyses, respectively, for candidate Noriega in the 2008 General Election for U.S. Senate. (Ex. J-17 [Dkt. 308-1 at 4]).

162. Dr. Alford argued that certain elections he studied, which featured only Anglo candidates were probative of racially polarized voting. (Ex. E-17 [Dkt. 308-1]). However, Dr. Alford admitted that such races do not reveal anything about the impact of ethnic voting,

because Latinos cannot express an ethnic preference when there are two white candidates opposing each other. (2011 Tr. 1869:7-17).

163. Dr. Alford also conceded that in primary elections, "[w]e actually see that black voters disproportionately vote for black candidates. White voters disproportionately vote for white candidates. Hispanic voters disproportionately vote for Hispanic candidates." (2011 Tr. 1850:19-1851:5).

164. Dr. Alford further testified that "we clearly can see the effect of race in both the Democratic and Republican primary." (2011 Tr. 1942:4-19).

8. Dr. Engstrom's methodology

165. Dr. Engstrom employed both bivariate and multivariate analyses in South Texas. He compared Latinos with non-Latinos in a bivariate analysis. He compared Latinos, African-American and others in his multivariate analysis. (2011 Tr. 503:22-504:8).

166. The methodology that Dr. Richard Engstrom employed in order to determine whether there was racially polarized voting in Texas was ecological inference. (2011 Tr. 492:13-18).

167. Dr. Engstrom used ecological inference (EI) because it is the superior methodology in use today. (2011 Tr. 493:9-13).

168. Dr. Engstrom's analysis of 2010 elections used data concerning actual votes cast, which included turnout data that was flagged for Spanish surnames. He obtained these data from the Texas Legislative Council. For the 2008 and 2006 elections. Dr. Engstrom relied upon Spanish Surname Voter Registration data. For multivariate analysis that included other ethnic groups, Dr. Engstrom used census survey data. (2011 Tr. 496:21-497:22).

9. Dr. Engstrom's Qualifications

169. Defendant the State of Texas stipulated to the qualifications of Dr. Engstrom at trial in 2011. (2011 Tr. 490:7-20).

170. In 2011, Dr. Richard Engstrom was a visiting research fellow at the Center for the Study of Race, Ethnicity and Gender in the Social Sciences at Duke University. (2011 Tr. 487:11-14).

171. Prior to his time at Duke University, Dr. Engstrom was a professor of political science at the University of New Orleans for 35 years. He started at the assistant level and ending up as a research professor and an endowed professor. (2011 Tr. 487:19-22).

172. Dr. Engstrom has been published numerous times on the interaction of minorities in electoral arrangements. His research has been cited by the United States Supreme Court in several opinions. (2011 Tr. 487:23-488:16).

173. Dr. Engstrom has been an advisor to governmental bodies to consult redistricting commissions in Illinois and Pennsylvania. He has also served as a consultant to the Texas House of Representatives, a joint committee on redistricting for the Mississippi legislature, as well as to the president pro tem of the South Carolina Senate. He has advised a Republican as well as a Democratic state legislator. (2011 Tr. 488:17-489:19).

174. Dr. Engstrom has been a court-appointed expert in a case involving the Dallas city council redistricting and has worked in litigation for both plaintiffs and defendants. (2011 Tr. 490:4-6).

10. Texas Does Not Dispute Dr. Engstrom's Analysis

175. According to the State's expert witness, Task Force expert Dr. Engstrom "did the best job of covering geography and using the best methodology." (Alford at 1765:8-16).

176. The State's expert witness, Dr. Alford, testified that Task Force expert Dr. Engstrom is prominent in his field, that his report is credible and that Dr. Engstrom chose a good methodology to use in his report. (Alford at 1858:16-1859:9).

177. The State's expert witness, Dr. Alford, built the table in his report around Dr. Engstrom's results. (Alford at 1765:8-16).

D. Totality of the Circumstances

178. Discrimination against and segregation of Latinos has existed in Texas since the1840s. (2011 Tr. 582:1-4; Tijerina Report, Ex. E-10 [Dkt. 149-6], at p. 2).

179. Areas in which Latinos have historically experienced discrimination in Texas include: housing, education, employment, and access to political participation. (2011 Tr. 582:7-21).

1. History of Voting-Related Discrimination in the State or Political Subdivision

180. Texas has historically discriminated against Latino voters regardless of the political party that has been in control of the Legislature. (Aug. 2014 Day 2 Tr., 531:7-532:20, Aug. 12, 2014).

181. In the early 1970's, when the State House redistricting plan was found unconstitutional by the U.S. Supreme Court in *White vs. Regester*, both chambers of the Texas Legislature were controlled by the Democratic Party. (Aug. 2014 Day 2 Tr., 531:7-531:13; 2011 Tr. at 434:21-435:4).

182. In 1976, when the Department of Justice interposed an objection to the Texas House redistricting plan, both chambers in the Texas Legislature were controlled by the Democratic Party. (Aug. 2014 Day 2 Tr., 531:14-531:18; PL Ex. 1100, 1101 at 2-3).

183. In 1982, when the Department of Justice interposed an objection to the congressional and State House plans, Democrats controlled both chambers of the Texas Legislature. (Aug. 2014 Day 2 Tr., 531:19-531:22; PL Ex. 1099 at 2; U.S. Ex. 226).

184. In 1991, the U.S. Department of Justice blocked the state House redistricting plan because it "exhibit[ed] a pattern of districting decisions that appears to minimize Hispanic voting strength through packing or fragmenting Hispanic population concentrations unnecessarily." (PL Ex. 1102 at 3).

185. DOJ found that: the redistricting plan reduced Latino voting strength in a House district in El Paso in order to protect a white incumbent; in Cameron and Hidalgo counties the redistricting plan reduced the Latino voting strength of a Latino district to protect a white incumbent; in Bexar County the redistricting plan packed Latino voters into HD118 and reduced Latino voting strength in HD117 to 50.9% HVAP; in South Texas the redistricting plan drew House districts in an east-west manner which over-concentrated Latino voting strength in districts to the south; and in Dallas County the redistricting plan reduced Latino voting strength in the one Latino majority district. (PL Ex. 1102 at 3-4).

186. In 2001, when the Department of Justice interposed an objection to the Texas House redistricting plan, the Republican Party held a majority in the Texas Senate and Democrats controlled the House. (Aug. 2014 Day 2 Tr., 532:3-532:8; PL Ex. 229).

187. In 2006, when the U.S. Supreme Court struck down the Texas congressional redistricting plan in *LULAC vs. Perry*, both chambers were controlled by the Republican Party. (Aug. 2014 Day 2 Tr., 532:9-532:13, Aug. 12, 2014).

188. In addition to objections related to redistricting, the U.S. Department of Justice interposed section 5 objections to: the adoption of at-large voting for hospital districts (1989); failure to provide Spanish language versions of registration forms and instructions (1995); and allowing agency employees to reject voter registration applications (1995). (US Ex. 234).

189. Dr. Flores, the Latino Task Force Plaintiffs' expert witness, testified that both political parties have discriminated against Latino voters in Texas throughout the history of redistricting and that partisanship is not the main driver of discriminatory redistricting plans. Dr. Flores testified that the driving factor is that Latino voters sometimes prefer a different candidate than the person who happens to be the incumbent and because incumbents are unsure of how Latinos are going to vote, redistricters try to do as much as possible to control them. (Aug. 2014 Day 2 Tr., 532:14-533:7, Aug. 12, 2014).

190. In the early 1900s, Anglo-American political bosses would direct Latino voting in exchange for short-term work, deducting poll tax fees straight from their wages. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p.10).

191. The poll tax proved to be an otherwise effective means of restricting Latino access to voting. A 1933 study of voting in Austin elections showed that less than 3% of Latinos voted after implementation of the poll tax. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p.23).

192. In the 1960's, when he served in the Texas Legislature, Senator Joe Bernal introduced a bill to eliminate the poll tax in Texas, but federal law made it illegal first. (2011 Tr. 555:2-10).

193. Gilberto Torres, a Latino voter, recalled that he paid the poll tax in the past and experienced hostility from an Anglo voter during a recent election. (Ex. 420 ¶¶ 8-9 [Dkt. 330-5, at p. 102).

194. Senator Gonzalo Barrientos recalls when his parents were required to pay a poll tax. He recalled that a "lot of the people were not taught about voting, at least in the Mexican American community, or how to do it or where to go." (Ex. 413 ¶ 13 [Dkt. 330-5, at p. 73]; Aug. 2014 Day 4 Tr., 1149:7-1149:16).

195. Following prohibition of the poll tax, Texas immediately enacted annual voter re-registration which required voters to register annually. (2011 Tr. 555:13-23).

196. Gerrymandering done by political bosses to control the Latino vote proved to be an effective and accepted practice by Anglo-American policy makers at all levels of Texas government. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p.11).

197. To secure their voting blocks, political bosses used gerrymandering to draw the boundaries of counties – nearly doubling the number of South Texas counties in the 20th century. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p.11).

198. Besides the poll tax and gerrymandering, the state also used restrictive laws to limit Latino voting, including a1918 state law to eliminate interpreters at the polls. (2011 Tr. 593: 14-24; Tijerina Report, Ex. E-10 [Dkt. 149-6], at p.12).

199. Another device used to limit Latino voting was the White Man's Primary. To vote in the primary a person had to take an oath, stating "I am a white person and a Democrat." (2011 Tr. 593:1-13; Tijerina Report, Ex. E-10 [Dkt. 149-6], at p.12).

200. Texas Rangers would use violence to intimidate Latinos and keep them from voting. This violence ranged from threats of prison - for voting in violation of the literacy clause - to executions. (2011 Tr. 594:2-18; Tijerina Report, Ex. E-10 [Dkt. 149-6], at p.13).

201. In 1913, 3,000 to 4,000 Anglo-Americans rioted outside a voting booth to prevent Latinos from voting, shouting: Don't let the Mexicans vote. (2011 Tr. 588:15-589:2).

202. Several Latino citizens were lynched during the riot and others were brutalized. (2011 Tr. 589:2-5).

203. The rioters were led by the sheriff of Hidalgo County. (2011 Tr. 588:15, 589:4-5).

204. In post-World War II San Antonio, a group known as the Good Government League ("GGL") would put forth candidates for city council elections. While the League would slate a middle-class Latino as a token, it limited the Latino representation to that one position, which was far below their percentage of the electorate. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p.11).

205. The GGL controlled the slating of candidates for San Antonio City Council under the at-large election system for the City of San Antonio. (Ex. 416 ¶ 10 [Dkt. 330-5, at pp. 84-85]).

206. Because of this all-Anglo slating process and the existence of at-large voting, Latinos in San Antonio had virtually no ability to elect the candidates that they would have preferred to City Council. (Ex. 416 ¶ 10 [Dkt. 330-5, at pp. 84-85]).

207. The at-large system of elections for San Antonio City Council and the closed slating process meant that the slated candidates would not bother to explain their political views to, or seek endorsements from Latino voters. (Ex. 416 ¶ 11 [Dkt. 330-5, at p. 85]).

208. Segregated schools, the poll tax, voting intimidation, and job discrimination continued as the status quo in Texas from the 1920s through the 1960s. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p.14).

209. Historically redistricting has been unfair to Latinos which has led to consistent litigation including *LULAC v Perry* in the last round of statewide Congressional redistricting. (Ex. J-52, at 18:8-14).

210. There has been hostility and resistance from Texas election officials and political establishment to efforts to register Latinos voters. (Ex. 416 ¶ 15 [Dkt. 330-5, at p. 85]).

211. Texas election officials have refused to issue registration cards or provide public information about the registration process when Latino groups were working to register Latinos. (Ex. 416 ¶ 15 [Dkt. 330-5, at p. 85]).

212. Anglos would often brand organizers "outside agitators" because of efforts to politically empower Latinos. (Ex. 416 ¶ 16 [Dkt. 330-5, at p. 85]).

213. Local officials in the Dallas area refused to deputize Mexican-Americans as poll workers.

214. Local officials held SVREP employees to higher standards than Anglo volunteers when they sought to be deputized as voter registrars. (Ex. 416 ¶ 17 [Dkt. 330-5, at p. 85]).

215. Despite substantial compliance with voter registration procedures, local election officials in Texas frequently rejected the voter registration cards collected by SVREP and refused to process the cards. (Ex. 416 ¶ 18 [Dkt. 330-5, at p0. 85-86]).

216. Some jurisdictions in Texas continued to use English-only ballots even after the passage the 1975 amendments to the Voting Rights Act. (Ex. 416 ¶ 19 [Dkt. 330-5, at p. 86]).

217. The continued lack of materials in Spanish, and the lack of people at the polls who could help in Spanish, has hindered Latino's ability to participate effectively in the electoral process. (Ex. 416 ¶ 19 [Dkt. 330-5, at p. 86]).

218. Spanish-speaking Latino voters have been made to feel by poll officials often acted as if the voters were committing a crime by simply showing up to vote. (Ex. 416 ¶ 19 [Dkt. 330-5, at p. 86]).

219. As a result of the overt resistance from Anglos to allowing Latinos to access the political process, and the lack of provision of assistance, Latinos have been dissuaded from voting. (Ex. 416 ¶ 20 [Dkt. 330-5, at p. 86]).

220. In 1972, the use of at large by place elections for Travis County State House members denied Latinos the opportunity to elect a State House member. (Ex. 413 ¶ 20 [Dkt. 330-5, at p. 74]).

221. Until 1977, San Antonio conducted its elections at-large. (Ex. 416 ¶ 9 [Dkt. 330-5, at p. 84]).

222. It took intervention by the U.S. Department of Justice for the City of San Antonio to convert to district-based elections. (Ex. 416 ¶ 12 [Dkt. 330-5, at p. 85]).

223. Under the at-large system, the overwhelming number of San Antonio city council members came from the wealthy Anglo neighborhoods and almost all of them were Anglo. (Ex. 416 ¶ 9 [Dkt. 330-5, at p. 84]).

224. Mexican-American neighborhoods in Uvalde historically lacked adequate polling places. (Ex. 420 ¶ 8 [Dkt. 330-5, at p. 102]).

225. Until about 2000, there were not many Mexican- American election judges in Uvalde. (Ex. 420 ¶ 8 [Dkt. 330-5, at p. 102]).

226. Sen. Barrientos recalled that he ran for the House in 1972, and Travis County had four state representatives in multi-member districts. Getting elected as a Mexican-American was difficult because Mexican-Americans were about 10 percent of those voting and the percentage of African-Americans voting was about 8 percent. The change to single-member districts made getting elected as a Mexican-American much fairer and a lot less expensive. (Aug. 2014 Day 4 Tr., 1152:7-1153:7, Aug. 14, 2014).

227. In the 1970s, there was a slating of candidates in Travis County in which Anglo candidates would run together on a slate and voters were encouraged to vote for the candidates that were on that particular slate when they went to vote at the polls. (Aug. 2014 Day 4 Tr., 1153:8-1154:2, Aug. 14, 2014).

228. El Paso has a history of discouraging voting among Mexican Americans. (Ex. 418 ¶ 5 [Dkt. 330-5, at p. 93]). Some Latinos in El Paso struggled to pay the poll tax. El Paso's first mayor was elected in 1957. (Ex. 418 ¶ 5 [Dkt. 330-5, at p. 93]). There has been widespread Anglo resistance to attempts by Latinos to gain political empowerment in Texas. (Ex. 416 ¶ 14 [Dkt. 330-5, at p. 85]).

229. Latino electoral participation is low because of the history of discrimination including the white man's primary, the poll tax, and literacy tests. (Ex. J-52, at 10:18-11:12).

2. Continued Discrimination Against Latinos

230. Voter disenfranchisement of minorities continues to occur. One example is the improper requests of minority voters by poll workers for additional documents at the polls. (Ex. J-51, at 9:20-41:15).

231. Latinos in Houston often complain of reluctance from poll workers to provide them with assistance, including finding their names on the voter rolls and bilingual assistance. (Ex. 417 ¶ 17 [Dkt. 330-5, at p. 90]).

232. In 1993, Robert Raymond Bezdek received numerous pieces of mail that exemplified the racial animosity because he testified about the inability of Latino candidates to get elected to at-large seats in Nueces County. (Ex. 412 ¶ 11 [Dkt. 330-5, at p. 69).

233. In the early 1990s, an Anglo elected official expressed disdain for Latino leaders to Robert Raymond Bezdek, who is a professor of political science at Texas A&M University-Corpus Christi and asked him how these Latino leaders might be prevented from being elected. (Ex. 412 ¶ 7 [Dkt. 330-5, at p. 68]).

234. Dr. Bezdek also testified that a colleague at Texas A&M University-Corpus Christi, commenting on the campus's statue of Dr. Hector P. Garcia, stated that he was offended when he heard someone like Dr. Garcia speak because of his accent. (Ex. 412 ¶ 7 [Dkt. 330-5, at p. 68]).

235. There has been recent discrimination in housing for immigrants in Farmers Branch. (Ex. 415 ¶ 17 [Dkt. 330-5, at p. 82]).

236. Mexican Americans and African Americans in Houston encounter instances of present-day discrimination based on race, from both governmental and private individuals. (Ex. 417 ¶ 10 [Dkt. 330-5, at p. 89]).

237. Latinos are discriminated against with regard to rental housing in Harris County because Latinos are asked more than often than other potential renters to prove they are legal residents. (Ex. 417 ¶ 13 [Dkt. 330-5, at p. 89]).

238. In her work as a realtor, Mary Ramos has encountered individuals who tell her they do not wish to live next to African Americans or Mexicans and potential sellers who say they do not wish to sell to a Mexican or African American. (Ex. 417 ¶ 11 [Dkt. 330-5, at p. 89]).

239. In 1995, when Gilberto Torres was a County Commissioner the County Judge called him a "little Mexican greaser." (Ex. 420 ¶ 5 [Dkt. 330-5, at p. 101]).

3. The Extent to Which the Minority Group Members Bear the Effects of Past Discrimination in Areas Such as Education, Employment, and Health, Which Hinder Their Ability to Participate Effectively in the Political Process

240. Latinos continue to display evidence of social and economic disadvantage around the state. (Gonzalez Baker Deposition, Ex. J-41, at 64 [2011 Tr. 64:12-14]).

241. In every socioeconomic metric analyzed by Drs. Chapa and Gonzalez Baker, Hispanics are trailing non-Hispanics. (2011 Tr. 197:11-23).

242. The statewide Latino child poverty rate is roughly 2.5 times that of the non- Hispanic White child poverty rate. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p.7).

243. In each of the counties with large Hispanic populations, Hispanics have lower educational attainment levels, income levels, and a higher poverty rate than non-Hispanics. This is true even when controlling for various demographic differences. (2011 Tr. 177:8-14, 20-24; 2011 Tr. 178:24-179:2; Chapa Report, Ex. E-1 [Dkt. 128-5], at p. 4; [Dkt. 128-10, at tbl. 4, 5, and 6]; 2011 Tr. 197:11-19).

244. These decreased educational attainment levels, income levels, and higher poverty levels are strong evidence that historical discrimination still has a strong present day impact Hispanic Texans. (2011 Tr. 179:16-21; Chapa Report, Ex. E-1 [Dkt. 128-5], at p. 5).

245. Lower levels of education, income, and earnings have the lingering effect of lowering Latino participation rates, including registering and voting. (2011 Tr. 179:23-180:2; 189:7-16; 2011 Tr. 200:11-14).

246. The effects of segregation have lingered even after blatant signs limiting African-American and Hispanic access to public services were taken down. (2011 Tr. 585:9-17; Tijerina Report, Ex. E-10 [Dkt. 325-1], at p.1).

247. The lower rate of voter registration, voting, and running for elective office of Texas Latinos is directly related to the past discrimination of Latinos in Texas. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p.32).

248. The State's expert witness, Dr. Alford, did not opine that there are no lingering effects of prior discrimination in the Latino community. (2011 Tr. 1858:12-15).

249. The overt resistance from Anglos to allowing Latinos to exercise their political rights, and the lack of provision of assistance, has caused Latino disengagement to persist from one generation to the next. (Ex. 416 ¶ 20 [Dkt. 330-5, at p. 86]).

250. There is a constant struggle to encourage voter participation in the Latino neighborhoods of El Paso. (Ex. 418 ¶ 6 [Dkt. 330-5, at p. 93]).

251. From 1972 to 2010, Latino voters in Texas have not registered or turned out at same levels as Anglo voters. (Ex. 421 ¶ 8 [Dkt. 319-1, at p. 2]).In November 2008 only 54.3% of eligible Latinos in Texas were registered to vote. (Ex. 421 ¶ 9 [Dkt. 319-1, at p. 2]).

252. This means that across the state there is a gap of about 2,052,000 potential Latino voters that have not registered. (Ex. 421 ¶ 9 [Dkt. 319-1, at p. 2]).

253. The Latino registration rate trails that of the Black population by19.4% and that of the Anglo population by 19.3%. (Ex. 421 ¶ 9 [Dkt. 319-1, at p. 2]).

254. Only 37.8% of Latino voters actually went to the polls in 2008. This trails Anglo participation by 17.8% and Black participation by 27.1%. Of the 4.5 million eligible Latino voters in 2008, only 1.7 million cast a ballot. (Ex. 421 ¶ 10 [Dkt. 319-1, at p. 2]).

a. Statewide

255. Across the state, Texas Hispanics—including those born in Texas—have lower levels of educational attainment and income when compared to non-Hispanics. (2011 Tr. 176:17-22; Chapa Report, Ex. E-1 [Dkt. 128-5], at p. 4; [Dkt. 128-8, at tbl. 2]).

256. Latino educational achievement lags far behind that of non-Hispanic Whites in the same age bracket. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 7; [Dkt. 149-4], at p. 7).

257. There is an extensive history of discrimination against Latinos and African Americans in Texas that continues to have vestiges today. (Ex. J-52, at 101:23-102:23).

258. In 1841, Texas passed a Joint Resolution that suspended printing laws in Spanish. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p. 24).

259. In 1856, use of the Spanish-language was further limited through the passage of a law that allowed Spanish in the courts of Texas only if the Justice of the Peace and the primary party could not speak English. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p. 24).

260. A 1925 law required that the English language be the only language used in public education. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p. 28).

261. By the turn of the 20th century, many Latinos attended segregated schools. (2011 Tr. 583:16-20).

262. Sometimes Latino students were segregated into separate districts; sometimes into gerrymandered areas within districts that would create schools in the Latino part of town where only Latino students would attend; or, if Latinos and non-Latinos were in the same

school, then Latinos would be segregated within the school or within the classroom. Such segregation lasted through the 1960s and 1970s. (2011 Tr. 583:21-584:8).

263. Latino schools lacked the basic advantages of Anglo schools. In San Antonio, in 1934, while there was approximately the same number of Latino and Anglo students in schools, there were only 11 Latino schools, but 28 Anglo schools. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p. 27).

264. School funding showed similar discrimination. A school board in San Antonio spent $24.50 on each Latino student, but $35.96 on each Anglo student. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p. 27).

265. The Latino schools that arose in big city barrios not only lacked physical and curriculum advantages, but also implemented corporal punishment for speaking Spanish. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p. 20).

266. Condoned by the state superintendent, school boards neglected Latino student enrollment in schools almost entirely. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p. 25).

267. In 1920, 70% of Latino school-age children in Texas were not enrolled in school as opposed to only 22% of Anglo school-age children, though mandatory school attendance had been required by law since the 1880s in Texas. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p. 25).

268. In the 1920s, Lyndon B. Johnson taught Latino students at a segregated school in Cotulla, Texas, where Latinos typically attended school for only half a day and only to the sixth grade. (2011 Tr. 584:11-24; Tijerina Report, Ex. E-10 [Dkt. 325-1], at p.7; [Dkt. 149-6], at p. 26).

269. Lingering effects of discrimination against Latinos in education are evident in the data; Latinos have the lowest educational statistics in the state of Texas, and Texas has the lowest statistics in the nation. (2011 Tr. 586:2-4).

270. Hispanics still face a gap in enrollment and graduation from the State of Texas's colleges and universities as compared to non-Hispanic Whites. (2011 Tr. 1720:13-17; Ex. J-63, at 18:16-23).

271. Texas Hispanics still lag behind Anglos in attainment of higher education in terms of persistence and graduation rates. (2011 Tr. 1720:18-24; Ex. J-63, at 21:5-8, 18-21).

272. The *Closing the Gaps* progress reports from 2011 show that for public, community, technical and state colleges, the fall 2004 cohorts' six year success rates were 40.2 percent for Hispanics and 45.8 percent for Whites. (Ex. J-63, at 23:16-24:1).

273. Latino adults in Texas are currently less than half as likely to have a college degree as their Anglo counterparts. (2011 Tr. 1720:25-1721:12; Ex. J-63, at 24:2-7).

274. The Higher Education Coordinating Board identified Hispanic participation in higher education and Hispanic receipts of degrees and awards as one of the areas that continues to be below the targeted goals for its plan. (2011 Tr. 1721:15-24; Ex. J-63, at 27:8-14).

275. The target for Hispanics for higher education is currently, according to *Closing the Gaps*, at 5.7 percent of the total population in 2015. (2011 Tr. 1721:15-24; Ex. J-63, at 27:15-21).

276. Hispanics are not progressing in terms of attainment of higher education at the rate that the State has set as its desired goal. (2011 Tr. 1722:1-4; Ex. J-63, at 28:18-25).

277. For Hispanics to reach the 2015 enrollment target, Hispanic enrollment needs to grow another 52 percent. (2011 Tr. 1722:5-8; Ex. J-63, at 31:7-25; 32:1-7).

278. The change in Hispanic enrollment since 2000 was well below what was needed to stay on track to the meet the 2015 target. (Ex. J-63, at 32:12-16, 23-25; 33:1-6).

279. The *Closing the Gaps* progress report says "Things will only get more challenging for Hispanics in the next five years as the CTG target trend line for enrollment growth gets steeper." (2011 Tr. 1723:3-7; Ex. J-63, at 33:7-13).

280. The *Closing the Gaps* target, as it is expressed in the report, if it were met right now, it would mean that Latinos would not be participating at the same rate as Anglos. (2011 Tr. 1723:21-25).

281. The *Closing the Gaps* report does not make any findings as to the causes of the educational disparities such as gaps in Latino enrollment in higher education as compared to Anglos. (2011 Tr. 1724:2-6).

282. The *Closing the Gaps* report does not make any findings about whether the gaps in Latino persistence and graduation rates have a relationship to past discriminatory practices. (2011 Tr. 1724:15-18).

283. Anglos are making greater progress toward the Coordinating Board's goals in terms of degrees awarded than Hispanics. (Ex. J-63, at 34: 2-6).

284. Hispanic students are reported to have graduated high school at 72.5% and white students at 89.7% with respect to the four-year completion rate including grades 9-12 for the class of 2009. (2011 Tr. 1724:19-1725:2; Ex. J-63, at 40:7-16).

285. Hispanics are shown to be at 37.5% and whites at 61.7% on the AP IB results on the examinees' criteria. (2011 Tr. 1725:3-8; Ex. J-63, at 40:17-22).

286. Hispanics lagged behind Whites in every category of TSI Readiness (Texas Success Initiative), including English, language arts, mathematics, and SAT and ACT results. (2011 Tr. 1725:9-13; Ex. J-63, at 40:23-25; 41:1-8).

287. The National Center for Public Policy in Higher Education in 2004 gave Texas a D as a grade in affordability of higher education. (Ex. J-63, at 42:22-25; 43:1).

288. The Legislature cut funding for TEXAS Grants by $11 million, as well as other financial aid funding for the biennium. (2011 Tr. 1725:23-1726:5; Ex. J-63, at 44:16-22).

289. In 2006, the Texas Higher Education Coordinating Board issued a rule barring Texas residents from benefitting from the Hazlewood program when those residents had entered the military as legal permanent resident immigrants. The Hazlewood program paid the tuition of honorably discharged members of the U.S. Military when they attended Texas universities. The THECB reversed its rule following a lawsuit challenging this practice. (2011 Tr. 1726:10-25).

290. Communities of color have a more difficult time achieving educational equality than affluent communities because Texas has a school financing system based on property taxes. (2011 Tr. 63:5-15).

b. Nueces County

291. Many students Latino students at Texas A&I University-Corpus Christi have a relative lack of resources and opportunities compared to their Anglo classmates. (Ex. 412 ¶ 4 [Dkt. 330-5, at p. 67]).

292. Comparatively more Latino students at Texas A&I University-Corpus Christi are the first in their families to attend college as compared to their Anglo classmates. (Ex. 412 ¶ 4 [Dkt. 330-5, at p. 67]).

c. El Paso County

293. El Paso public schools still consist of property-poor school districts that require substantially higher tax rates to generate the same revenue as the property-rich school districts in other parts of the state. (Ex. 418 ¶ 9 [Dkt. 330-5, at p. 94]).

294. Lubbock has a much smaller population than El Paso, yet Texas Tech in Lubbock has a major medical university and a law school. The University of Texas at El Paso, on the other hand, has historically and consistently received insufficient funds. (Ex. 418 ¶ 7 [Dkt. 330-5, at p. 93]).

295. El Paso still does not have a law school and relies on a Texas Tech satellite campus for the only medical school in the county. (Ex. 418 ¶ 7 [Dkt. 330-5, at p. 93]).

296. Canutillo has historically been one of the poorest school districts in El Paso County. (Ex. 414 ¶ 4 [Dkt. 330-5, at p. 76]).

297. Canutillo still lacks enough resources for adequate education, and Canutillo remains a property poor school district. (Ex. 414 ¶ 6 [Dkt. 330-5, at p. 76]).

298. Latino students had to overcome extensive economic barriers in comparison to the students attending wealthier schools in El Paso. (Ex. 414 ¶ 6 [Dkt. 330-5, at p.76]).

299. Sergio Coronado testified that when he was a schoolchild in Canutillo, students were spanked by their teachers for speaking Spanish. (Ex. 414 ¶ 6 [Dkt. 330-5, at p. 76]).

300. In the 1970s, there was an attempt to pass a bond for a much needed high school. Canutillo high school students were sharing a facility with the local junior high school. However, the bond failed because predominantly Anglo owners refused to pay additional taxes for Hispanic students who they thought were destined to work the fields. Without

the bond funds, the school district could build a facility that contained a cafeteria and some classrooms, but not much else. (Ex. 414 ¶ 5 [Dkt. 330-5, at p. 76]).

301. Carmen Rodriguez testified that El Paso had de jure segregation through the 1970s in its public schools until the case of *Alvarado v. El Paso ISD* resulted in desegregating the schools. (Ex. 418 ¶ 10 [Dkt. 330-5, at p. 94]).

302. When Carmen Rodriguez's father was in school, Latino students in El Paso would often be tracked into Tech High School and would be trained in mechanics and other manual labor skills. (Ex. 418 ¶ 11 [Dkt. 330-5, at p. 94]). The students not tracked into Tech attended segregated high schools. (Ex. 418 ¶ 11 [Dkt. 330-5, at p. 94]).

303. In El Paso, every time Latinos began to attend an Anglo high school in significant numbers, the school district would build a newer and more modern school for the Anglo student population. Initially Bowie High School was slated for Latino students, then later it was Jefferson High School, and then El Paso High. In the 1980s and 1990s, the Anglo high school was Coronado High School on the Westside. Now Coronado High school has an established Latino student body of just under 75 percent (73.9) in the middle of HD78. (Ex. 418 ¶ 11 [Dkt. 330-5, at p. 94]).

d. Austin-San Antonio

304. Until *Delgado v. Bastrop* desegregated the schools in Bastrop, Texas there were separate primary schools: one for Blacks, one for Mexicans, and one for Whites. (Ex. 413 ¶ 6-7 [Dkt. 330-5, at pp. 72-73]; Aug. 2014 Day 4 Tr., 1146:7-1146:19).

305. Senator Barrientos testified that at the Latino schools in Bastrop, near Austin, students were given a sheet of paper and crayons to draw on all day. (Ex. 413 ¶ 6-7 [Dkt. 330-5, at pp. 72-73]; Aug. 2014 Day 4 Tr., 1146:2-1146:6).

306. After the desegregation of the schools in Bastrop, Texas, Anglo students would call Latino students spic, greaser, taco bender, and other names. (Ex. 413 ¶ 8 [Dkt. 330-5, at p. 73]; Aug. 2014 Day 4 Tr., 1146:7-1146:19).

307. Senator Barrientos testified that Texas textbooks portrayed Mexican in a racist way, involving big mustaches and images of Mexicans wanting to kill white people. Educational materials did not portray Mexican Americans except to "tell about the Alamo and how we beat the Mexicans," recalled Sen. Barrientos. (Ex. 413 ¶ 9 [Dkt. 330-5, at p. 73]; Aug. 2014 Day 4 Tr., 1146:24-1147:8).

308. Senator Barrientos testified that when he was a student, Texas schools in Bastrop, Texas did not allow students to speak Spanish and students would get put into a corner or paddled if caught speaking Spanish. (Ex. 413 ¶ 10 [Dkt. 330-5, at p. 73]; Aug. 2014 Day 4 Tr., 1147:9-1147).

309. Senator Barrientos testified that when he was a schoolchild, there was a general expectation that Latino children were going to work the fields and would typically not get an education beyond the 6th or 7th grade. (Ex. 413 ¶ 11 [Dkt. 330-5, at p. 73]; Aug. 2014 Day 4 Tr., 1147:17-1148:8).

310. Sen. Barrientos testified that he dreamed of attending West Point after high school, but he did not pursue the dream because he knew at the time that "there was no way that the congressman there in Central Texas would appoint a Mexican American to West Point." He decided to attend the University of Texas instead. (Aug. 2014 Day 4 Tr., 1148:18-1149:6, Aug. 14, 2014).

311. Latino students in Dove Springs drop out of high school at a disproportionately high rate and teen pregnancy disproportionately affects young people in Dove Springs. (Ex. 416 ¶ 23 [Dkt. 330-5, at p. 86]).

312. Senator Joe Bernal testified that when he was a child, schools in San Antonio had a "no Spanish" rule. Children were given ribbons that read, "I'm an American. I speak English." If members of the student council saw a student speaking Spanish on the school grounds, they confiscated the ribbons and gave them to the student's English teacher, who would then give the student demerits. (2011 Tr. 553:8-19).

313. When Hector Flores was attending San Antonio Community College, Anglo counselors at the Texas Employment Commission told him that he was not "college material" and that that he was better suited for upholstery repair. (Ex. 415 ¶ 12 [Dkt. 330-5, at p. 81]).

314. When Andrew Hernandez was a child, Latino students in San Antonio were punished by teachers for speaking Spanish in school. (Ex. 416 ¶ 4 [Dkt. 330-5, at p. 84]).

315. When Andrew Hernandez was a child, San Antonio schools had few, if any Latino teachers or administrators. (Ex. 416 ¶ 5 [Dkt. 330-5, at p. 84]).

316. When Andrew Hernandez was a child,, San Antonio schools often tracked the Latino students into vocational or low level courses. (Ex. 416 ¶ 6 [Dkt. 330-5, at p. 84]).

317. When Andrew Hernandez was a child, San Antonio schools were plagued by a high drop-out rate for Latino students. (Ex. 416 ¶ 7 [Dkt. 330-5, at p. 84]).

318. The discrimination in education in San Antonio schools meant that Latinos in San Antonio were provided with an inferior education, which left them at a disadvantage in terms of their current ability to participate in the political process. (Ex. 416 ¶ 8 [Dkt. 330-5, at p. 84]).

e. Dallas-Fort Worth Metroplex

319. The Dallas Independent School District (DISD) was under federal court order to desegregate its schools. (Ex. 415 ¶ 14 [Dkt. 330-5, at p. 81]).

f. South Texas

320. Hector Flores testified that when he was growing up the public schools in Dilley were segregated by race. (Ex. 415 ¶ 3 [Dkt. 330-5, at p. 79]).

321. During segregation, in comparison to the Latino schools, the Anglo schools in Dilley were clean and well maintained, with inside restroom facilities. These schools had new textbooks and sufficient supplies. (Ex. 415 ¶ 6 [Dkt. 330-5, at p. 80]).

322. Hector Flores testified that when he was growing up the "Latino schools" were deteriorated and needed substantial maintenance and repair, and some only had had an outhouse for a restroom. Most, if not all, of the classrooms did not have sufficient desks or chairs for the students. The schools lacked sufficient school supplies or textbooks. (Ex. 415 ¶ 3 [Dkt. 330-5, at p. 79]).

323. When Hector Flores was growing up, Latinos in Dilley were funneled into special classes where they were taught how to perform calculations so they would know how much fertilizer to lay down in the fields. (Ex. 415 ¶ 4 [Dkt. 330-5, at p. 79]).

324. There was not much emphasis on reading and writing for Latinos in Dilley. (Ex. 415 ¶ 4 [Dkt. 330-5, at p. 79]).

325. Hector Flores recalls that in Dilley, there were special "graduation" ceremonies for Latinos in sixth grade, when they were encouraged to exit school and begin working in the fields. (Ex. 415 ¶ 4 [Dkt. 330-5, at p. 79]).

326. When schools started to be integrated in Dilley, Latino students were punished for speaking Spanish at school. (Ex. 415 ¶ 7 [Dkt. 330-5, at p. 80]).

327. When schools started to be integrated in Dilley, the white students often bullied the Latino students, calling them pejorative names like "greaser" and "pelado." (Ex. 415 ¶ 7 [Dkt. 330-5, at p. 80]).

328. In the 1940s and 1950s, schools in Uvalde had separate classes for Mexican students. Mexicans were not allowed to mix with the whites. (Ex. 420 ¶ 3 [Dkt. 330-5, at p. 101]).

329. Gilberto Torres testified that teachers in Uvalde in the 1940s and 1950s called the Mexican children with green or blue eyes derogatory names for people of mixed race. (Ex. 420 ¶ 3 [Dkt. 330-5, at p. 101]).

330. In the 1940s and 1950s, Latino children often had to work to help support their families in Uvalde, in part because of the discrimination faced by Latino workers. (Ex. 420 ¶ 4 [Dkt. 330-5, at p. 101]).

331. Gilberto Torres' father was a ranch worker who was only paid one dollar a day while the Anglo ranch workers got paid a lot more – up to $50 a week. (Ex. 420 ¶ 4 [Dkt. 330-5, at p. 101]).

332. Gilberto Torres testified that in the 1950s, guidance counselors in Uvalde dissuaded Latinos from going to college, and encouraged them to go into vocational programs. This is why Mr. Torres became an upholsterer. (Ex. 420 ¶ 6 [Dkt. 330-5, at p. 101]).

333. At this time, a greater percentage of Anglo students than Latino students in Uvalde went to college. Mr. Torres estimates that only about 4% to 5% of Latinos went to college. (Ex. 420 ¶ 6 [Dkt. 330-5, at p. 101]).

334. Both Cameron and Hidalgo counties experience a disproportionally high dropout rate for students. With a drop out rate close to 49%, both counties also lack adequate educational alternatives. (Ex. 419 ¶ 13 [Dkt. 330-5, at p. 98]).

335. The conditions in schools in Uvalde have not improved much for Mexican American students, because there is still a high dropout rate. (Ex. 420 ¶ 7 [Dkt. 330-5, at pp. 101-02]).

g. Houston

336. Mary Ramos testified that when she was a child, predominantly Latino schools in Houston often did not have sufficient resources, such as books. (Ex. 417 ¶ 4 [Dkt. 330-5, at p. 88]).

337. Mary Ramos testified that when she was a child, schools in Houston did not allow children to speak Spanish, and they children would be punished by being paddled and having their mouths washed out with soap. (Ex. 417 ¶ 5 [Dkt. 330-5, at p. 88]).

4. Discrimination in Houston

a. Southeast Austin-San Antonio

338. In the 1850s in Austin, Latino landowners were driven out of the city by vigilante groups organized by the city council, which subsequently took their land. (2011 Tr. 589:14-18).

339. Latinos were then recruited back into Austin as laborers, but only allowed to live in the city dump. (2011 Tr. 589:19-23; Tijerina Report, Ex. E-10 [Dkt. 325-1], at p. 5-6).

340. Once the city dump was moved, the Latino community found itself on prime real estate. (2011 Tr. 590:13-23).

341. The city obtained federal funding to create the first housing project in the nation, specifically as an incentive to give Latinos and African-Americans free housing to move them off of the prime real estate. (2011 Tr. 591: 3-8).

342. The city of Austin went on to advertise its housing project, even though it was effectively a government-created "barrio" through urban planning. (2011 Tr. 591:14-592:1; Tijerina Report, Ex. E-10 [Dkt. 325-1], at p.3).

b. Statewide

343. Austin was not the only city in which a barrio was created. Across the state, Latinos were simply not allowed to settle within city limits. As cities grew, those areas where Latinos had settled became barrios. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p.18).

344. To further promote the racial segregation that the barrios created, many Texas cities used restrictive covenants and deed restrictions to keep Latinos from being able to move into more affluent neighborhoods. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p.23).

345. In the mid- to late-1800s local officials condoned and facilitated, often times violent, efforts to drive Latinos from their lands. Groups of Anglo-Americans would conduct raids whereby they would storm onto Latino property, burn livestock and property, and kill Latino landholders or force them to sell their property through violence. (2011 Tr. 588:2-6; Tijerina Report, Ex. E-10 [Dkt. 149-6], at p. 5-8).

346. Legal means were also used to divest Latinos of their land rights. In 1852, the Texas legislature passed the Texas Land Relinquishment Law requiring that all unarchived lands granted before 1835 be surveyed and filed with the Texas General Land Office by 1853 or be declared null and void. When Latinos would try to plead their land cases, they were told that a committee rule required that in order for Latinos or other non-whites

to testify, their character had to be established by the testimony of two white men. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p. 8).

347. Fifty years later, Latinos who were previously significant landowners in Texas, such as Abelardo Balli, were reduced to traveling between counties to look for work and thus subject to restrictive labor controls, such as the use of the county pass. (2011 Tr. 587:22-588:3; Tijerina Report, Ex. E-10 [Dkt. 325-1], at p. 4).

348. When Hector Flores was a child, housing in Dilley was segregated with Latinos living on the east side of town, and the Anglos lived on the west side, divided by the roadway which today is US 35. (Ex. 415 ¶ 10 [Dkt. 330-5, at p. 80]).

c. El Paso County

349. Factories and heavy industries with extensive pollutants are allowed to exist next to Latino residential areas creating "smelter towns" resulting in continuing health concerns among the Latino community. (Ex. 418 ¶ 13 [Dkt. 330-5, at p. 94]).

d. Rio Grande Valley

350. Cameron Park in Cameron County is a "colonia." The Texas Secretary of State's website describes colonias as communities in the "area along the Texas Mexico border that may lack some of the most basic living necessities, such as potable water and sewer systems, electricity, paved roads, and safe and sanitary housing." Most of the housing in Cameron Park lacks this basic infrastructure. (Ex. 419 ¶ 8 [Dkt. 330-5, at p. 98]).

351. The colonias, many of which are contained in State House District 32 in Plan H292, all share similar issues of inadequate storm drainage, paved roads, police and fire protection, and safe and sanitary housing. Services common in the rest of the state, such as 911

response systems are missing in many areas of these counties. (Ex. 419 ¶ 9 [Dkt. 330-5, at p. 98]).

352. According to the Texas Secretary of State's website, Hidalgo County has the most colonias and largest number of colonia residents in Texas. (Ex. 419 ¶ 10 [Dkt. 330-5, at p. 98]).

e. Houston

353. There are concentrated pockets of segregated neighborhoods in Harris County. (Ex. 417 ¶ 11 [Dkt. 330-5, at p. 89]).

354. There has discriminatory use of housing codes by local governments against Latinos, such as where the City of Kemah used housing codes to prohibit Latino residents who owned desirable real estate from renovating their homes after Hurricane Ike in 2008. The city forced these Latino residents to sell their homes by claiming that these houses would have to be demolished, yet these houses were never demolished after they changed hands. (Ex. 417 ¶ 12 [Dkt. 330-5, at p. 89]).

5. Employment

a. Statewide

355. Across the state, Texas Hispanics—including those born in Texas—have lower incomes and earnings when compared to non-Hispanics. (Chapa Report, Ex. E-1 [Dkt. 128-5], at p. 4; [Dkt. 128-9, at tbl. 3]).

356. Statewide, absolute median incomes for Latino men and women are substantially lower than they are for non-Hispanic White men and women. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 9).

357. Latino men make 52% of non-Latino White men's median income, while Latino women make 59% of non-Hispanic White women's median income. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 9).

358. Beginning in the early 20th century, Texas state officials condoned limiting Latino education so as to better control Latinos in the labor force. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p.14).

359. Similar to the Black Codes used against African-American freed slaves during Reconstruction, Latinos experienced labor controls through the use of the county pass, which allowed only designated Latinos to go from one county to another to seek a better job or higher wages. Otherwise, local laws prohibited the free movement of Latino workers. (2011 Tr. 586:24-587:24; Tijerina Report, Ex. E-10 [Dkt. 325-1], at p.4).

360. Government officials systematically arrested Latinos who did not have county passes and paroled them as "convict labor." (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p.15).

361. Through these labor controls, government officials were able to create local labor surpluses and drive down wages. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p.15).

362. Workers in the 1940's picking cotton on the migrant trails - including in Sinton, Taft, Banquete, Bishop, Bastrop, Taylor, Elgin, Tahoka, Paduca and Littlefield - would receive 50 to 75 cents an hour for the work. (Ex. 413 ¶ 2 [Dkt. 330-5, at p. 72]).

363. The housing for these farm workers usually involved a shack but there were times when they would have to sleep in a chicken coop. (Ex. 413 ¶ 3 [Dkt. 330-5, at p.72]).

364. At this time there was no access to healthcare for migrant workers, and it was unacceptable to be sick at work. (Ex. 413 ¶ 4 [Dkt. 330-5, at p. 72]).

365. Alex Jimenez recalled his youth in Eastland, Texas when Mexican Americans were subjected to wage discrimination but continued to work under discriminatory conditions because it was the only work available. (2011 Tr. 563:1-23).

366. During his early working career Mr. Jimenez recalled that his supervisor thought it was appropriate to call Mr. Jimenez "Pepper Belly," and Mr. Jimenez just had to look the other way. (2011 Tr. 565:2-11).

367. When Mr. Jimenez earned a promotion to vice president at TXU, he received a number of calls accusing him of filling a quota. (2011 Tr. 567:25-568:19).

b. Austin-San Antonio

368. When lay witness Andrew Hernandez was a child, Latinos at Kelly Field in San Antonio experienced discrimination with respect to employment, such as having less experienced Anglo workers promoted ahead of them. (Ex. 416 ¶ 3 [Dkt. 330-5, at p. 84]).

369. When former Texas Senator Gonzalo Barrientos was a child in the 1940s, his family members worked in coal mining and migrant farm work. When he was around three or four years old, his grandfather was a coal miner along with his father and uncles. After that, his family members were migrant farm workers on the trails in South Texas and West Texas. He grew up in Bastrop, near Austin, Texas. (Aug. 2014 Day 4 Tr., 1143:1-1143:7, Aug. 14, 2014; PL 413).

370. According to Sen. Barrientos, living standards for migrant workers when he was growing up were not good and there was a lot of poverty. Sen. Barrientos's family stayed in shacks. The Senator also remembered one year when his family stayed in a chicken shack and his mother cleaned it out and they had "sacos de malva," or burlap sacks, for their carpet. (Aug. 2014 Day 4 Tr., 1143:8-1143:16, Aug. 14, 2014).

371. Sen. Barrientos remembered riding on the cotton sacks that his parents were pulling when he was a very young child. When he was around six years old, he began to help pick the cotton, and would put it in the middle of the row for his parents to pick up and put in a sack. (Aug. 2014 Day 4 Tr., 1143:25-1144:9, Aug. 14, 2014).

372. Sen. Barrientos was a community organizer for the National Urban League in the 1960s and was a coordinator for Cesar Chavez farmworkers in the boycott. As a labor organizer, Sen. Barrientos saw that farm workers faced challenges like the lack of child care, the lack of health care, and the inability to get farm workers' children from the fields to the schools. (Aug. 2014 Day 4 Tr., 1150:24-1151:17, Aug. 14, 2014).

373. In the '60s there was a furniture factory in Austin called Economy Furniture which Sen. Barrientos helped organize. The factory workers wanted to unionize, and the strike started sort of a civil rights era for the Mexican American in Austin Central, Texas. Sen. Barrientos testified that there has always been discrimination in employment against Mexican-Americans and that progress in terms of equitable hiring has been slow. (Aug. 2014 Day 4 Tr., 1151:18-1152:6, Aug. 14, 2014).

c. Rio Grande Valley

374. Both Hidalgo and Cameron counties have disproportionately high unemployment rates as compared to Texas as a whole. Many residents of both areas are seasonal workers in the agricultural industries, and many lack opportunities to gain regularized work. Residents of both counties could benefit from increased job training and efforts to promote job creation in the region. (Ex. 419 ¶ 14 [Dkt. 330-5, at pp. 98-99]).

375. According to the 2000 US Census, Cameron Park was the poorest town of its size in the United States, with a per capita income, at $4,135, less than that of El Salvador, Guatemala, or Mexico. (Ex. 419 ¶ 8 [Dkt. 330-5, at p. 98].

d. Houston

376. Latinos have disproportionately low employment in public sector jobs in the Houston metropolitan area. (Ex. 417 ¶ 15 [Dkt. 330-5, at pp. 89-90].

e. El Paso County

377. There is a history of employment discrimination in El Paso. (Ex. 418 ¶ 12 [Dkt. 330-5, at p. 94]).

378. For decades, Farah Manufacturing's factory was the largest employer in El Paso. The factory workers were almost exclusively Latino, while the owner and the management were Anglo. (Ex. 418 ¶ 12 [Dkt. 330-5, at p. 94]).

379. The Farah clothing factory in El Paso had unfair wages, minimal benefits, racial tensions, and pressures to meet high quotas until the strike and boycott in the 1970s. (Ex. 418 ¶ 12 [Dkt. 330-5, at p. 94]).

380. Farah ostracized and intimidated employees who attempted to organize. (Ex. 418 ¶ 12 [Dkt. 330-5, at p. 94]).

6. Other Historical Discrimination, Socioeconomic Disparities and Representational Needs

381. There was no access to healthcare for migrant workers like Sen. Barrientos's family at the time he was a child in the 1940s. He remembered when his uncle was injured while working and just persevered. According to Sen. Barrientos, the attitude of farmer or growers towards the sick employee for migrant workers, "[y]ou get sick, you don't get paid." (Aug. 2014 Day 4 Tr., 1143:17-1143:24, Aug. 14, 2014; PL 413).

382. After being killed in World War II, the American soldier Felix Longoria was denied services by the funeral home Three Rivers, Texas. (Ex. 413 ¶ 14 [Dkt. 330-5, at p. 73]).

383. Senator Barrientos testified that in Littlefield, Texas, a waitress denied entrance to his family, telling them that the restaurant did not serve Mexicans. (Ex. 413 ¶ 5 [Dkt. 330-5, at p. 72]; Aug. 2014 Day 4 Tr., 1144:20-1145:10).

384. Senator Barrientos testified that in West Texas, Latinos would regularly be required to get their food from the back of the restaurant and would have to take the food to go because they would not serve "Mexicans." (Ex. 413 ¶ 5 [Dkt. 330-5, at p. 72]; Aug. 2014 Day 4 Tr., 1144:10-1144:19).

385. When Hector Flores was a child in Dilley, Latinos were regularly subjected to being called derogatory and harassing names. (Ex. 415 ¶ 8 [Dkt. 330-5, at p. 80]).

386. Hector Flores testified that when he lived in Dilley, Latinos would often have store clerks follow them around the store. (Ex. 415 ¶ 8 [Dkt. 330-5, at p. 80]).

387. There was a pool in Lubbock that allowed Latinos to swim only on Thursdays, before the pool was drained and cleaned for the Anglos on the weekend. (2011 Tr. 552:22-553:5).

388. Mr. Jimenez recalled having to call banks in advance to establish checking accounts because if he let his ethnicity be the bank's first impression, opening an account became an ordeal. One bank, where he had cashed checks previously, required him to produce ID while cashing an Anglo coworker's check without hesitation. (2011 Tr. 565:18-566:22).

a. Southeast Austin-San Antonio

389. Senator Barrientos recalls that Austin had segregated movie theatres and pools. (Ex. 413 ¶ 15 [Dkt. 330-5, at pp. 73-74]; Aug. 2014 Day 4 Tr., 1149:20-1150:4, 1150:5-1150:10)

390. In the 1930s and 1940s, the west side of San Antonio was almost 100% Mexican American and housing in that area was substandard. (2011 Tr. 550:1-17).

391. Senator Joe Bernal testified that San Antonio had segregated swimming pools. Guards would allow people with lighter skin to enter and turn away those with darker skin. (2011 Tr. 551:14-20).

392. At a San Antonio pool that was not officially segregated, Anglos would pick fights with Latinos because they wanted to ensure that the Latinos did not return to the pool. (2011 Tr. 551:21-552:1).

393. In New Braunfels around 1945, a restaurant discriminated against Latinos, forcing them to eat in the back. (2011 Tr. 552:5-15).

b. South Texas

394. Gilberto Torres testified that when he was young, many Mexican families in Uvalde could not afford to go to the doctors when a member of the family was sick. (Ex. 420 ¶ 4 [Dkt. 330-5, at p. 101]). This may not have been of any consequence because most doctors would not serve Mexicans. (Ex. 420 ¶ 4 [Dkt. 330-5, at p. 101]).

395. In Uvalde there were restaurants with signs that said "No dogs or Mexicans allowed." (Ex. 420 ¶ 5 [Dkt. 330-5, at p. 101]).

396. In Uvalde during Gilberto Torres's lifetime, there were many restaurants that served Mexicans only from the kitchen. (Ex. 420 ¶ 5 [Dkt. 330-5, at p. 101]).

397. In 1970, Gilberto Torres lost business from Anglos because of his support for Latino students' walkout to protest school conditions. (Ex. 420 ¶ 7 [Dkt. 330-5, at p. 101-02]).

398. A problem common to the Rio Grande Valley region is a lack of health care facilities available to low income residents of the county areas. There is no public hospital in the

region; the closest available public hospital is in San Antonio, a five hour drive. (Ex. 419 ¶ 11 [Dkt. 330-5, at p. 98]).

399. Additionally, there are a high number of veterans in this area but there is only a small facility available to address their needs. (Ex. 419 ¶ 11 [Dkt. 330-5, at p. 98]).

c. Houston

400. When Mary Ramos was a child in Houston, she had to sit in the balcony at movie theaters. (Ex. 417 ¶ 7 [Dkt. 330-5, at p. 88]).

401. When Mary Ramos was a child, Local restaurants in Houston would only serve Mexicans out of the back door. (Ex. 417 ¶ 8 [Dkt. 330-5, at p. 88]).

402. When Mary Ramos was a child, there were limited economic opportunities available to Latinos in Houston. (Ex. 417 ¶ 6 [Dkt. 330-5, at p. 88].

d. El Paso County

403. State government agencies always have understaffed the El Paso regional offices and in many cases, El Paso has no regional offices despite having a much larger population than any other West Texas city. As a result, good government jobs, including supervisory positions, are scarce in El Paso. (Ex. 418 ¶ 8 [Dkt. 330-5, at p. 93]).

404. Neither the State of Texas nor the County of El Paso has ever adequately funded Canutillo in terms of medical, education, and infrastructure needs. (Ex. 414 ¶ 4 [Dkt. 330-5, at p. 76]).

405. Canutillo historically lacked public health clinics and medical services and residents had to travel to downtown El Paso to receive hospital care until very recently. (Ex. 414 ¶ 7 [Dkt. 330-5, at p. 76]).

406. There continues to be a shortage of county clinics in Canutillo. (Ex. 414 ¶ 7 [Dkt. 330-5, at p. 76]).

407. Canutillo always has suffered from poor funding in terms of economic development, infrastructure needs, and business development. (Ex. 414 ¶ 8 [Dkt. 330-5, at p. 77]).

408. El Paso does not receive its fair share of highway funds, Medicaid reimbursements, or other needs. (Ex. 418 ¶ 7 [Dkt. 330-5, at p. 93]).

409. El Paso has an extensive history of discrimination against Latinos. (Ex. 418 ¶ 5 [Dkt. 330-5, at p. 93]).

7. The Use of Overt or Subtle Racial Appeals in Political Campaigns

410. In a 1997 Corpus Christi municipal election Betty Black, an Anglo city-council candidate, used the possibility of a Hispanic-majority council as a way of motivating her supporters to vote. (Ex. 412 ¶ 11 [Dkt. 330-5, at p. 69]).

411. There have been racial appeals used in campaigns against Latino candidates in San Antonio, such as in the 1960's, there was an election ad that featured a brown hand in a negative portrayal in an election with a Latino candidate named Pete Torres. (Ex. 416 ¶ 13 [Dkt. 330-5, at p. 85]).

8. The Extent to Which Members of the Minority Group Have Been Elected to Office in the Jurisdiction

412. Very few Latinos can get elected in non-Hispanic-majority districts. (2011 Tr. 780:11-12).

413. The lack of Latino and African American congressional members that come from districts without a Latino majority population demonstrates polarization. (Ex. J-51, at 62:5-62:18).

414. The absence of Latinos from all levels of appointed positions before 1970 is a major indicator of their exclusion from the democratic process in Texas. (Tijerina Report, Ex. E-10 [Dkt. 149-6], at p.14).

415. The Latino population has begun to see more Latino elected officials and Latino government employees, which has opened the doors to more political participation among Latinos than in the past. (Ex. 418 ¶ 5 [Dkt. 330-5, at p. 93]).

9. The Extent to Which Elected Officials are Unresponsive to the Particularized Needs of the Members of the Minority Group

a. El Paso County

416. The socioeconomic shortages in Canutillo are a result of political representation that has ignored the needs of Canutillo residents, a trend that continues today. (Ex. 414 ¶ 8 [Dkt. 330-5, at p. 77]).

b. Dallas Fort-Worth Metroplex

417. Local officials in areas like Irving and Farmers Branch have not always been responsive to the needs of Latinos on the issues of discrimination in housing for immigrants and of racial profiling of Latinos. (Ex. 415 ¶ 17 [Dkt. 330-5, at p. 82]).

c. South Austin (CD 35 in C190)

418. Politicians have been generally unresponsive to the residents of Dove Springs when they have attempted to organize around issues of healthcare access and other issues. (Ex. 416 ¶ 25 [Dkt. 330-5, at p. 87]).

419. This lack of responsiveness would result in the residents becoming politically disengaged and they would stop participating in organizing and political campaigns. (Ex. 416 ¶ 25 [Dkt. 330-5, at p. 87]).

420. During the time in which Andrew Hernandez worked at the Wesley Center, the actions of most politicians led him believe that these politicians did not feel as though the Latino residents of Dove Springs were essential to their electoral chances. (Ex. 416 ¶ 26 [Dkt. 330-5, at p. 87]).

d. The Rio Grande Valley

421. It has been difficult for communities in Hidalgo and Cameron counties to get sufficient or sustained attention from the state government. (Ex. 419 ¶ 17 [Dkt. 330-5, at p. 99]).

422. One of the reasons for the lack of sustained attention to colonias is the constant changes in elected officials' priorities depending on the current political and economic climate. (Ex. 419 ¶ 17 [Dkt. 330-5, at p. 99]).

10. CD 23

423. The Texas Statewide Election Eve 2010 poll conducted by Latino Decisions and released on November 2, 2010 indicated that the most important issue for Latinos was immigration (35%), followed by jobs (28%), and education (16%). (Flores Report, Ex. E-8 [Dkt. 191-1], at p. 6).

424. The Latino Decisions Texas Statewide Poll of Feb 24, 2008 shows that the economy, health care, and immigration were issues of greatest concern to Texas Latino voters. (Flores Report, Ex. E-8 [Dkt. 191-1], at pp. 6-7).

425. A review of United States Representative Francisco Canseco's (R-Tx, CD23) sponsored and cosponsored legislation during the 112th Congress showed that Rep. Canseco did not sponsor any legislation on immigration reform other than to increase law enforcement on the border. (Flores Report, Ex. E-8 [Dkt. 191-1], at p. 7).

426. Rep. Canseco's sponsorship and co-sponsorship record with respect to immigration, an issue of importance to Latino voters, does not coincide with concerns as expressed in the polls. (Flores Report, Ex. E-8 [Dkt. 191-1], at p. 7).

11. Racial Hostility in the 2011 Legislature

427. The 2011 Legislative session was filled with racial tensions due to legislation related to immigration, school finance, strict voter identification requirements at the polls, and redistricting. (2011 Tr. 810:15-813:4).

428. The acrimony that has been publicly reported in the 2011 legislative session surrounding the redistricting process and other issues significant to Latinos, such as immigration reform, "sanctuary cities," and educational reform, was more racially charged in 2011 than at any time since at least 1981. (Flores Report, Ex. E-8 [Dkt. 191-1], at pp. 1, 6).

429. Latinos and Spanish speakers were the principal targets of the racially charged atmosphere in the Legislature. (2011 Tr. 436:7-9).

430. According to State Representative Larry Gonzales, a Latino Republican, legislative debate on immigration during 82nd Legislative session upset some Latinos because it is a personal issue to them. (2011 Tr.1658:1-1659:19).

431. According to State Representative Larry Gonzales, a Latino Republican, Latino Republican members had to work with their Anglo colleagues to address the racial tones of the debate. (2011 Tr.1658:1-1659:19).

432. On June 13, 2011, in the Special Session of the 82nd Legislature Senate Transportation and Homeland Security Committee Hearing on SB 9, a man attempted to give testimony through an interpreter. State Senator Chris Harris stated: "Did I understand him correctly that he has been here since 1998? . . . Why aren't you speaking in English,

then? . . . You've been here for 23 years!" The interpreter stated: "Spanish is his first language, and since it's his first time giving a testimony, he would rather do it in Spanish." Senator Harris replied, pointing aggressively: "It's insulting to us. It is very insulting. And if he knows English, he needs to be speaking in English." (2011 Tr. 437:1-438:22; 2011 Tr. 441:7, 13, 17; PL Ex. 202 at 0:17-1:24).

433. On June 13, 2011, Rebecca Forrest spoke at a rally on the Capitol steps. Ms. Forrest was sponsored to speak on the Capitol steps by State Senator Leo Berman. At this rally, she stated: "If you really want to know why in Texas we don't get immigration legislation passed, it's because we have 37, 36 Hispanic legislators in the Texas Legislature. All of the states that have passed legislation have a handful . . . ." (2011 Tr. 441:7, 13, 17; PL Ex. 202 at 1:25-1:45).

434. On January 13, 2011, State Representative Leo Berman appeared on Austin KXAN news. He stated, "Every sign on the road is in English, and, uh, if you can't read English, you shouldn't be able to drive in the State of Texas." (2011 Tr. 441:7, 13, 17; PL Ex. 202 at 1:45-2:00).

12. Racial Hostility in Recent Texas Legislatures Preceding 2011

435. On May 1, 2009, State Representative Dennis Bonnen participated in a House Floor Debate regarding the Texas Top Ten Percent Plan. He stated, "In the Hispanic culture, they are less interested in seeing their young daughters go to Austin or go to College Station at 18 years of age. They want to keep them at home." (2011 Tr. 441:7, 13, 17; PL Ex. 202 at 2:00-2:16).

436. On April 30, 2010, State Representative Debbie Riddle was discussing Arizona- style immigration legislation in Texas on the Partisan Gridlock Radio Show on KPFT. In

response to the interviewer's question, "how do you generate an outcry among the people of color that is equivalent to the outcry from white people?" State Rep. Riddle stated, "[t]he reason that's difficult is when you have people that are used to entitlements, then they like the entitlements, and they want the entitlements to keep coming." (2011 Tr. 441:7, 13, 17; PL Ex. 202 at 2:16-2:30).

437. Texas Land Commissioner Jerry Patterson, who was reelected in 2010, sponsored a license plate featuring the Confederate flag. (PL Ex. 391 [Dkt. 330-4, at p. 7]).

438. Texas Land Commissioner Jerry Patterson called objections to the placement of the Confederate Flag on license plates "[r]ace-baiting" and suggested "inflammation" on the part of the opponents. Mr. Patterson continued: "I am proudly a member of the [Sons of Confederate Veterans]; my great grandfather James Monroe Cole served in the Louisiana Infantry during the War, died in the Texas Confederate Veterans Home and is buried in the Texas State Cemetery here in Austin. As a statewide elected official, I sponsored the plate because of my personal heritage and my commitment to Texas history – even the history others might find offensive." At the beginning of the article, Mr. Patterson placed a quotation suggesting that he did not care who he offended with the sponsorship: "There is no statutory protection against being offended. Actually, it's the privilege of every American to be offended." (PL Ex. 391 [Dkt. 330-4, at p. 7]).

439. Richard Land, President of the Southern Baptist Convention's Ethics & Religious Liberty Commission stated in the Houston Chronicle on July 30, 2010, "If the conservative coalition is going to be a governing coalition, it's going to have to include an awful lot of Hispanics, an you're not going to bring an awful lot of Hispanics into your coalition with anti-Hispanic immigration rhetoric." (PL Ex. 390 [Dkt. 330-4, at p. 1]).

440. Rep. Berman stated, "It could cause a divide in the right. There's no question about it. . . . The right in Texas, the Baptist, the Methodists, the Episcopalians, the people on the right, just don't want to see that happen. So, they might be causing problems with their own churches." (PL Ex. 390 [Dkt. 330-4, at p. 1]).

441. State Representative Leo Berman, "who is pushing for a tough Arizona-style immigration law for Texas, said evangelical ministers who promote immigration reform risk losing their congregations and the White House in the future." (PL Ex. 390 [Dkt. 330-4, at p. 1]).

442. In a broadcast of NPR's All Things Considered the reporter stated: "In Texas, the Republican Party is changing tack on illegal immigration. The relatively welcoming, tolerant attitude embraced by George W. Bush when he was governor is waning. It's been overtaken by a flood of Arizona-style get-tough measures. Nearly 100 immigration bills have been written or filed in the current legislative session." (PL Ex. 388 [Dkt. 330-3, at p. 4]).

443. Also during the 2011 Legislative Session, State Representative Leo Berman spoke on public radio regarding Texas immigration bills and whether or not to seek Latino voter support. He stated, "So what vote are we going after? We're going after a vote that doesn't vote Republican anyway." (PL Ex. 388 [Dkt. 330-3, at p. 4]).

444. The program described some of the bills from this session: "Berman has filed a bill that would make English the official state language. Rep. BERMAN: 'That will shut off the state [sic] printing in any language but English, and that's going to save millions of dollars right there.'" (PL Ex. 388 [Dkt. 330-3, at p. 4]).

445. NPR quoted State Representative Aaron Pena, a Texas Republican, as stating, "The tone of the debate is basically saying: We don't want you. This is a war over our culture. These people bring diseases into our country." (PL Ex. 388 [Dkt. 330-3, at p. 5]).

446. NPR further reported that "Pena says there are plenty of Texas Republicans who quietly share his concern about the tone of the debate and its long-term effect on Hispanic voters." (PL Ex. 388 [Dkt. 330-3, at p. 5]).

II. H283 Intentionally Discriminates Against Latino Voters in Violation of Section 2 and the Fourteenth Amendment

A. Sequence of Events Leading up to Challenged Decision

447. The 2011 Texas Legislative Session started on January 11, 2011. (July 2014 Tr. at 1929:25-1930:9).

448. On January 24, 2011, the Texas House of Representatives rejected a rules adoption stating that all maps approved by the Legislature would comply with the Voting Rights Act. (PL Ex. 223 [Dkt. 320-2, at 22-24]).

449. Burt Solomons was a state representative from Denton County and the Chair of the House Redistricting Committee. (2011 Tr.1551:25-1552:14).

450. On February 9, 2011, House Speaker Straus asked Burt Solomons to chair the House Redistricting Committee. (July 2014 Tr. at 1068:23-1069:14, 1928:6-12).

451. House Speaker Joe Straus instructed Rep. Solomons and his staff that he wanted the Legislature to enact a House redistricting plan in 2011 so that they would not lose control over the map as they had in 2001 when House redistricting was conducted by the Legislative Redistricting Board. (July 2014 Tr. at 1926:13-1927:9).

452. Chairman Solomons hired Ryan Downton as legal counsel to the Redistricting Committee. Ryan Downton was an attorney in private practice who focused on

commercial litigation with some healthcare; he was also part owner of a medical imaging center. Ryan Downton did not have a specialty in election law. Ryan Downton worked under the supervision of Bonnie Bruce, Chief of Staff for Burt Solomons and also the Redistricting Committee clerk during the 2011 legislative session. (2011 Tr. 1554:18-25, 1920:23-1921:1, 1922:17-25, 2131:20-2132:9, 2120:22-23).

453. The Texas Legislature received redistricting data from the U.S. Census on February 17, 2011. (July 2014 Tr. at 1930:10-16).

454. At the start of redistricting, Chairman Solomons informed the members of the Texas House that he wanted redistricting to be a member driven process. (July 2014 Tr. at 1069:15-1070:25).

455. Gerardo Interiano was counsel to Joe Straus, Speaker of the Texas House of Representatives, and served as the lead staffer in charge of House redistricting. (2011 Tr. 1418:7-14).

456. Ms. Bruce, Mr. Downton and Mr. Interiano shared a suite of offices in the Capitol building. The Redistricting Committee had two offices in that suite and the Speaker had two offices; they shared a conference room. (July 2014 Tr. at 1923:8-16).

457. Mr. Interiano testified that he prepared for the redistricting process beginning in October 2010 by attending conferences of the National Conference of State Legislatures, reading articles, attending trainings of the Texas Legislative Council, participating in one-on-one training with the Texas Legislative Council, and spending close to 1,000 hours familiarizing himself with the REDAPPL redistricting software. (July 2014 Tr. at 1475:15-1476:25).

458. Chairman Solomons maintained oversight over the redistricting map and relied on Gerardo Interiano, Bonnie Bruce and Ryan Downton to update him on the progress of redistricting. (July 2014 Tr. at 1073:2-12).

459. Chairman Solomons announced to the House that he wanted the members of the 8 drop-in counties to get together and draw their maps. (July 2014 Tr. at 1935:14-21)

460. Mr. Interiano testified that he made efforts to get members of county delegations to work together on creating maps for their counties. (2011 Tr. 1442:14-20).

461. Mr. Interiano testified that if members of a county delegation could not agree on a map for their county, Chairman Solomons, Speaker Straus and a member of the delegation would make the final decision. (2011 Tr. 1442:2-6).

462. Chairman Solomons filed a skeleton bill for the Texas State House map on March 8, 2011. (2011 Tr. 795:8-15; PL Ex. 210).

463. The House Redistricting Committee held its first hearing on March 1, 2011 and only took public testimony from the state demographer and the Texas Legislative Council on the population increases and the laws regarding redistricting. (July 2014 Tr. at 1935:22-1936:22; PL Ex. 210).

464. In its March 1, 2011 public hearing, the Redistricting Committee did not present a redistricting plan for public review or comment. (July 2014 Tr. at 1936:24-1937:4)

465. Senator Seliger, the chairman of the Senate Select Committee on Redistricting, did not work with Chairman Solomons on the State House Map. (2011 Tr. 1564:11-20).

466. Bonnie Bruce, Chief of Staff to Chairman Solomons, had frequent contact with the Texas Legislative Council. Ms. Bruce talked to either David Hanna or Jeff Archer daily and exchanged emails with them. Ms. Bruce consulted Mr. Hanna and Mr. Archer about

retrogression, about the maps, and about what was possible for the Committee to do or not do. She also consulted Mr. Hanna and Mr. Archer about the hearings, about public input, and about the timing of the hearings. (July 2014 Tr. at 1940:13-24)

467. Ms. Bruce also asked David Hanna to perform a retrogression analysis on the Committee's draft redistricting plans which he produced in a series of three memos. Ms. Bruce shared the 'Hanna memos' with Gerardo Interiano, Ryan Downton and Representative Solomons. (July 2014 Tr. at 1157:5-18; 1940:25-1941:25, 1957:9-15)

468. On April 6, 2011, Ryan Downton sent a statewide redistricting map to David Hanna with a request for Mr. Hanna to run a retrogression analysis. (July 2014 Tr. at 1999:25-2000:17; DEF Ex. 325).

469. Two days later, on Friday, April 8, 2011, David Hanna sent an email to Denise Davis, Chief of Staff to Speaker Straus, warning Ms. Davis that "your minority districts have some issues with Sec. 5." (US Ex. 117).

470. Mr. Hanna sent his email to Ms. Davis after completing a memo reviewing the draft plan from the House Redistricting Committee (July 2014 Tr. at 1154:16-1155:14).

471. Mr. Hanna's April 7 memo, titled "Possible Retrogression Issues for Black and Hispanic Districts in Proposed House Plan," warned that the draft House plan reduced the Latino voting strength in a number of districts around the state and recommended further work to repair the districts. (July 2014 Tr. at 1155:9-25; US Ex. 347).

472. On April 12, 2011, Mr. Hanna prepared his second legal memo, analyzing the Committee's draft plan H110. The memo raised a retrogression concern regarding the elimination of HD33 in Nueces County as well as the reduction of Latino voting strength in other counties, including Bexar, Dallas, Tarrant, and Harris counties. The memo

further urged the Committee to consider whether section 2 of the Voting Rights Act required the creation of a fifth Latino opportunity district in Harris County. (July 2014 Tr. at 1160:3-25; DEF Ex. 327; US Ex. 339).

473. David Hanna had successfully drafted an additional Latino majority House district in Harris County. (July 2014 Tr. at 1207:20-23).

474. On April 13, 2011, Chairman Solomons made public the substantive redistricting bill for the Texas House. That plan was titled H113. (July 2014 Tr. at 1939:23-1940:2; 2011 Tr. 795:16-17).

475. On April 14, 2011, the House Redistricting Committee posted a notice for an April 15, 2011 public hearing on the bill. (PL Ex. 203 [Dkt. 320-1, at 13]; PL Ex 204 [Dkt. 320-1, at 14] PL Ex 205 [Dkt. 320-1, at 15]).

476. On April 15, 2011 the Latino Redistricting Task Force testified in the House Redistricting Committee and informed the Committee that the Committee's proposed House redistricting Map H113 reduced Latino electoral opportunity. The Task Force informed the committee that Latinos had fewer electoral opportunities in the Committee's proposal when compared to the benchmark map and that the map presented a serious question of retrogression under section 5 of the Voting Rights Act. The Task Force also stated that the Committee map's failure to create Latino majority districts where appropriate raised the strong possibility that the plan diluted Latino voting strength in violation of section 2. (PL Ex. 224 [Dkt. 320-2, at 31]).

477. In its testimony to the Committee, the Task Force specifically criticized the elimination of HD33 in Nueces County, the failure to create an additional Latino opportunity district in the Rio Grande Valley, and the lopsided allocation of Latino voters in El Paso County,

Harris County and Hidalgo County that limited Latino electoral opportunity. (PL Ex. 224 [Dkt. 320-2, at 31]).

478. During the redistricting process, the Mexican American Legislative Caucus (MALC) drew alternative maps that increased Latino electoral opportunity and presented them to the Legislature. (2011 Tr. 71:25-72:8).

479. The House Redistricting Committee held a public hearing on April 17, 2011, which was Palm Sunday. On April 19, 2011, the Committee met without taking public testimony and reported out plan H153. (July 2014 Tr. at 1939:11-17, 1946:4-18; PL Ex. 210).

480. On April 20, David Hanna prepared his third legal memo for the redistricters and analyzed H153, the redistricting plan passed out of Committee. Like the second Hanna memo, the third memo continued to express retrogression concerns with the elimination of HD33 in Nueces County and the reduction of SSVR in districts in Bexar, Dallas, Hidalgo, and Travis counties. (July 2014 Tr. at 1161:13-1162:5; DEF Ex. 123; US Ex. 338).

481. Mr. Hanna shared all three of his legal memos with Bonnie Bruce, Gerardo Interiano and Ryan Downton. (July 2014 Tr. at 1177:1-6).

482. On April 21, 2011, as the leadership set the calendar for taking up the redistricting bill on the House floor, David Hanna emailed Gerardo Interiano and Ryan Downton to present a head count of majority Latino districts in plan H153. The email stated that H153 was potentially vulnerable under section 5 of the Voting Rights Act. The email also stated that an alternative proposal presented to the Legislature, H115, created additional Latino majority districts when compared to H153. (July 2014 Tr. at 1172:2-1174:10, 1173:9-14; US Ex. 126).

483. Mr. Hanna testified that at the time he prepared the memo, he had been able to create additional Latino majority districts in Texas when compared to H153 and also that he was aware of a number of plans submitted by minority groups that created additional minority opportunity districts. (July 2014 Tr. at 1174:11-16, 1175:23-1176:14).

484. On April 22, 2011, Ms. Bonnie Bruce received an email from the Office of the Attorney General enclosing a reaggregated election analysis for draft HDs 40, 41, 78, 137, 139, 140 and 141 in H153. Ms. Bruce shared the analysis with Chairman Solomons, Gerardo Interiano and Ryan Downton. (July 2014 Tr. at 1957:18-1958:15; US Ex. 190, 190A).

485. The redistricting bill was debated on the House floor on April 27 and 28, 2011.

486. On April 27, 2011, MALDEF wrote to Chairman Solomons regarding the proposed redistricting plan H153. The letter explained that although H153 increased the SSVR in two existing Latino opportunity districts, raising the SSVR in those districts did not create new Latino opportunity districts that could offset the loss of District 33. The letter concluded that H153 was retrogressive under section 5. (PL Ex. 227 [Dkt. 320-2 at 68-75].

487. The House passed the redistricting plan on April 28, 2011. On May 13, the Senate Redistricting Committee passed out the House plan without amendments and the Senate passed the map without amendments on May 21, 2011. Governor Perry signed the bill into law on June 17, 2011. (PL Ex. 210).

1. HD 78

488. Rep. Pickett initiated and managed the El Paso House delegation's efforts to propose a redistricting plan in 2011. (July 2014 Tr. at 725:18-726:1 and 804:20-22; Marquez Dep. at 22:23-25).

489. The El Paso delegation was directed by the House Speaker and by Chairman Solomons to work together to come up with a consensus plan for El Paso that could be dropped into the statewide map. (July 2014 Tr. at 818:9-17).

490. At the time that redistricting commenced in 2011, in addition to Rep. Pickett, the El Paso delegation was comprise of the following representatives: Chente Quintanilla (Latino, HD75), Naomi Gonzalez (Latina, HD76), Marisa Marquez (Latina, HD77), Dee Margo (Anglo, HD78). (July 2014 Tr. at 729:12-730:19).

491. Rep. Pickett asked the members of the El Paso delegation to participate and bring him proposed maps. (July 2014 Tr. at 732:16-24).

492. Prior to the 2011 redistricting, HD78 had been won by Joe Moody in 2008 and won by Dee Margo in 2010. (July 2014 Tr. at 806:2-16).

493. Rep. Pickett sought to avoid creating a map that concentrated Anglos into one district in El Paso and believed that doing so would be glaring. (July 2014 Tr. at 734:23-735:6 and at 753:23-754:2).

494. Rep. Pickett testified that, with respect to HD77 and HD78, numbers that would look good to him would be high Hispanic percentages represented in both districts because Latinos are the overwhelming majority in El Paso. (July 2014 Tr. at 752:24-753:4).

495. Rep. Dee Margo, who represented HD78 during the 2011 redistricting, communicated to Rep. Pickett that he did not want a material change in his district. (July 2014 Tr. at 806:2-11).

496. Rep. Pickett relied on his Chief of Staff, Eddie Miranda, to operate REDAPPL for him. (July 2014 Tr. at 737:16-23).

497. In late February and early March, 2011, Rep. Pickett and his staff began to work on the possibilities for a new redistricting plan for El Paso County and produced five to six drafts. (July 2014 Tr. at 740:7-13 and 741:6-11; PL Ex. 703).

498. While creating his draft redistricting plans, Rep. Pickett received the most input from Rep. Quintanilla and Rep. Marquez. (July 2014 Tr. at 756:13-757:5).

499. Rep. Pickett testified that one draft map given to him by Rep. Marquez was awful and a gerrymander. (July 2014 Tr. at 757:3-759:8).

500. Rep. Marquez testified that Rep. Pickett was upset with the draft she gave him because it made significant changes to his district. (Marquez Dep. at 24:4-25:5).

501. Rep. Marquez testified that in her conversation with Rep. about her draft map, she explained that she and Rep. Gonzalez were new legislators, that they did not know the process and that "we didn't know what we were doing." Rep. Marquez further testified that she told Rep. Pickett that her draft "was a starting point." (Marquez Dep. at 29:4-30:9).

502. Rep. Pickett rejected the Marquez map outright and told Rep. Marquez that she could not do what she was proposing in her map. (July 2014 Tr. at 759:4-18).

503. Rep. Pickett's draft maps during this period featured a rounded northeast extension for HD77, no western antler, and no split precincts. (PL Ex. 493, 495; July 2014 Tr. at 742:20-744:24; PL Ex. 497; July 2014 Tr. at 744:25-746:1).

504. In mid-March, Rep. Pickett showed a draft redistricting map to members of the El Paso delegation. (July 2014 Tr. at 742:14-17; PL Ex. 614, 498; July 2014 Tr. at 747:4-748:4).

505. The proposal that Rep. Pickett shared with the El Paso delegation in mid-March 2011 featured an HD77 with a northeast extension that was fairly rounded and no long northwest extension. (July 2014 Tr. at 748:12-749:9; PL Ex. 500).

506. On March 15, 2011, Rep. Pickett shared a redistricting proposal for El Paso with Chairman Solomons. The draft map has the chef's hat shaped extension to the northeast and no long extension to the northwest. (July 2014 Tr. at 749:10-751:1, 1046:15-1048:12; PL 613, 501).

507. The draft map shared by Rep. Pickett with Chairman Solomons on March 15, 2011 contained an SSVR for HD78 that was slightly higher than the benchmark. (July 2014 Tr. at 1048:20-1049:9)

508. The following day, Rep. Pickett shared a draft redistricting map with the El Paso delegation that was similar to the map he shared with Rep. Solomons. (July 2014 Tr. at 755:16-756:12; PL Ex. 502).

509. Rep. Marquez testified that subsequent to her conversation with Rep. Pickett about her draft map, Mr. Pickett brought a map to a meeting of El Paso members on the House floor and told her, Rep. Gonzalez and Rep. Margo that this was the final map and they had to initial the map because time was running out. (Marquez Dep. at 31:17-33:22).

510. Rep. Pickett testified that he wanted to give Chairman Solomons a map with every member's signature so that Chairman Solomons would know that all members had agreed to the plan. (July 2014 Tr. at 772:15-24).

511. Mr. Margo testified that he recalled Rep. Pickett calling El Paso delegation members to meet on the House floor to sign the final map to be delivered to the Committee. (July 2014 Tr. at 823:1-10).

512. Mr. Margo signed the map presented by Mr. Pickett which showed all five districts for El Paso County. (July 2014 Tr. at 808:3-810:12).

513. Mr. Margo testified that he thought his political performance numbers were declining in the draft plans he was shown by Rep. Pickett. (July 2014 Tr. at 808:9-13).

514. Rep. Marquez signed the map presented to her by Rep. Pickett. (Marquez Dep. at 47:9-22).

515. Rep. Marquez testified that when she saw the redistricting map presented to her by Rep. Pickett, she did not agree with the plan because it significantly changed the way her district was drawn. (Marquez Dep. at 34:1-13).

516. Rep. Marquez shared her concerns with Rep. Pickett who responded that she would be fine. (Marquez Dep. at 43:25-44:17).

517. Rep. Pickett told Rep. Marquez that all the members had already signed off on a plan and it was too late to make additional changes. (July 2014 Tr. at 785:8-17).

518. Rep. Pickett tried to discourage Rep. Marquez from proposing additional maps because it was late in the process and suggested she might want to propose a floor amendment to the redistricting bill. (July 2014 Tr. at 774:22-775:7).

519. After Rep. Marquez persisted, Rep. Pickett told Rep. Marquez that if she wanted additional changes to her district, she would have to negotiate them with Rep. Margo because she could not make changes to the eastern boundary of her district. (Marquez Dep. at 48:12-49:5; 52:7-12; July 2014 Tr. at 785:18-786:7).

520. Rep. Marquez spoke to Rep. Margo and he agreed to changes which Rep. Marquez conveyed to Rep. Pickett. (Marquez Dep. at 61:3-7).

521. The later map received by Rep. Pickett from Rep. Marquez contained a version of HD77 that featured a western "antler" as well as an extension to the northeast. (PL Ex. 503; July 2014 Tr. at 760:8-8).

522. The map sent by Rep. Marquez also contained an SSVR for HD78 that was 45.8% -- lower than the benchmark HD78. (PL Ex. 503).

523. Rep. Pickett explained that he did not analyze the second Marquez map because "at that point -- there is a chronological order. I had a map that I asked everybody if they were okay with. That's the only map that I had the numbers. Anything after that, I really didn't personally run any numbers[.]" (July 2014 Tr. at 761:9-16).

524. Rep. Pickett testified that he sent the map that the delegation signed to the Redistricting Committee and that he did not support the map that Rep. Marquez sent him. (July 2014 Tr. at 766:20-24).

525. After she initialed the map shown to her by Rep. Pickett, and later spoke with Rep. Margo about changes to her district, Rep. Marquez was not asked to initial and did not initial a later map. (Marquez Dep. at 61:12-62:10).

526. On March 21, 2011, Rep. Pickett sent two redistricting maps to the REDAPPL account of Chairman Solomons. One map was similar to the earlier map sent by Rep. Pickett to Rep. Solomons. The second map was similar to the map given by Rep. Marquez to Rep. Pickett. (PL Ex. 504, 505; July 2014 Tr. at 762:16-765:13, 1049:11-1050:20).

527. After sending the two maps, Rep. Pickett told Chairman Solomons that he had an agreed-upon map by the members of the delegation, and one of them kept coming back with some concerns. Rep. Pickett further told Chairman Solomons, "It is up to you how you want to handle it." (July 2014 Tr. at 765:14-21).

528. The map signed by the delegation and Rep. Pickett, and which was sent by Rep. Pickett to the Redistricting Committee as his final draft, resembles the "chef's hat" map with no western antler. (July 2014 Tr. at 773:24-774:10).

529. Ms. Bonnie Bruce, Chief of Staff for Chairman Solomons, testified that to the best of her understanding, the Redistricting Committee decided to take "Rep. Pickett's option number 2." Ms. Bruce further testified that she did not make changes to the El Paso map, she was not responsible for drawing El Paso and she did not know who could have potentially made changes to the El Paso map. (July 2014 Tr. at 1981:5-14).

530. Ms. Bonnie Bruce's testimony that Mr. Pickett told her that the SOLO110 "antler" map was the map preferred by the El Paso County delegation is not consistent with the testimony of Mr. Pickett that he gave Chairman Solomons a map signed by all members that featured an HD78 shaped like a "chef's hat" map with no western antler. (Compare July 2014 Tr. at 765:14-21 with July 2014 Tr. at 1953:19-1954:11).

531. Ms. Bruce acknowledged that if a map was sent through REDAPPL to the House Redistricting Account HRC1, she would not have necessarily seen that plan because she did not visit that account daily and typically entered that account to look for something specific. (July 2014 Tr. at 1972:15-1973:25).

532. The redistricting proposal for El Paso County submitted by Rep. Pickett to the House Redistricting Committee did not split any precincts. (July 2014 Tr. at 734:18-22).

533. Chairman Solomons acknowledged that the first map sent by Rep. Pickett to Chairman Solomons, SOLOH109, contained an SSVR of 47.4% for HD78, above the benchmark. (July 2014 Tr. at 1049:10-1050:20; PL Ex. 504).

534. Chairman Solomons acknowledged that the second map sent by Rep. Pickett to Chairman Solomons, the 'antlers' SOLOH110, contained an SSVR of 45.8% for HD78, below the benchmark. (July 2014 Tr. at 1050:23-1053:4; PL Ex. 505).

535. After Rep. Pickett submitted his preferred El Paso map to the Redistricting Committee, Rep. Pickett did not know whether his map was forwarded to any other offices. (July 2014 Tr. at 767:17-20).

536. Rep. Pickett testified that there was no more activity in his redistricting plan account after March 21, 2011 because he felt that his job was done. (July 2014 Tr. at 768:21-769:3)

537. Rep. Pickett further testified that he hoped his plan would be accepted by the Committee but knew there could be changes because redistricting is an exercise in self-preservation. (July 2014 Tr. at 780:15-781:4).

538. Chairman Solomons testified that although he had received 'chef's hat' versions of HD77 from Rep. Pickett in which HD78's SSVR was above the benchmark, the redistricting committee moved forward with the version of the map in which HD77 had 'antlers' and HD78 had an SSVR below the benchmark. (July 2014 Tr. at 1057:18-1061:21; PL Ex. 510, 511).

539. Two days after Rep. Pickett sent his two maps to Chairman Solomons and expressed a preference for a map that looked like SOLOH109, on March 23, 2011, a map similar to SOLOH110 appears in the House Redistricting Committee REDAPPL account. The map shows eastern and western 'antlers' for HD77 and an SSVR of 45.8% for HD78, below the benchmark. (July 2014 Tr. at 1053:5-1054:18; PL Ex. 615, 506).

540. The House Redistricting Committee REDAPPL log does not show any other map related to Rep. Pickett during the time period of March 23, 2011. (PL Ex. 1615).

541. Ryan Downton, Redistricting Committee counsel and the primary user of the HRC1 account in REDAPPL, testified that the El Paso map he received on March 23 came from Bonnie Bruce and was the same map as SOLOH110 in the REDAPPL account of Chairman Solomons. (July 2014 Tr. at 1992:18-24, 1994:25-6).

542. Mr. Downton's testimony, claiming that he spoke to Mr. Pickett about his preferred map and received a map from Mr. Pickett, is not credible because it is not consistent with the testimony of Mr. Pickett and not consistent with Mr. Downton's own testimony. Although Mr. Downton testified that Mr. Pickett sent him a map on March 23, he conceded that the March 23 map came from Ms. Bruce. Mr. Downton also claimed that Mr. Pickett told him personally to use the 'antlers' map when Mr. Pickett testified he told Chairman Solomons that the consensus map was not the 'antlers' map. (*Compare* July 2014 Tr. at 1992:18-24 and 2101:20-2102:8 *with* 1993:9-16; *Compare* 765:14-21 and 773:24-774:10 *with* 2010:2-11; *see also* 2104:3-12, 2120:24-2123:23, 2125:3-17, 2126:20-24, 2129:24-2131:16).

543. Mr. Downton incorporated the SOLOH110 'antlers' map into his statewide draft HRC1H215 and finished HRC1H215 on April 5, 2011. (July 2014 Tr. at 1996:7-19, 1998:14-1999:12; PL Ex. 1615).

544. Mr. Downton drew another draft map, HRC1H216, in which the SSVR of HD78 was even lower -- 44.2%. (July 2014 Tr. at 2106:18-2107:3; PL Ex. 509).

545. Around April 5, 2011, Rep. Dee Margo was asked to sign, and did sign, a paper redistricting map showing only his district. The map Mr. Margo signed, HRC1H215, was created by Ryan Downton and was dated April 5, 2011. The map had a label at the top stating: "As long as the statewide map in HB 150 includes the district depicted in this

map, I will vote in favor of passage of HB 150." (July 2014 Tr. at 823:11-16, 1995:17-25; DEF Ex. 209).

546. Ms. Bonnie Bruce, Chief of Staff to Chairman Solomons, testified that Redistricting Committee staff would solicit the signatures of representatives by showing them a map of just their district, with no surrounding districts. The map would have a label at the top that said, "as long as the statewide map for . . . House Bill 150 includes the district in this form, then I would vote for House Bill 150." (July 2014 Tr. at 1942:11-21; DEF Ex. 209).

547. Ms. Bruce further testified that when Committee staff showed a representative a map of an individual district, it was because the Committee staff was responsible for drawing the district. (July 2014 Tr. at 1983:8-22).

548. Mr. Downton testified that Redistricting Committee staff would bring paper maps of districts to individual members and ask them to sign off on their districts. (July 2014 Tr. at 1996:20-1997:11).

549. On April 7, 2011, David Hanna sent a memo entitled "Possible Retrogression Issues for Black and Hispanic Districts in Proposed House Plan," to Bonnie Bruce, Gerardo Interiano and Ryan Downton. The memo raised the concern that the decrease in SSVR in HD78 from 47.1% to 45.8% in the proposed House plan "does present some level of risk of retrogression that likely could easily be remedied by swapping some precincts with an adjoining district. Section 5 analysis frequently focuses in the differences in minority voting strength in adjacent districts." (July 2014 Tr. at 1155:9-14, 1156:20-22, 1177:1-6; DEF Ex. 122; US Ex. 117).

550. In the memo, Mr. Hanna did not advise splitting any precincts in El Paso County. He further believed that any retrogression in HD78 could be remedied because El Paso has a very high Hispanic Voting Age Population and neighboring HD77 had a much higher SSVR than HD78 in the proposed plan. (July 2014 Tr. at 1158:19-1159:1).

551. Mr. Hanna wrote the memo at the request of Ms. Bonnie Bruce, Chief of Staff for Chairman Solomons and also clerk to the Redistricting Committee. (July 2014 Tr. at 1157:5-19).

552. Chairman Solomons conceded that the Hanna memo suggested swapping precincts to raise the SSVR in HD78 because the SSVR was healthy in the remaining districts in El Paso. (July 2014 Tr. at 1054:19-1057:9; DEF Ex. 122).

553. On April 11, 2011, following Mr. Hanna's first memo to Chairman Solomons and the redistricting staff expressing concern about HD78, Mr. Downton opened two El Paso maps in his REDAPPL account: HRC1H260 and HRC1H261. Mr. Downton re-labelled the maps as coming from Rep. Pickett. Unlike the map Mr. Downton was working on for El Paso, HRC1H260 and HRC1H261 showed the more compact "chef's hat" configuration of HD77 and featured an SSVR for HD78 above the benchmark SSVR for HD78 -- 47.8%. (July 2014 Tr. at 2009:7-16; PL Ex. 510, 511, 1615).

554. Despite opening two Pickett maps showing an improved SSVR for HD78 and more compact configuration on April 11, Mr. Downton continued to work on his previous 'antlers' map to modify the boundaries of HD77 and HD78. (July 2014 Tr. at 2003:1-5; DEF Ex. 351).

555. Mr. Downton changed the eastern and western extensions of HD77 in his map, HRC1H265. When he was done, Mr. Downton's map contained an HD78 with an SSVR still below the benchmark – 46.8% (July 2014 Tr. at 2003:1-18; PL Ex. 733).

556. Mr. Downton incorporated his changes to HD78 into the April 12, 2011 statewide map -- H110. (July 2014 Tr. at 2004:5-21).

557. In his second memo, Mr. Hanna observed that the smaller reduction in SSVR in HD78 would not likely raise retrogression concerns. The memo did not make note of the continued disparity in Latino electoral strength across districts in El Paso or address whether section 2 required closer balancing of SSVR across the districts in El Paso. (July 2014 Tr. at 1160:13-21; DEF Ex. 123, US Ex. 339).

558. On April 13, 2011, the House Redistricting Committee released its statewide House redistricting plan (H113). The El Paso portion of the map featured Mr. Downton's 'antlers' configuration of HD77 and an HD78 with an SSVR below the benchmark. (July 2014 Tr. at 1062:2-1063:14, 1939:23-1940:2; 2011 Tr. 795:16-17; PL Ex. 515).

559. Mr. Downton's HD78 included an SSVR lower than the benchmark using either the "total" or "non-suspense" metric. (*Compare* PL Ex. 993 *with* US Ex. 304).

560. Mr. Downton testified that he made the changes to El Paso map for the purpose of increasing the SSVR in HD78 but conceded that if he had wanted to increase the SSVR in HD78, he could have simply moved two whole precincts in the western "antler" from HD77 to HD78 and moved three whole precinct in the eastern "antler" from HD78 to HD77. (July 2014 Tr. at 2109:19-2113:18, 2151:15-2153:1; PL Ex. 1007).

561. Mr. Downton's final map for El Paso split 14 precincts along the boundary for HD77 and HD78. (July 2014 Tr. at 1063:25-1064:21, 2115:5-10, 2117:4-13; PL Ex. 514 at 11; 733).

562. Mr. Downton testified that as he drew the boundary between HD77 and HD78, he looked at block level data for Hispanic population and that he split precincts and moved blocks across the boundaries between House District 77 and 78 based on that Hispanic population. (July 2014 Tr. at 2117:14-22).

563. Mr. Downton testified that while he was mapping he had the election data on and he selected blocks based on Hispanic shading while keeping an eye on the fluctuations in the election results. (July 2014 Tr. at 2119:24-2120:3).

564. Mr. Downton conceded that he could have increased the SSVR of HD78 above the level he achieved in his plan by using whole precincts. (July 2014 Tr. at 2120:4-8).

565. Mr. Downton testified in his deposition that he believed it was never necessary in the House plan to split a precinct to equalize population but then changed his testimony at trial to claim that it may have been necessary to split precincts in El Paso to equalize population. (July 2014 Tr. at 2115:18-2116:21).

566. On April 13, 2011, Rep. Pickett received a map in his REDAPPL account from the House Redistricting Committee with the comment "revised El Paso." The "revised El Paso" map sent by the Committee to Rep. Pickett contains the same 'antlers' boundaries for El Paso as the enacted map H283 an HD78 with an SSVR below the benchmark. (July 2014 Tr. at 778:2-11, 1063:25-1064:21; PL Ex. 205, 703, 515).

567. On April 13, 2011, following the release of the House Committee's draft redistricting plan, Gerardo Interiano received a new map in his REDAPPL Account. (July 2014 Tr. at 1564:1-7; PL Ex. 517).

568. The plan, STRJH244, contains a description that stated: "CURRENT DISTRICTS - El Paso changes." In that map, HD78 is compact, has an SSVR of 52.6% and has no 'antlers.' (July 2014 Tr. at 1564:1-1565:7; PL Ex. 517).

569. A second plan, STRJH245, shows the comment: "copy of plan STRJ244." That plan is labelled: "El Paso – VRA." The map shows a similar HD78 that is compact, has an SSVR of 52.6% and has no "antlers." (July 2014 Tr. at 1566:3-21; PL Ex. 518).

570. Mr. Interiano, who was the user of the STRJ account, testified that "VRA" in the plan comments stands for "Voting Rights Act." (July 2014 Tr. at 1566:3-21; PL Ex. 518).

571. Mr. Interiano testified that he was working in REDAPPL at 9pm on April 13, 2011 and that it is possible that he drew STRJH245. (July 2014 Tr. at 1567:4-19).

572. Mr. Interiano sent a map that is either STRJH244 or STRJH245 to Mr. David Hanna the same evening of April 13, 2011. In Mr. Hanna's REDAPPL log, the map description is "received from strj." In that map, HD78 is compact, has an SSVR of 52.6% and has no 'antlers.' (July 2014 Tr. at 1568:16-1569:13; PL Ex. 512).

573. On April 22, 2011, Ms. Bonnie Bruce received an email from the Office of the Attorney General enclosing a reaggregated election analysis for HD78 in H153. Ms. Bruce shared the analysis with Chairman Solomons, Gerardo Interiano and Ryan Downton. (July 2014 Tr. at 1957:18-1958:15; US Ex. 190, 190-1).

574. Mr. Interiano reviewed that election analysis from the Office of the Attorney General before the House plan was adopted. The analysis identified the minority-preferred

candidate in each district in the plan under analysis and indicated whether the preferred candidate would have carried that district. (Aug. 2014 Day 1 Tr., 5:14-6:16, Aug. 11, 2014).

575. The reaggregated election analysis showed that HD78 in H153 elected the Latino-preferred candidate in two of ten racially contested elections. The analysis further showed that the margin of victory for the two prevailing Latino candidates had been reduced when compared to the benchmark HD78. (US Ex. 190, 190-1).

576. Mr. Margo testified that the final changes to HD78, including his loss of precinct 23, which included his financial supporters, many political supporters and his district office, were made after a regression analysis. (July 2014 Tr. at 824:10-16).

577. Mr. Margo described the regression analysis as having occurred after the members of the El Paso delegation had signed the delegation's map. Mr. Margo explained that the map came back and he was told that his district had to be changed. (July 2014 Tr. at 830:8-831:4).

578. Mr. Margo did not agree to have precinct 23 removed from HD78 and the change was made by redistricting committee staff, not Mr. Margo's staff. (July 2014 Tr. at 833:2-834:16).

579. Mr. Margo testified that between the Upper Valley, Festival and North Hills, his district gave up territory that was fairly supportive of him as a Republican in the enacted map. Mr. Margo further testified that his District 78 didn't just give up strong Democratic precincts to HD77, it gave up up Republican precincts to 77 as well. (July 2014 Tr. at 815:25-816:9).

580. Rep. Pickett testified that the El Paso delegation's agreed-upon map that he submitted to the Redistricting Committee was "pretty close" to the map drawn by the federal court in H309. (July 2014 Tr. at 775:18-25).

581. The map that Rep. Pickett presented as a map on behalf of the El Paso Delegation was not the map that was ultimately passed by the Legislature. (July 2014 Tr. at 779:7-12).

2. HD117

582. During the 2011 Legislative Session, Ruth Jones McClendon was the dean of the Bexar County delegation. (July 2014 Tr. at 315:21-316:1).

583. Ruth Jones McClendon and Representative Michael Villarreal were the leaders in the redistricting effort for the Bexar County delegation map, according to John Garza's testimony. (July 2014 Tr. at 316:10-17, 363:24-364:11).

584. Representative Mike Villarreal oversaw the process of gathering draft maps from Bexar County representatives on RedAppl and presented maps to the delegation. (July 2014 Tr. at 316:2-9).

585. Members of the Bexar County delegation met a number of times during the redistricting process. (July 2014 Tr. at 315:15-20, 367:5-12).

586. At the Bexar County delegation meetings, members discussed their desires for their districts and Gerardo Interiano would "pop in and out" of the meetings. (July 2014 Tr. at 367:13-22).

587. At the beginning of the redistricting process of Bexar County, Rep. Villareal asked members of the Bexar County delegation to send their proposed ideal districts to him. (July 2014 Tr. at 1519:2-22).

588. After receiving the draft districts from the Bexar County representatives, Rep. Villarreal prepared a map showing areas of overlap and areas not claimed by any member. The delegation members then met in a room and started negotiating which district would encompass which territory. (July 2014 Tr. at 1519:2-22).

589. Rep. Villarreal developed several maps to negotiate which district would encompass which territory. (July 2014 Tr. at 1520:4-13)

590. Rep. Villarreal gave guidance to the delegation members about compliance with the Voting Rights Act, talked to the delegation about certain indexes including Hispanic Citizen Voting Age Population and Spanish Surname Voter Registration. (July 2014 Tr. at 364:12-22).

591. Representative Villarreal urged the delegation to be careful about compliance with the Voting Rights Act. (July 2014 Tr. at 364:23-365:1).

592. John Garza served as a Texas state representative for House District 117 in the 82nd Legislature. (July 2014 Tr. at 356:14-357:1).

593. Art Martinez was John Garza's chief of staff during the redistricting period and operated the REDAPPL software for Rep. Garza. (July 2014 Tr. at 366:8-367:4, 377:3-10).

594. Rep. Garza testified that Rep. Villarreal would run the numbers and percentages for minority populations in the draft maps, and that Rep. Villarreal did so in order to ensure compliance with the Voting Rights Act. (July 2014 Tr. at 365:6-366:25).

595. Gerardo Interiano testified that Mr. Garza wanted a district in which he could be reelected. (July 2014 Tr. at 1518:9-10).

596. Rep. Garza was defeated when he ran in 2008 for state representative in House District 117, but was elected when he ran for the same office in 2010. (July 2014 Tr. at 357:25-358:10).

597. In 2010, the margin of victory for Rep. Garza in HD117 was 1,070 votes. (July 2014 Tr. at 362:9-11).

598. After he was elected, Rep. Garza reviewed election and turnout data for his race in 2010. (July 2014 Tr. at 362:19-23).

599. Rep. Garza testified that he believed that 2012 was going to be a tougher race than 2010 for him, and in making his proposal to the delegation, he wanted to be reelected and maintain his voter strength. (July 2014 Tr. at 379:3-9).

600. During redistricting, Rep. Garza looked at precinct returns not just for his race but for a number of races, including the governor's race, the attorney general's race and some other statewide race. He also looked at the precincts that gave him strong support and precincts that gave him weak support. (July 2014 Tr. at 362:24-363:10).

601. Rep. Garza testified that his staff would do analysis of the areas that he was picking up and losing in draft maps and would crunch numbers for him. (July 2014 Tr. at 387:17-388:16).

602. When he was deciding what areas he wanted to add to his district and what areas he wanted to incorporate, Rep. Garza and his staff reviewed election returns for contests going back to 2006. (July 2014 Tr. at 374:14-375:14).

603. In the benchmark HD117, the SSVR was 50.3%. (July 2014 Tr. at 360:13-24, 361:4-20; Joint Exhibit J-1, Tab 21).

604. Rep. Garza testified that he was very aware that his district was a Latino majority district protected by the Voting Rights Act. (July 2014 Tr. at 365:2-5).

605. Rep. Garza did not go through in depth any of the written guidance that was provided by the Texas Legislative Council prior to redistricting. Additionally, he left a redistricting field hearing during the interim because it was "kind of slow and not very informative." (July 2014 Tr. at 363:14-23).

606. Rep. Garza testified that he looked at the demographics that supported him in the HD117 election in 2010. (July 2014 Tr. at 363:11-13).

607. Rep. Garza testified that one of his goals for redistricting was to spin the district farther north because that area tended to be more Anglo and more conservative. (July 2014 Tr. at 367:20-370:3).

608. When Rep. Garza shared his desires for his district with other members of his delegation, he said his desires were met with some chagrin. (July 2014 Tr. at 371:3-5)

609. Going into redistricting, Rep. Garza knew that in his 2010 election he had performed stronger in the northern part of his district than in the southern part, and that in 2010 he had performed stronger outside Loop 410 in Bexar County than inside Loop 410. (July 2014 Tr. at 377:19-378:1).

610. Rep. Garza conceded that several precincts—1040, 1025, 1045 and 1044—which contain parts of the South San Antonio Independent School District are precincts in which he lost in 2010 by large margins. (July 2014 Tr. at 399:14-403:19; PL Ex. 1361).

611. During redistricting, Rep. Garza and his staff did an analysis of the turnout in HD117. (July 2014 Tr. at 373:12-19).

612. When asked if he had any specific conversations about the City of San Antonio and how far his district would go into the city, Rep. Garza said that he and the other members understood the differences of rural versus urban and that they had conversations to that effect. (July 2014 Tr. at 372:2-373:11).

613. Rep. Garza believed that rural Hispanic turnout would be low. (July 2014 Tr. at 373:20-374:13).

614. On February 24, 2011, Rep. Garza received an email from Rep. Villareal proposing that the Bexar County delegation meet in early March to discuss the ideal maps. Rep. Villareal advised the members about data that they could analyze while creating their draft maps. (July 2014 Tr. at 375:15-377:2; DEF Ex. 265).

615. Rep. Garza looked at areas that were stronger for him to try to keep or maintain them in his district when he proposed an ideal map for his district, sometime after the February 24 email from Mike Villareal. (July 2014 Tr. at 377:11-18).

616. Rep. Garza testified that in his earliest drafts, he tried to stretch his district north and pick up new territory further north of the IH-10 highway. He had also stated that in his initial draft he tried to make his district reach south to about the Medina River. (July 2014 Tr. at 379:10-19).

617. Gerardo Interiano assisted Representative Garza and Representative Garza's staff in drawing proposals for HD117. (July 2014 Tr. at 1517:14-20).

618. Mr. Interiano testified that his work with Rep. Garza and Rep. Garza's staff on HD117 involved "a constant flow of communication" in which the Rep. Garza's staff exchanged maps with Mr. Interiano and they communicated about issues that Mr. Interiano recommended they look at. (July 2014 Tr. at 1596:2-11).

619. Mr. Interiano testified that, as with other members, he worked in his office with Mr. Garza and Mr. Garza's staff and sent the draft map to the legislative member's REDAPPL account. Mr. Interiano further testified that he was the person drawing on the REDAPPL computer as the representative or his staff directed the drawing. (July 2014 Tr. at 1548:16-1549:10).

620. Mr. Interiano testified that as he worked on drafts of HD117 with Mr. Garza and Mr. Garza's staff, he would run elections on the drafts to measure the political performance. (July 2014 Tr. at 1551:16-20).

621. Mr. Interiano testified that when he was crafting HD117, he turned on SSVR shading in REDAPPL. (July 2014 Tr. at 1599:17-1600:1).

622. In addition to assisting Rep. Garza, Mr. Interiano was monitoring the Bexar County redistricting process on behalf of Speaker Joe Straus, who was a member of the Bexar County delegation. (Aug. 2014 Day 1 Tr., 51:25-52:12, Aug. 11, 2014).

623. Representative Villareal, who combined the draft maps from individual members and assembled the map for the Bexar County delegation, sent at least nine redistricting proposals for Bexar County to Mr. Interiano. (Aug. 2014 Day 1 Tr., 53:9-53:24, Aug. 11, 2014; PL Ex. 990).

624. On February 28, 2011, Mr. Interiano received in his REDAPPL account, STRJ H117, a proposed Bexar County map from Rep. Villarreal. The SSVR in HD117 was 53.1%. (July 2014 Tr. at 1545:13-1546:14; PL Ex. 521).

625. On March 1-2 2011, Mr. Interiano worked on a plan in his REDAPPL account titled "Bexar County Interiano draft 2." The non-suspense SSVR for HD117 in that map was 47.3 %. (July 2014 Tr. at 1546:19-1547:12; PL Ex. 522).

626. On March 1, 2011, Mr. Interiano sent to Rep. Garza a map with the comments: "Here is the draft that we discussed." The map was the product of the discussions Mr. Interiano had with Mr. Garza and Mr. Garza's staff and was drawn by Mr. Interiano at their direction. The non-suspense SSVR for HD117 in that map was 47.3%. (July 2014 Tr. at 1547:22-1548:15, 1549:1-10; PL Ex. 523).

627. Rep. Garza submitted the map drawn by Mr. Interiano to the Bexar County delegation as his proposal. (July 2014 Tr. at 380:23-381:23; PL Ex. 532).

628. Rep. Villarreal came to Gerardo Interiano with the concern that Rep. Garza's proposed district would not pass muster under the Voting Rights Act. July 2014 Tr. at 1521:2-25

629. Gerardo Interiano met with the attorneys and the legal team for the redistricting effort and subsequently told Rep. Garza that Rep. Garza's ideal district would not work. (July 2014 Tr. at 1521:2-14).

630. Representative Garza asked Mr. Interiano why Rep. Garza's ideal district would not work and Mr. Interiano told him that his SSVR would have to remain over 50% in order to resolve concerns under the Voting Rights Act. (July 2014 Tr. at 1521:15-25).

631. Rep. Villarreal explained to Rep. Garza that going as far north as the district could would dilute minority voting strength. (July 2014 Tr. at 381:24-384:15; PL Ex. 532).

632. Rep. Garza was unhappy that he had to go back to the drawing board because he wanted his district to take in more territory to the north. (July 2014 Tr. at 1522:1-14). Rep. Garza then asked Mr. Interiano to work with Rep. Garza's staff to change the district.

633. Mr. Interiano testified that there were two ways to raise the SSVR of HD117 above 50%. One was to take the district into the far south of Bexar County and into Whispering

Winds area. The second way was to go into inner city San Antonio. (July 2014 Tr. at 1523:10-1524:4).

634. Mr. Interiano testified that raising the SSVR in HD117 was a balancing act because of the goal to keep Rep. Garza's "political numbers up." (July 2014 Tr. at 1523:19-1524:4).

635. Mr. Interiano further testified that the highest growth area in HD117 was in the north which Representative Garza wanted to keep in order to keep the political numbers up. (July 2014 Tr. at 1527:8-24).

636. Mr. Interiano worked on several occasions with Lynlie Wallace and Art Martinez, the chiefs of staff of Rep. Garza and Rep. Larson, to work on the boundaries of HD117 and Rep. Larson's district, which borders HD117. (July 2014 Tr. at 1524:9-1525:11).

637. Rep. Garza testified that Art Martinez had conversations with Mr. Interiano about the voting strength of areas that Rep. Garza was picking up, but denied having personally discussed the subject with Mr. Interiano. (July 2014 Tr. at 436:20-25).

638. Before redistricting in 2011, Rep. Garza had not spent time in and was not familiar with the housing in the areas of southern Bexar County that were incorporated into HD 117 under plan H283. (July 2014 Tr. at 396:22-398:7).

639. Through his analysis of Bexar County precincts, Rep. Garza thought that Hispanic turnout in Somerset was low. (July 2014 Tr. at 403:20-404:17).

640. On March 22, 2011, Mr. Interiano received "Bexar County Villarreal Draft 6" from Rep. Villarreal. The comments on the map state: "Latest version from Rep. Villarreal." (July 2014 Tr. at 1551:25-1552:9; PL Ex. 989).

641. HD117 in Villarreal Draft 6, which was sent by Rep. Villareal to Mr. Interiano, is not similar to the HD117 in the map sent by Mr. Interiano to Rep. Garza on March 1, 2011.

HD117 in Villarreal Draft 6 had an SSVR of 50.5%, and candidate Molina won the 2006 race for Court of Criminal Appeals with 50.4% of the vote under that plan. (July 2014 Tr. at 1552:1553:11; PL Ex. 989, 523).

642. Also on March 22, 2006, Rep. Villareal sent a "Latest version from Rep. Villarreal." to Rep. Garza, which also had an SSVR of 50.5% for HD117 and an election result of 50.4% for candidate Molina for the Court of Criminal Appeals 2006 election. The map also brought HD117 inside of Loop 410. (July 2014 Tr. at 384:16-386:13; PL Ex. 528).

643. On March 23, Rep. Garza's REDAPPL account shows a plan titled "plan idea 1, 48 percent." The map has an SSVR of 48% for HD117 in 2010 and 48.6% of the vote for candidate Molina in the Court of Criminal Appeals race in 2010. (July 2014 Tr. at 386:14-387:12; PL Ex. 529).

644. On March 25, 2011, Mr. Interiano created a redistricting plan—STRJ H202—based on a map sent to him by Mr. Villareal earlier that day. The comments Mr. Interiano added to his new plan were: "edited with Lynlie and Art." (July 2014 Tr. at 1551:21-24; PL Ex. 532).

645. Mr. Interiano's map STRJ H202, prepared with the chiefs of staff of Rep. Garza and Rep. Larson, extended HD117 farther to the north and south. Mr. Interiano's version of HD117 in this map contained 48% SSVR and candidate Molina loses the 2006 race for Court of Criminal Appeals with 46.8 % of the vote. (July 2014 Tr. at 1553:12-1554:1; PL Ex. 532).

646. Eight minutes after Mr. Interiano created STRJ H202, Plan GARZ H106 appeared in Rep. Garza's account and is described in RedAppl as "received from strj,"—the account

on which Mr. Interiano worked. Mr. Interianos's map included the comments, "Edited with Lynlie and Art." (July 2014 Tr. at 387:13-389:4; PL Ex. 533).

647. Mr. Interiano's newest map pulled HD117 out of the South San area. HD117 had an SSVR of 48.6% and candidate Molina lost with 47.3 % of the vote. (July 2014 Tr. at 390:16-23; PL Ex. 533).

648. On March 25, 2011, Plan GARZ H109 appears in Rep. Garza's REDAPPL account with the description "Current 117, 50% SSVR." In the map, HD117 extends deep into southern Bexar County. The SSVR for HD117 is 50% and the percent vote for candidate Molina in the 2006 Court of Criminal Appeals race was 48.7%. The plan was modified on March 29, 2011. (PL Ex. 535).

649. On March 29, 2011, Rep. Garza sent GARZ H109 to Mr. Interiano with the note "Current 117." The version of HD117 in this map contained 50% SSVR and candidate Molina loses the 2006 race for Court of Criminal Appeals with 48.7 % of the vote. Rep. Garza's map featured a configuration of HD177 similar to the map created by Mr. Interiano and extended HD117 into the far north and south of Bexar County. (July 2014 Tr. at 392:13-393:16, 393:21-394:11, 1555:20-1557:5; PL Ex. 537 at 1, 5, 13 and 20).

650. On the same day, March 29, 2011, Rep. Villareal sent another map to Mr. Interiano, this one with the comments: "Bexar County V9 adjusted for Larson's top precincts." As with previous drafts sent by Rep. Villarreal to Mr. Interiano, HD117 contained an SSVR of 50.4% and candidate Molina wins the 2006 race for Court of Criminal Appeals. Rep. Villarreal's map also did not extend HD117 to the far north and far south of Bexar County and Rep. Villarreal's map assigned more territory to HD117 from inside Loop 1604. (July 2014 Tr. at 1554:2-1555:19; PL Ex. 536).

651. Comparing the two maps received by Mr. Interiano on March 29, 2011, STRJ205 and STRJ206, the version of HD117 in Rep. Garza's map shows an SSVR only .3% lower than that of Rep. Villarreal, but shows a performance for candidate Molina in 2006 to be 1.7% lower. (PL Ex. 536, 537).

652. Mr. Interiano testified that he made the final changes to HD117. He described that while making the final changes in REDAPPL, he would have been looking at political data and making sure that the SSVR was visible in the statistics. He would have turned on shading for political results and would begin adding and removing portions of geography. Mr. Interiano described that his process involved a lot of testing, going back and forth and trying one region and seeing what happened to the numbers, trying another region and trying to keep HD117 at or above the benchmark on SSVR and as high Republican as he could. Mr. Interiano testified that more than likely the chiefs of staff for Representatives Garza and Larson would have been in the room with him as he made the changes to HD117. (Aug. 2014 Day 1 Tr., 53:17-54:2; 54:3-55:8, Aug. 11, 2014).

653. Rep. Villareal abandoned his effort to create an HD117 with higher SSVR. Later in the evening of March 29, 2011, Rep. Villarreal sent a map to the REDAPPL account of the House Redistricting Committee that incorporated a version of HD117 that Mr. Interiano had developed with the Rep. Garza and his staff. HD117 in this map contained an SSVR of 50.1% and candidate Molina loses the 2006 race for Court of Criminal Appeals with 48.8% of the vote. (1557:6-1558:20; PL Ex. 538).

654. The changes across versions of HD117 developed by Rep. Garza and Mr. Interiano show small modifications that raise the SSVR to 50.1% but maintain the percent vote for

candidate Molina in 2006 below 50%. (July 2014 Tr. at 1551:21-24, 1553:12-1554:1, 1554:2-1555:19, 1555:20-1557:5, 1557:6-1558:20; PL Ex. 532, 536, 537, 538).

655. Mr. Interiano testified that with respect to including the disputed portion of southern Bexar County in HD117, the mappers were balancing several goals and "[w]e had struggled on how to come to an agreement with Representative Garza on a configuration that he would support, and this was the version that he wanted to keep." (July 2014 Tr. at 1598:2-10).

656. Mr. Interiano testified that Mr. Garza signed off on the final redistricting plan for Bexar County but that Rep. Garza was probably still upset because he couldn't have the configuration of the district he originally wanted. (July 2014 Tr. at 1596:19-1597:4).

657. Rep. Joe Farias objected to the removal of the City of Somerset and the community of Whispering Winds in southern Bexar County from his HD118 and their assignment to Mr. Garza's HD117. (July 2014 Tr. at 325:18-326:8).

658. Whispering Winds and the City of Somerset are predominately Hispanic. (July 2014 Tr. at 322:21-23, 323:13-14).

659. Rep. Farias looked at election turnout data for the City of Somerset and community of Whispering Winds and the turnout was very low in both places. (July 2014 Tr. at 323:15-324:2; 336:7-337:7).

660. Rep. Farias intended to keep Somerset and Whispering Winds in House District 118 because he had worked on different issues in those areas on a regular basis. He also wanted to keep these areas because they are neglected and very poor areas and he wanted to help them with their water, sewer treatment and education issues. (July 2014 Tr. at 317:2-16; 320:19-321:12).

661. Rep. Farias believes he would have been reelected in HD118 the way it was drafted in the 2011 plan and that he did not need the votes of the City of Somerset and the community of Whispering Winds to get reelected. (July 2014 Tr. at 325:12-18).

662. When the disagreement arose regarding whether Somerset and Whispering Winds would be placed in Rep. Garza's HD117 or Rep. Farias's HD118, Rep. Farias met with the House Speaker and the Speaker subsequently decided that Rep. Garza should get the area in dispute. (July 2014 Tr. at 1558:21-25, 1597:11-1598:1).

663. The Bexar County delegation plan proposal was delivered to Redistricting Chairman Burt Solomons over Representative Farias's objection. (July 2014 Tr. at 326:9-11).

664. Mr. Interiano reviewed the OAG10 analysis on H153 and knew that the Hispanic performance, i.e. the rate at which Hispanic voters were able to elect their candidates of choice, dropped in HD117 in the Committee's plan H153. (Aug. 2014 Day 1 Tr., 5:14-6:16, 9:2-10:11, Aug. 11, 2014; US Ex. 3 at 107-110, 131, 362-365, 386-389; US Ex. 190, 190-1).

665. The Molina 2006 race for Court of Criminal Appeals was one of the races provided to Mr. Interiano in the OAG10 analysis. (Aug. 2014 Day 1 Tr., 56:2-56:11, Aug. 11, 2014)

666. On April 27, 2011, Representative Farias presented an amendment to the redistricting bill on the House floor. (July 2014 Tr. at 1039:12-18; PL Ex. 605).

667. Chairman Solomons opposed the Farias amendment and voted to table it. (July 2014 Tr. at 1040:10-17).

668. One of the reasons Chairman Solomons offered for opposing the Farias amendment was that the proposed boundary between HD118 and HD117 split six precincts. (July 2014 Tr. at 1042:9-14).

669. Rep. Garza opposed the amendment and told Rep. Farias that he would not vote for the amendment if it went one tenth of one percent above 50%. (July 2014 Tr. at 327:5-329:12).

670. Rep. Garza refused to release fellow House members to vote as they wanted on the amendment. (July 2014 Tr. at 332:18-333:12, 1599:5-10)

671. The amendment by Joe Farias died on the House floor. (PL Ex. 605).

672. The map adopted by the 2011 legislature did not leave the City of Somerset and the community of Whispering Winds in Rep. Farias's HD118 but instead placed those communities in HD117. (July 2014 Tr. at 320:4-14; US Ex. 290).

673. Rep. John Garza did not accept any of the draft maps proposed by Rep. Farias as an amendment that put District 117 above 50.1% SSVR, including plans that were at 50.3% and 50.4%. (July 2014 Tr. at 329:13-330:1).

674. Rep. Farias's testified that he split precincts in his amendment in order to achieve an SSVR of 50.1% in District 117, not because he had so little SSVR population to work with, but because John Garza would not allow it to go above that number. (July 2014 Tr. at 334:14-335:1).

675. Rep. Farias testified that Rep. John Garza did not accept an offer to swap Somerset and Whispering Winds for a predominantly Hispanic area in the South San Independent School District. Rep. Farias said that area of South San has stronger Hispanic voter turnout than that of Whispering Winds and the City of Somerset. (July 2014 Tr. at 330:1-332:17).

676. Rep. Garza told Rep. Farias that he wanted the Somerset and Whispering Winds in his district because he wanted more "Mexicans" in his district. (July 2014 Tr. at 335:2-336:5).

677. When asked by the Court whether he said that he wanted "more Mexicans" in his district, Rep. Garza refused to provide an unqualified answer. (July 2014 Tr. at 425:8-427:14).

678. Although Gerardo Interiano testified that Representative Garza directed that he wanted HD117 to be rural, Mr. Interiano conceded that areas in the north of HD117 in the enacted plan H283 are suburban and heavily developed. *Compare* Interiano testimony, July 2014 Tr. at 1518:7-19, *with* Interiano testimony at July 2014 Tr. at 1550:18-1551:15.

679. Although Gerardo Interiano testified that Representative Garza directed that he wanted HD117 to be outside the City of San Antonio because of water issues pending in the legislature and the courts, Mr. Garza testified to the opposite, claiming he did not have any goals with respect to whether or not HD117 would include portions of the Bexar Metropolitan Water District. *Compare* Interiano testimony, July 2014 Tr. at 1518:7-19, *with* Garza testimony at July 2014 Tr. at 405:19-409:3.

680. During redistricting, Rep. Garza did not know how the boundaries of his District—117—under the benchmark plan lined up with the boundaries for the BexarMet Water District. (July 2014 Tr. at 406:15-20).

681. From the benchmark plan, H100, to the enacted plan, H283, SSVR dropped in HD 117 from 50.3% to 50.1%. The performance of Mr. Molina in the CCA Presiding Judge 2006 election dropped from 51.2% to 48.8%. (PL Ex. 290, PL Ex. 1689).

682. Mr. Interiano conceded that although the Bexar County map in the enacted plan achieved a 50.1% SSVR and a Molina 2006 below 50%, there could have been other drafts that had a 50% SSVR and a higher number for Molina. (July 2014 Tr. at 1631:1-5).

3. HD 33

683. The House district plan for Nueces County in plan H283 was given to Mr. Interiano by Representatives Hunter, Torres and Scott. (2011 Tr. 1430:2-5).

684. On April 7, 2011, David Hanna sent a memo entitled "Possible Retrogression Issues for Black and Hispanic Districts in Proposed House Plan," to legislative leadership. The memo raised the concern that the Texas County Line Rule would "have to yield to the federal Voting Rights Act if it can be shown retrogression could be avoided by splitting the county." The memo further recommended that redistricters investigate whether the second Latino majority district in Nueces County could be preserved by splitting the Nueces county line. (July 2014 Tr. at 1155:9-14, 1156:20-22; DEF Ex. 122; US Ex. 117).

685. An April 12, 2011 memo by Mr. Hanna, analyzing the Committee's Plan H153, again raised a retrogression concern with the elimination of HD33 in Nueces County and recommended that redistricters investigate whether the second Latino majority district in Nueces County could be preserved by splitting the Nueces county line. (July 2014 Tr. at 1160:13-21; DEF Ex. 123, US Ex. 339).

686. Around April 20, 2011, Mr. Hanna provided redistricters with a third memo, this one analyzing the Redistricting Committee's statewide substitute, H153. Again the memo raised a retrogression concern with the elimination of HD33 in Nueces County and

recommended that redistricters investigate whether the second Latino majority district in Nueces County could be preserved by splitting the Nueces county line. (US Ex. 338).

B. Discriminatory Impact

687. The findings of fact supporting Task Force Plaintiffs' contention that H283 had a racially discriminatory impact on Latinos are located at FOF ¶ 1-446.

C. Procedural Departures

688. Ms. Bonnie Bruce did not tell any minority members of the Redistricting Committee that the law firm of Baker Botts, which had been retained by the House Speaker's office, was available to them as a resource during redistricting. (July 2014 Tr. at 1958:16-25).

689. Chairman Solomons did not allow questions to be asked of Ryan Downton in the House Committee and claimed Downton was Solomons' personal counsel. (2011 Tr. 1609: 3-14).

690. Ms. Bonnie Bruce, Chief of Staff to Chairman Solomons, did not share the three "Hanna memos," warning redistricters that several draft maps were vulnerable under the Voting Rights Act, with minority members of the House Redistricting Committee or other minority members of the House. (July 2014 Tr. at 1957:5-17).

691. Ms. Bonnie Bruce received racially polarized voting analysis from the Texas Attorney General's Office and shared them with Ryan Downton, Gerardo Interiano and Chairman Solomons but did not share the analysis with minority members of the House Redistricting Committee or other minority members of the House. (July 2014 Tr. at 1957:18-1958:15; US Ex. 190, 190A).

692. Although the House Redistricting Committee held field hearings, its report on the field hearings to the full House was not substantive. (July 2014 Tr. at 625:17-22).

693. The House Redistricting Committee report to the full House included only the dates and locations of field hearings around the state but did not include any summaries of testimony at the hearings and did not include any explanation of how the House Redistricting Committee fulfilled its interim charge. (July 2014 Tr. at 640:20-641:20).

694. The House Redistricting Committee did not make transcripts of any of the 2010 field hearings. (July 2014 Tr. at 642:15-643:2).

695. State Representative Abel Herrero testified that he believed the House Redistricting Committee field hearings were a façade because the testimony at the hearing was netiher transcribed nor summarized for the full House and thus the House could not take into account the public testimony on communities of interest and comments on districts when the House redistricted the state. (July 2014 Tr. at 643:3-644:24).

696. In the State Legislature, the entire redistricting process was rushed. (2011 Tr. 441:20-24).

697. The State Legislature held some redistricting hearings with no maps. (2011 Tr. 441:20-25).

698. The State Legislature held some redistricting hearings with no data. (2011 Tr. 441:20-25).

699. Several State Senators complained that they did not have enough time to prepare for the redistricting hearings. (2011 Tr. 441:25-442:3).

700. Several State Senators complained that they did not have enough time to obtain expertise that would speak to the redistricted portions of the plans. (2011 Tr. 441:25-442:3).

701. The House Redistricting Committee held a hearing in March 2011, prior to releasing any proposed House map on which the public could comment. (July 2014 Tr. at 16:2-25).

702. The House redistricting bill was an empty "skeleton bill" when filed by Chairman Solomons in March 2011. Chairman Solomons did not reveal a redistricting plan for his bill until April 13, 2011, shortly before holding hearings on the bill. (2011 Tr. 795:8-17).

703. Chairman Solomons provided very little notice for the April 15 and April 17 public hearings despite objections from minority legislators. Previous sessions provided for at least a week and half notice. (2011 Tr. 795:18-797:1).

704. The House Rules provide for a three to five day notice for hearings. The notice for the April 15th House Redistricting hearing on the State House map provided less than two days' notice. (Ex. J-60, at 83:19-85:15).

705. Chairman Solomons released map H113 on April 13, 2011 at 4:42 p.m. Notice for the April 15, 2011 public hearing of HB 150 in the House Redistricting Committee was provided at 2:15 p.m. on April 14, 2011. Thus H113 received a public hearing in the House Redistricting Committee following less than 2 days for public analysis. (PL Ex. 203 [Dkt. 320-1, at 13]; PL Ex 204 [Dkt. 320-1, at 14] PL Ex 205 [Dkt. 320-1, at 15]).

706. The witness list for the House Redistricting Committee on April 15, 2011 did not reflect the testimony of two Latino House members from the Rio Grande Valley although they were present and testified in opposition to the proposed plan: Representative Sergio Munoz (HD 36) and Representative Armando Martinez (HD 39). (PL Ex. 206 [Dkt. 320-321, at 17]).

707. The April 17, 2011 House Redistricting Committee hearing was held on Palm Sunday and did not provide an opportunity for meaningful public input. (July 2014 Tr. at 17:9-22).

708. Although it was called by the Committee, Chairman Solomons did not attend the House redistricting public hearing on Palm Sunday. (Ex. J-60, at 85:16-18).

709. Notice of the House Redistricting Committee on April 19, 2011 was announced from the floor of the House. (Ex. J-60, at 88:2-23).

710. The only explanation for the expedited schedule on the Texas House map was that the legislature was operating on an expedited schedule, despite having five to six weeks left in the legislative session. (2011 Tr. 798:5-799:1).

711. There were few changes to the Texas House map from the time it was introduced to its passage and the changes were minor in nature. Public input was ignored. Changes to increase minority opportunity were not accepted. (2011 Tr. 799:4-6; 802:21-803:14; 806:6-21).

712. The House leadership did not discuss the statewide map with the minority caucuses and never asked for input from MALC. (2011 Tr. 114:25-115:6; 116:19-117:1).

713. In comparison to previous redistricting years, the 82nd session was less transparent and the adverse impact on minorities was greater. (2011 Tr. 805:9-806:5).

714. Notice for the May 6, 2011 public hearing of HB 150 in the Senate Select Redistricting Committee was provided at 6:00 p.m. on May 4, 2011, less than 48 hours before the hearing. (PL Ex. 209 [Dkt. 320-1, at 24]).

715. No changes were made to HB 150 in the Texas Senate thereby ensuring the only meaningful opportunity for input was in the House of Representatives. (PL Ex. 210 [Dkt. 320-1, at 25]). The Senate did not make any changes to Texas State House map. (Ex. J-59: 42:7-15).

D. Substantive Departures

1. Mappers Ignored Controlling Law

a. Section 2

716. David Hanna, who served as senior legislative counsel with the Texas Legislative Council in the 2011 Legislature, was available to members of the legislature to provide legal advice on redistricting issues. (July 2014 Tr. at 1145:7-10, 1146:23-1147:1).

717. David Hanna made presentations to legislators about the legal requirements in redistricting, counseled legislators and their staff about redistricting law and was the principal author of a book created by the Texas Legislative Council that advised legislators about the legal issues in redistricting. (July 2014 Tr. at 1147:10-1148:19, 1152:2-5).

718. David Hanna prepared a series of legal memos and emails evaluating the House Committee's draft House plans and raising concerns about the plans under the Voting Rights Act. Mr. Hanna shared those memos with Bonnie Bruce, Gerardo Interiano and Ryan Downton. (July 2014 Tr. at 1155:9-25, 1160:3-25, 1161:13-1162:5, 1177:1-6, 1172:2-1174:10, 1173:9-14, US Ex. 347, 339, 338, 117, 126; DEF Ex. 327, 123).

719. David Hanna counseled map drawers about compliance with section 2 and also advised map drawers that there might be some section 2 issues in their plans (July 2014 Tr. at 1171:20-1172:1).

720. Mr. Hanna testified that he was never asked to provide a section 2 analysis for the House Committee's redistricting plans as they evolved. (July 2014 Tr. at 1176:18-24).

721. As counsel to Speaker Straus, Mr. Interiano provided advice to redistricters on compliance with the Voting Rights Act. (2011 Tr. 1441:18-22).

722. Mr. Interiano testified that he educated himself about the legal standards in redistricting by attending conferences of the National Conference of State Legislatures, reading articles, and attending trainings of the Texas Legislative Council. (July 2014 Tr. at 1475:15-1476:25).

723. Chairman Solomons testified that in the 2011 redistricting process he had an "all encompassing" sense of the requirement to comply with all portions of the Voting Rights Act and did not have a separate understanding of the requirements of section 2 of the Voting Rights Act. (July 2014 Tr. at1030:16-1031:13).

724. Chairman Solomons testified that he did not do anything to determine whether it was possible to draw additional minority opportunity districts in plans passed by the Texas House. (July 2014 Tr. at 1031:14-1032:6).

725. Chairman Solomons did not attempt to determine which districts were Latino opportunity districts or attempt to determine whether additional districts needed to be added anywhere, despite being aware of significant Latino growth and a potential need for one or two additional Latino opportunity districts. (2011 Tr. 1584: 1-25; 1585:5-23; 1604:3-10).

726. Chairman Solomons did not look into whether there was racially polarized voting in particular areas of the state or apply a particular number to come to his own understanding about which districts were Latino opportunity districts in the benchmark or the enacted plan. (2011 Tr. 1585: 1-4; Ex. J-60 23:3-15).

727. Chairman Solomons testified that he did not ask his staff to check into drawing any additional Latino opportunity districts in Plan H283, and further testified that his staff never told him one would be needed. (2011 Tr. 1586:14-1587:17).

728. Chairman Solomons testified he did not know how legislative counsel verified whether an additional Latino opportunity district was necessary. (2011 Tr. 1603:21-1604:7).

729. Chairman Solomons did not offer any amendments to the House Plan that added additional Latino opportunity districts. (2011 Tr. 1588: 9-11).

730. Mr. Downton viewed the requirements of the Voting Rights Act as equal with getting enough votes to get the map passed. (Ex. J-62-I, at 20:24-21:4; Ex. J-62-I, at 62:17-20).

731. Gerardo Interiano testified that if there was an agreement among the members of a county delegation about the map for their county, Mr. Interiano would drop that county whole into the statewide map. (2011 Tr. 1445:9-12).

732. When a county delegation agreed on a map for their county, that map was integrated into the statewide plan. (2011 Tr. 1451:1-4; Ex. J-61, Vol. 1, at 128:11-23).

733. Mr. Interiano testified that he considered the April 21, 2011 email from David Hanna, counting up Latino SSVR and HCVAP majority districts and comparing their number to the benchmark plan, to be sufficient reassurance that H153 also complied with section 2 of the Voting Rights Act. (July 2014 Tr. at 1531:24-1533:1).

734. Mr. Hanna testified that he never told anyone that he believed that H283 complied with the Voting Rights Act. (July 2014 Tr. at 1164:16-19)

b. Nueces County

735. With respect to Nueces County, Mr. Interiano testified that he never looked at whether it was possible to create two Hispanic citizen voting age population majority districts in Nueces County. (Aug. 2014 Day 1 Tr., 65:1-65:4, Aug. 11, 2014).

736. Mr. Interiano testified that he didn't analyze elections to determine whether two Hispanic citizen voting age majority districts in Nueces County could elect the Latino-preferred candidate. (Aug. 2014 Day 1 Tr., 65:5-65:17, Aug. 11, 2014).

737. Mr. Interiano testified that in order to determine whether section 2 required two Latino districts in Nueces County, he used a standard of majority Spanish surnamed voter registration instead of majority Hispanic citizen voting age population. (Aug. 2014 Day 1 Tr., 64:3-64:25, Aug. 11, 2014).

738. Mr. Interiano testified that he concluded the Voting Rights Act did not require two Hispanic districts inside Nueces County because he could not create two districts with a majority Spanish surnamed voter registration. (Aug. 2014 Day 1 Tr., 65:5-65:17, Aug. 11, 2014).

739. Mr. Interiano further testified that when deciding whether to create an additional Latino opportunity district in the state, he used the metric of Spanish surnamed registered voters although he could have potentially used CVAP. (Aug. 2014 Day 1 Tr., 354:1-354:10, Aug. 11, 2014).

740. Mr. Interiano was aware that section 2 requirements are met by showing a majority Hispanic citizen voting age *population* district as opposed to a majority Spanish surnamed voter *registration* district. On November 20, 2010, Eric Opiela shared with Mr. Interiano an email in which Mr. Opiela analyzed a number of recent section 2 cases and concluded that either VAP or CVAP was the relevant standard. Mr. Opiela recommended that "we need to run both measures on all maps we draw to know where we stand regardless of which way the courts go (CVAP or VAP)." (US Ex. 76).

741. Mr. Interiano testified that he did not discuss with David Hanna whether section 2 of the Voting Rights Act required Texas to place two Latino opportunity districts in Nueces County. (July 2014 Tr. at 1560:23-1561:3).

742. The citizen voting age population of Nueces County is 54.6% Hispanic, thus allowing for two districts wholly contained within the county to be majority HCVAP. (PL Ex. 394; US Ex. 046 at 21).

c. El Paso County

743. Mr. Interiano testified that he never attempted to draw a fifth Latino opportunity district in El Paso County. (July 2014 Tr. at 1563:5-8; 2011 Tr. 1445:19-1446:5; Ex. J-61, Vol. 1, at 140:5-8; Ex. J-61, Vol. 1, at 167:1-4).

744. Mr. Downton testified that if Texas redistricters had wanted to, they could have created another majority Latino district in El Paso but they made the policy choice not to create that district. (July 2014 Tr. at 2042:9-2043:4).

745. Chairman Solomons acknowledges that it is possible that the member from El Paso that is elected from non-Latino opportunity district might have wanted his boundary lines to remain the same despite it being a violation of the Voting Rights Act. (Ex. J-60, at61:16-62:7).

746. Chairman Solomons testified that he did not make a decision regarding whether El Paso County needed an additional Latino opportunity district. (2011 Tr. 1601:12-18; 1602:19-1603:8).

d. Rio Grande Valley

747. Ryan Downton testified that although the Redistricting Committee could have combined the surplus population from Cameron and Hidalgo counties to create a new district, there

was no legal reason to do so and the Redistricting Committee made a policy decision not to draw a district that would have combined the surplus population from the Cameron and Hidalgo counties. (July 2014 Tr. at 2094:24-2095:23).

748. Mr. Interiano testified that he could not draw a new district in Cameron and Hidalgo counties because such a district would have cut a county line somewhere farther north in the map. Mr. Interiano conceded that section 2 could require the state to cut a county line somewhere farther north in the map if it were possible to create a majority Latino district. (Aug. 2014 Day 1 Tr., 78:13-79:7, Aug. 11, 2014).

e. Harris County

749. On April 12, 2011, Mr. Hanna recommended to Bonnie Bruce, Gerardo Interiano and Ryan Downton that "Consideration should also be given as to whether fifth majority Hispanic district could be drawn in Harris County and whether such district would be required by Section 2 of the Voting Rights Act." (DEF Ex. 327).

750. David Hanna had successfully drafted an additional Latino majority House district in Harris County. (July 2014 Tr. at 1207:20-23).

751. Mr. Downton testified that he did not attempt to draw a fifth Latino majority district in Harris County and does not know if anyone else did. (July 2014 Tr. at 2052:7-2053:6).

2. Mappers Elevated the Texas County Line Rule Over the Voting Rights Act

752. The Texas Legislature was advised by its counsel that compliance with the Voting Rights Act could require cutting the county line. The Texas Legislative Council PowerPoint on the County Line Rule for House Districts presented on March 1, 2011 states, "Basic Rule: A county may be cut in drawing a house district only when required to comply with: the

one-person, one-vote requirement of the 14th Amendment to the United States Constitution; or the Voting Rights Act." (PL Ex. 226 [Dkt. 320-2, at 51]).

753. Mr. Hanna testified that he never advised anyone during the 2011 redistricting process that the Voting Rights Act would have to yield to the Texas county line rule and in fact "would have said quite the opposite." (July 2014 Tr. at 1208:24-1209:6)

754. Mr. Hanna testified that if section 2 required the creation of an additional minority opportunity district in the area of Nueces County, the County Line Rule would not stand in the way because of the Supremacy Clause. (July 2014 Tr. at 1208:15-23)

755. Minority members of the Texas Legislature knew that the Legislative Council had produced a redistricting primer for members of the legislature and it placed a higher value on compliance with the Voting Rights Act when compared to the preservation of the whole county. (2011 Tr. 76:16-78:3).

756. In the April 15, 2011 House Redistricting Committee hearing, Chairman Burt Solomons announced his goal of placing the Texas county line rule over compliance with Section 2 of the Voting Rights Act. (PL Ex. 224 [Dkt. 320-2, at 32-33]).

757. Chairman Solomons took the position that he was not going to break the Texas county line rule unless the U.S. Supreme Court told him he must. (2011 Tr. 1592:20-1593:20; Ex. J-60, at 46:13-47:21).

758. Chairman Solomons testified that the county line rule governed in a conflict between the county line rule and the creation of a Latino opportunity district pursuant to the Voting Rights Act. (2011 Tr. 1594:10-16).

759. Chairman Solomons issued a public statement that he rejected a proposed plan that was offered to the committee because it broke the county line rule in order to create minority opportunity districts. (2011 Tr. 1595: 20-24).

760. Chairman Solomons knew that there were population overages in Hidalgo and Cameron Counties, but he never came to the conclusion that an additional Latino opportunity House district should be drawn between Hidalgo and Cameron counties. (2011 Tr. 1588:21-1590:10).

761. Mr. Interiano was able to draw a Latino opportunity House district with the remainder populations of Hidalgo and Cameron Counties while keeping all of the districts in those counties within the correct deviation. (2011 Tr. 1448:12-1449:6, 2011 Tr. 1446:23-1447:7, 2011 Tr. 1447:8-12).

762. Mr. Interiano conceded that a compact, Latino majority House district could have been drawn between Hidalgo and Cameron Counties. (Ex. J-61, Vol. 1, at 136:15-24).

763. Mr. Interiano testified that he performed an analysis under section 2 of the Voting Rights Act to determine whether a new Hispanic opportunity district could have been created in the Cameron and Hidalgo counties area. (Aug. 2014 Day 1 Tr., 57:16-57:19, Aug. 11, 2014).

764. Mr. Interiano testified that although he was able to draw a new House district using the surplus population in Cameron and Hidalgo counties, he chose not to do so because it would force a county split that would violate the county line rule. (July 2014 Tr. at 1540:1-15; Aug. 2014 Day 1 Tr., 58:5-59:5, Aug. 11, 2014).

765. Mr. Interiano further testified that combining the surplus population in Cameron and Hidalgo counties would not have, in and of itself, violated the county line rule, but a

county split would have occurred farther north in the map. (July 2014 Tr. at 1540:16-1542:6).

766. Mr. Interiano testified that he had not studied the Court's interim map H309 to identify a violation of the county line rule resulting from the combination of Cameron and Hidalgo population into a new House district. Mr. Interiano further testified that if H309 did not unnecessarily split a county line, he thought it was possible to create the new district and not violate the county line rule. (July 2014 Tr. at 1543:14-1545:7).

767. Ryan Downton testified that it was legally permissible to create a new House district using the population surplus from Cameron and Hidalgo counties. (July 2014 Tr. at 2044:14-2045:1).

768. Mr. Interiano testified that he could have created two districts in Nueces County with a majority of Spanish-surnamed registered voters if he had put aside the county line rule. Mr. Interiano further testified that he saw proposals that created two Latino opportunity districts whole inside Nueces County and then spilled additional population out of Nueces County but he felt uncomfortable invoking Section 2 in this context in order to break the county line rule. (July 2014 Tr. at 1559:23-1560:13; Aug. 2014 Day 1 Tr., 50:18-50:20, Aug. 11, 2014).

769. After he provided his three memos expressing concern about the elimination of HD33 in Nueces County, Mr. Hanna testified that his concern with respect to Nueces County was not resolved. (July 2014 Tr. at 1164:4-10).

770. If a Latino majority district could not be drawn within the constraints of the county line rule, Mr. Interiano testified that he concluded that it could not be drawn. (2011 Tr. 1447:13-22; Ex. J-61, Vol. 1, at 132:17-22).

771. Chairman Solomons testified that he could not define the difference between spillover versus a cut that would violate the county line rule. (Ex. J-60, at 35:18-20).

3. Mappers Ignored Section 5 Legal Standards

772. Although Chairman Solomons knew that, under section 5 of the Voting Rights Act, he could not decrease the number of protected districts from the benchmark plan to the proposed plan, Chairman Solomons did not announce the number of protected districts in the benchmark plan, did not announce the standard he used to determine whether a district was protected or not protected, and did not make it clear how a plan was to comply with section 5 of the Voting Rights Act like he did with the Texas County Line Rule. (July 2014 Tr. at 1028:9-1029:9).

773. Chairman Solomons testified that he did not know, at the time of the 2011 redistricting, how many protected districts there were in the benchmark plan. (July 2014 Tr. at 1029:16-23).

774. During the redistricting process, Mr. Interiano had many discussions with Mr. Hanna about how to measure retrogression in order to comply with section 5. Their discussions included guidance from the U.S. Department of Justice and a DOJ objection letter to Texas in 2001. (July 2014 Tr. at 1538:4-13; PL Ex. 1103).

775. Mr. Interiano knew that the 2001 DOJ letter stated that an election analysis should be conducted as part of the retrogression analysis. (July 2014 Tr. at 1538:14-17).

776. The 2011 DOJ letter notes that it is important to use the "appropriate standard for determining whether a district is one in which Hispanic voters can elect a candidate of choice." The letter specifically mentions that "election return information" should be considered and notes that Texas provided election data as part of its preclearance

submission because it agreed that analysis of election data is important to determining minority ability to elect. (PL Ex. 1103 at 2).

777. Gerardo Interiano testified that he received election analyses from the Texas Attorney General's Office and that they were important in analyzing plans for compliance with the Voting Rights Act. (July 2014 Tr. at 1615:10-17).

778. Despite having educated himself about the legal standards under the Voting Rights Act, his familiarity with the 2001 DOJ letter, and his possession of election analysis conducted by the Attorney General's Office, Gerardo Interiano testified that he used an email from David Hanna, that counted up the number of HCVAP and SSVR majority districts in H153, to conclude that he had a green light under the Voting Rights Act to go to the floor with the House plan. (July 2014 Tr. at 1531:24-1533:1, 1614:16-20).

779. Ryan Downton similarly testified that he concluded that he a green light under the Voting Rights Act to go to the floor with the House plan after receiving Mr. Hanna's April 21 email. (July 2014 Tr. at 2139:9-24).

4. Mappers Improperly Relied Only on Demographics to Evaluate Retrogression Under Section 5

780. David Hanna testified that whether or not a district offers minority voters the ability to elect their preferred candidate depends on election results and that one cannot determine ability to elect simply by looking at demographics. (July 2014 Tr. at 1153:12-1154:2).

781. Mr. Interiano testified that Hispanic voting-age population, Hispanic citizen voting-age population, Spanish surname voter registration, and election performance must all be considered to determine if a district is a Latino opportunity district. (2011 Tr. 1451:14-20).

782. Mr. Interiano saw summaries of the racial block voting analysis that was conducted as the redistricting maps were being drawn. (2011 Tr. 1443:3-4).

783. David Hanna testified that although he was not an expert in analyzing election returns, he thought he "could help out the folks with more objective measure, just totaling up the demographic numbers for districts." (July 2014 Tr. at 11879-14).

784. David Hanna testified that he mainly looked at the demographic features of districts and, if he wanted to know if a district was a Latino opportunity district, he would farm out the election analysis to his boss Jeff Archer. (Aug. 2014 Tr. at 1657:24-1658:10).

785. David Hanna recommended that redistricters conduct an election analysis when he provided his demographic analysis of the Committee's redistricting plans H110 and H153, explaining that certain changes "should be further examined through an analysis of election results to ensure that these declines do not affect the ability of . . . voters to elect candidates of choice." (DEF Ex. 123 at 1, 2 and 5; DEF Ex. 327 at1, 2 and 5).

786. David Hanna also directed Mr. Interiano and other redistricting staff to the Attorney General's Office to obtain an election analysis of proposed redistricting plans. (July 2014 Tr. at 1613:6-12).

787. David Hanna testified that he understood section 5 to require performing districts and he did not analyze performance. (July 2014 Tr. at 1211:2-6).

788. David Hanna further testified that a "shortcoming" of relying only on demographic data of a district, without looking at election analysis, is that one might mischaracterize a district for section 5 purposes. (July 2014 Tr. at 1214:7-23).

789. Chairman Solomons testified that the U.S. Department of Justice provided guidance to redistricters on section 5 and set out various factors to consider when determining

whether a district provided minority voters with the ability to elect their candidates of choice. (July 2014 Tr. at 1075:15-1077:4, 1087:20-1088:9).

790. David Hanna also testified that his boss at the Texas Legislative Council, Jeff Archer, conducted election analysis on the Committee's draft House plans. (July 2014 Tr. at 1190:21-1191:2).

791. On May 23, 2011, the State of Texas made an "informal submission" to the DOJ regarding H.B. 150 with respect to Plan H283. The informal submission concludes that 50% HVAP is an inadequate basis upon which to expect that a district will elect the Hispanic community's candidate of choice. (House Informal Submission, PL Ex. 233 [Dkt. 321-3], at p. 42-43).

792. Texas's informal submission also acknowledges DOJ's publication of 76 Fed. Reg. 7470 (Feb. 8, 2011), which states that DOJ does not rely on predetermined demographic percentages to assess compliance. (House Informal Submission, PL Ex. 233 [Dkt. 321-3], at p. 43).

5. Mappers Disingenuously Placed More Latinos Into Existing Opportunity Districts to Claim Offsets Under Section 5

793. In the benchmark plan, HD90 and HD148 were 45% and 40% SSVR, respectively. (July 2014 Tr. at 1216:1-11; PL Ex. 993).

794. David Hanna considered HD90 and HD148 in the benchmark plan to be Latino ability to elect districts and to be section 5 protected districts. (July 2014 Tr. at 1215:16-25, 1216:1-3; DEF Ex. 327).

795. Mr. Hanna testified that one could have a district that is slightly below 50% SSVR that would still be a Latino opportunity district. (July 2014 Tr. at 1214:7-11).

796. In Plan H110, created by the House Redistricting Committee, the SSVR of both HD90 and HD148 had been reduced below the benchmark for those districts. (DEF Ex. 327).

797. David Hanna wrote in his second memo analyzing possible retrogression that the reductions in SSVR in HD90 and HD148 below benchmark levels raised concerns under the Voting Rights Act. (DEF Ex. 327).

798. In its plan H153, the House Redistricting Committee raised the SSVR of HD90 and HD148 to 47.9% and 49% SSVR respectively. Mr. Hanna then wrote in his third memo that the retrogression concerns with HD90 and HD148 had been resolved. (DEF Ex. 123).

799. David Hanna testified that he prepared a memo that added up the number of SSVR and HCVAP majority districts in H153 and compared that number of districts to the benchmark and Plan H115. (July 2014 Tr. at 1213:16-1214:6; DEF Ex. 328).

800. David Hanna further testified that when H283 increased the SSVR of HD90 and HD148 over 50%, it may not have increased the number of Latino ability to elect districts. (July 2014 Tr. at 1216:12-21; PL Ex. 227).

801. David Hanna further testified that one could make the argument that when the state raised the SSVR in existing Latino ability to elect districts, the state masked the loss of an ability to elect districts elsewhere. (July 2014 Tr. at 1217:2-7; PL Ex. 227).

802. House Redistricting Committee Chairman Solomons testified that the changes made to District 90 in Tarrant County and District 148 in Harris County were not intended to increase the number of Latino opportunity districts but, rather, were intended to increase the percentage of Latino population in those existing opportunity districts. (2011 Tr. 1600:24-1601:8).

803. On April 27, 2011, MALDEF wrote to Chairman Solomons regarding the proposed redistricting plan H153. The letter explained that although H153 increased the SSVR in two existing Latino opportunity districts, raising the SSVR in those districts did not create new Latino opportunity districts that could offset the loss of District 33. The letter concluded that H153 was retrogressive under section 5. (PL Ex. 227 [Dkt. 320-2 at 68-75]).

804. Mr. Downton testified that he believed the way to resolve any section 5 retrogression concerns with the elimination of HD33 in Nueces County was to find another district somewhere in the state that was below 50% SSVR and raise the SSVR above 50%. (July 2014 Tr. at 2096:21-2097:4).

805. Mr. Interiano claimed that when he began drawing the House map, he did not know if House Districts 90 and 148 were Latino opportunity districts in plan H100. (2011 Tr. 1453:15-1454:10).

806. Mr. Interiano did not examine election performance to determine if House Districts 90 and 148 were Latino opportunity districts in plan H100. (Ex. J-61, Vol. 1, at 153: 15-19).

a. HD 90

807. David Hanna identified HD90 as a Latino opportunity to elect district in the benchmark plan to Bonnie Bruce, Gerardo Interiano and Ryan Downton. (DEF Ex. 327).

808. In the benchmark plan, HD90 had an SSVR of 45%. (July 2014 Tr. at 1561:15-19).

809. During the redistricting process, Rep. Charlie Geren was in charge of drawing the redistricting proposal for the Tarrant County House districts. (July 2014 Tr. at 1561:20-23).

810. Ryan Downton worked with Mr. Geren to produce a consensus plan for the Tarrant County delegation. (July 2014 Tr. at 2097:5-2098:7).

811. The consensus map produced by the Tarrant County delegation reduced the SSVR of HD90 from 45% to 40%. (July 2014 Tr. at 2098:11-2099:16; PL Ex. 993).

812. In his retrogression memos of April 7 and April 12, 2011, David Hanna advised Bonnie Bruce, Gerardo Interiano and Ryan Downton that the reduction of SSVR in HD90 could potentially create a retrogression issue. Mr. Hanna recommended that the redistricters restore the SSVR of HD90, explaining "further consideration should be given to see whether the level of SSVR in the proposed plan can be raised to come closer to the level in the current plan." (DEF Ex. 122 at 3).

813. Plan H113, the first redistricting proposal released by the House Redistricting Committee on April 13, 2011, incorporated the Tarrant County delegation's proposal which reduced the SSVR of HD90 to 40%. (July 2014 Tr. at 1561:24-1562:6).

814. Plan H113 excluded from HD90 Hispanic voting age population to the southeast and to the west. (July 2014 Tr. at 2100:4-16; PL Ex. 1009).

815. Following the Redistricting Committee's public hearing on April 15, 2011, Mr. Interiano asked Rep. Geren to modify his draft of HD90 to raise the SSVR of HD90 to 50%. (July 2014 Tr. at 1562:7-13, 2141:7-23).

816. The next plan released by the Redistricting Committee, H153, included an HD90 with an SSVR of 47.9% and took in the Hispanic voting age population to the southeast and the far south of the district. (July 2014 Tr. at 2100:21-2101:5; PL Ex. 1008-1010).

817. After H153 raised the SSVR of HD90, Mr. Hanna removed the concern about HD90 from his retrogression analysis. Mr. Hanna did not characterize HD90 in the enacted plan as a "new" Latino opportunity district. (DEF Ex. 327 at 3).

b. HD148

818. David Hanna identified HD148 as a Latino opportunity to elect district in the benchmark plan to Bonnie Bruce, Gerardo Interiano and Ryan Downton. (DEF Ex. 327).

819. Ryan Downton believed that Latino voters were electing their candidate of choice in HD148 in the benchmark plan. (July 2014 Tr. at 2049:6-10).

820. In his retrogression memos of April 7 and April 12, 2011, David Hanna advised Bonnie Bruce, Gerardo Interiano and Ryan Downton that the Committee's proposed redistricting plans reduced the SSVR of HD148 and could potentially create a retrogression issue with respect to Latinos' ability to elect their candidate of choice. Mr. Hanna recommended that the redistricters restore the SSVR of HD148, explaining "Given that there is a sizable cushion in adjacent District 145 over 50% SSVR, it should be possible to restore District 148 to its current level of SSVR." After a later draft of the redistricting proposal raised the SSVR of HD148, Mr. Hanna removed that concern from his retrogression analysis. Mr. Hanna did not characterize HD148 in the enacted plan as a "new" Latino opportunity district. (July 2014 Tr. at 1198:19-1199:5; DEF Ex. 122 at 5; DEF Ex. 327 at 5).

821. Mr. Downton testified that although HD148 in the benchmark was electing the Latino candidate of choice, "as a factual matter, it was not a majority district, and once it hits 50 percent, it is." (July 2014 Tr. at 2049:22-2050:2).

822. Mr. Downton further testified that he would agree that raising the SSVR of HD148 to 50% did not enhance the ability of minority voters to elect their candidate of choice. (July 2014 Tr. at 2050:3-10).

6. Leadership Did Not Review Maps for Legal Compliance

823. Chairman Solomons sat with Mr. Downton in front of mapping software to work on the State House map. (Ex. J-62-I, at 52:22-53:6).

824. Mr. Interiano testified that in light of the minority population growth over the past decade, the redistricting staff and the leadership had one or more conversations about the opportunity to create more minority opportunity districts. (July 2014 Tr. at 1533:3-18).

825. However, Chairman Solomons testified that he assumed that Voting Rights Act compliance was being looked at by the county delegations in the drop-in counties and did not independently verify whether the counties had enough Latino opportunity districts. (2011 Tr. 1603:9-19).

826. Chairman Solomons testified that he relied on others, including staff, the Legislative Council and the Attorney General's office to advise him on whether districts were in compliance with the Voting Rights Act. (July 2014 Tr. at 1030:16-1031:8).

827. Mr. Interiano testified with respect to enacted Plan H283, "under one of the metrics, there was one additional or two additional [minority districts] that were above the 50-percent benchmark [and] for one of the other metrics, there wasn't. (July 2014 Tr. at 1535:3-15).

7. Mappers Departed From Traditional Redistricting Criteria

a. HD78

(i) Mappers Departed From Partisanship Considerations

828. In the final version of HD78 (in H283), HD78 lost a portion of a geographic area called North Hills to HD77. North Hills is located in the northeast antler of HD77, north of Sean Haggerty between Highway 54 and 2529. North Hills had been a good area for Republican state representative Margo in his 2010 elections and he didn't want to give up what he considered to be the stronger Republican precincts. (July 2014 Tr. at 814:13-815:5).

829. In the final version of HD78 (in H283), HD78 lost a geographic area named Festival to HD77. The Festival area generally is located on the west side, south of Country Club, east of I-10 and north of 20. (July 2014 Tr. at 810:21-811:11).

830. The Festival area had been a strong area for Rep. Margo in his 2010 election, including the 23rd precinct, Mr. Margo's district office and the homes of his mother-in-law and most of his financial supporters. Mr. Margo testified that the Festival area he lost is "a pretty darn good Republican area." (July 2014 Tr. at 811:22-812:3, 824:3-9).

831. In the final version of HD78 (in H283), HD78 also lost (to HD77) a portion of the Upper Valley located north of Country Club and south of Redd Road, which had been a strong area for Mr. Margo in his 2010 election. (July 2014 Tr. at 811:18-21 and 812:11-17).

832. Mr. Margo's electoral support in the Upper Valley area included a substantial number of Hispanic Republicans. (July 2014 Tr. at 813:8-13).

833. Mr. Margo would have preferred if the redistricters had simply cut HD77 off at Country Club Rd. (July 2014 Tr. at 813:14-814:6).

834. Mr. Margo testified that he would not normally have wanted to give up a Republican precinct or a precinct with a good Republican/Democratic balance. (July 2014 Tr. at 812:18-22).

835. Mr. Margo testified that the final changes to HD78, including his loss of precinct 23, which included his financial supporters, many political supporters and his district office, were made after a regression analysis. (July 2014 Tr. at 824:10-16).

836. Mr. Margo complained to Chairman Solomons after seeing the final version of HD78 and told Chairman Solomons that "it's going to be very tough." Chairman Solomons responded "I think you can hang in there." (July 2014 Tr. at 808:14-809:2).

837. Mr. Margo testified that between the Upper Valley, Festival and North Hills, his district gave up territory that was fairly supportive of him as a Republican in the enacted map. Mr. Margo further testified that his District 78 wasn't just giving up strong Democratic precincts to HD77, District 78 was giving up Republican precincts to HD77 as well. (July 2014 Tr. at 815:25-816:9).

(ii) Mappers Split Precincts

838. Rep. Pickett, who managed the El Paso delegation's redistricting effort, had the goal of not splitting any precincts. (July 2014 Tr. at 734:8-10).

839. Rep. Pickett testified that Redistricting Committee Chairman Solomons asked him not to split precincts and "put the fear of God" into him not to split precincts. (July 2014 Tr. at 734:11-17).

840. The redistricting proposal for El Paso County submitted by Rep. Pickett to the House Redistricting Committee did not split any precincts. (July 2014 Tr. at 734:18-22).

841. Data on the number of Democratic or Republican votes cast is not available below the precinct level of geography, although the REDAPPL software will allocate the data down to the block level by assuming that the overall proportion of Republican to Democratic votes in the precinct is the same for every Census block. (July 2014 Tr. at 1629:12:23).

842. In plan H283, the border between House District 78 and House District 77 splits 14 precincts. (PL Ex. 327, 733).

843. Joseph Edward Moody is an attorney and state representative in El Paso, Texas. (July 2014 Tr. at 837:8-16).

844. Rep. Moody was first elected to state House representative in 2008. He lost re-election in 2010, but regained office in 2012. (July 2014 Tr. at 838:4-10).

845. Rep. Moody has lived in El Paso, except for when he attended college in Las Cruces, New Mexico, and law school in Lubbock, for his entire life. (July 2014 Tr. at 837:8-13).

846. Rep. Moody is knowledgeable about neighborhoods in the west side, northwest side and northeast side of El Paso as a result of his three political campaigns and lifelong residence in the city. (July 2014 Tr. at 838:22-839:4; PL Ex. 712).

847. Rep. Moody reviewed the following northwest precincts split by H283 along the border between House Districts 77 and 78: 10, 17, 24, 25, 27, 29 and 23. (July 2014 Tr. at 839:18-841:2; PL Ex. 712).

848. Rep. Moody said that he is familiar with the area around precinct 10. (July 2014 Tr. at 841:4; PL Ex. 712).

849. Rep. Moody characterized the income level of the community in precinct 10 as very working class. He described the housing in the area as mixed and containing rental properties and older housing. (July 2014 Tr. at 841:8-19).

850. Rep. Moody characterized the ethnic makeup of the community within precinct 10 as predominately Hispanic. (July 2014 Tr. at 842:1-6).

851. Considering his knowledge of the community in that precinct, including its demographic, housing and income characteristics, Rep. Moody could not think of any reason to split precinct 10 at Redd Road, as was done in H283. (July 2014 Tr. at 842:25-843:3).

852. Rep. Moody characterized the neighborhoods in precinct 17 as middle class in terms of income. He also noted that the precinct was home to retirement communities as well as a significant rental population along Meza. (July 2014 Tr. at 843:4-21; PL Ex. 713).

853. Rep. Moody is familiar with where precinct 17 was split along Belvedere St., running north and south, up to Resler Road and where precinct 17 was split along Meza Street, which runs northwest and southeast. (July 2014 Tr. at 843:24-852:21; PL Ex. 713).

854. Considering the demographic and ethnic characteristics of the residents of precinct 17, Rep. Moody could not think of any good reason to split the precinct the way H283 did. (July 2014 Tr. at 852:22-853:2; PL Ex. 713).

855. Rep. Moody is familiar with the area split in Precinct 24 because he partly grew up in a neighborhood within that precinct. (July 2014 Tr. at 853:3-13; PL Ex. 716).

856. Rep. Moody described the area around the border between HD 77 and HD 78 that split precinct 24 in H283 as a majority Hispanic, contiguous neighborhood that feeds into the same elementary school—Putnam Elementary. (July 2014 Tr. at 853:14-854:12; PL Ex.716).

857. Rep. Moody observed that there was no good reason to split precinct 24 the way that H283 split it, and that the border seemed to cut right into a cohesive neighborhood. (July 2014 Tr. at 853:13-24; PL Ex. 716).

858. Rep. Moody said that the border between HD 77 and 78 in H283 made no sense when it takes "a bite" out of precinct 25, splitting it in a small area. (July 2014 Tr. at 855:10-19; PL Ex. 716).

859. Rep. Moody is familiar with the area in split precinct 27 because he lived there when first married to his wife and because of his political work there. (July 2014 Tr. at 856:2-13; PL Ex. 715).

860. Rep. Moody described the income level of the residents of precinct 27 as "working class, middle income" and the ethnic makeup of precinct 27 as predominately Hispanic. (July 2014 Tr. at 856:17-857:1; PL Ex. 715).

861. Rep. Moody said that the area around the line dividing precinct 23 is one neighborhood. (July 2014 Tr. at 859:5-13; PL Ex. 715).

862. Rep. Moody described split precinct 29 as one cohesive neighborhood that feeds into Morehead Middle School. (July 2014 Tr. at 859:19-860:11; PL Ex. 715).

863. Rep. Moody could think of no good reason to split precinct 29 along South Festival. (July 2014 Tr. at 860:22-861:2; PL Ex. 715).

864. Rep. Moody identified seven split precincts in H283 in the northeast region of El Paso. (July 2014 Tr. at 862:10-21; PL Ex. 711).

865. Because of his family and political work, Rep. Moody is familiar with northeast El Paso. (July 2014 Tr. at 862:22-24; PL Ex. 711).

866. When asked to describe the income of the residents of the southern portion of precinct 43 in El Paso, Rep. Moody said that it is a moderate, working class community. (July 2014 Tr. at 862:25-863:8; PL Ex. 717).

867. Rep. Moody described the ethnic makeup of the community within the southern portion of precinct 43 as predominately Hispanic. (July 2014 Tr. at 863:9-10; PL Ex. 717).

868. Rep. Moody described the homes along Sarah Anne Avenue as being the same neighborhood and community. This neighborhood has a culvert running behind it that Murphy Street runs across. (July 2014 Tr. at 863:11-22; PL Ex. 717).

869. Rep. Moody testified that he could not think of any reason to split, at Murphy Street, the neighborhood that runs along Sarah Anne Avenue. (July 2014 Tr. at 863:25-864:7; PL Ex. 717).

870. Rep. Moody described split precinct 45 as predominately Hispanic, moderate income and working class. (July 2014 Tr. at 864:8-15 and 865:15-17; PL Ex. 718).

871. Rep. Moody characterized the area within precinct 45 to the east of the boundary between HD 77 and 78 in H283 as the same as the area to the west of Rushing Road. (July 2014 Tr. at 865:5-14; PL Ex. 718).

872. Rep. Moody described the areas in split precinct 49 on either side of the boundary that runs along Rushing as the same neighborhood. He said that the neighborhood in precinct 49 is part of a cohesive community in northeast El Paso. (July 2014 Tr. at 867:2-16; PL Ex. 720).

873. Rep. Moody said that he did not know of any good reason to split precinct 49. (July 2014 Tr. at 867:17-22; PL Ex. 720).

874. Rep. Moody characterized the community in split precinct 47 as a moderate income, working class neighborhood that included some retired population. (July 2014 Tr. at 868:20-22; 868:23-869:4; PL Ex. 719).

875. Rep. Moody said that he knew of no good reason to split precinct 47 where it was split in plan H283 by the boundary between HD 7 and 78. (July 2014 Tr. at 869:5-7; PL Ex. 719).

876. Rep. Moody described split precinct 55 as lower to middle income. (July 2014 Tr. at 869:8-24; PL Ex. 721).

877. Rep. Moody said that there was probably no difference in income levels of the residents on either side of Threadgill, the road that splits precinct 55. (July 2014 Tr. at 870:4-12; PL Ex. 721).

878. If one had wanted to create a boundary along precincts 54, 55, and 56 it would have been preferable to follow Dyer Street, according to Rep. Moody. (July 2014 Tr. at 871:7-16; PL Ex. 721).

879. Discussing the boundaries of the antlers separating HD77 and HD78 in H283, Former HD78 Representative Dee Margo did not know why the boundary of HD77 in H283 would: follow Round Rock Drive or Mackinaw Street or follow Rushing Street and Sun Valley. Mr. Margo also did not know HD77 becomes thin along Railroad Drive in the eastern portion or why DH77 follows Chippendale St. along the boundary of HD79. (July 2014 Tr. at 816:19-817:17).

880. Texas Senator Jose Rodriguez described the areas of El Paso that are encompassed by HD78 in H283, including communities of interest that are distinct from each other in terms of socio-economic status, occupation and housing. (July 2014 Tr. at 685:14-691:17).

881. HD77 in H283 encompasses a more heavily Hispanic area than HD78. (July 2014 Tr. at 694:1-11; Ex. 328).

(iii) Mappers did not Follow the Franklin Mountains

882. Rep. Pickett testified that the Franklin Mountains are not a physical factor in redistricting. (July 2014 Tr. at 736:12-15).

883. Rep. Pickett further testified that equalizing population in El Paso redistricting was more challenging than dealing with the physical factors, like the Franklin Mountains, and that physical barriers were the last thing he looked at. (July 2014 Tr. at 737:4-15).

884. Contrary to the State's assertion, House District 78 in plan H283 does not follow the contours of the Franklin Mountains in El Paso. (PL Ex. 323 [Dkt. 325-4, at p. 1]).

885. State Rep. Moody said that there is significant population between the western edge of the Franklin Mountains in El Paso and the nearest boundary between HD 77 and HD 78. (July 2014 Tr. at 875:17-876:3; PL Ex. 323).

886. Rep. Moody stated that the boundary between HD 77 and 78 under plan H283 does not follow the contours of the Franklin Mountains. (July 2014 Tr. at 876:22-877:6; PL Ex. 323).

887. Texas Senator Jose Rodriguez identified areas where the boundaries of HD78 in H283 do not follow the Franklin Mountains, including the area east of Resler and Mesa which contains the Mountain Arroyo Neighborhood Association and Thunderbird Estates, as well as an area west of Alabama St. and north of Fred Wilson. (July 2014 Tr. at 691:18-692:13; 692:18-693:25; Ex. 676-680).

888. HDs 77 and 78 in H283 split a historic community in northeast El Paso. This community has its own identity, its own high school, Irving, and is divided by the configuration of districts in H283. The high performing Latino population is packed into HD 77. (2011 Tr. 377:2-25).

889. The Latino population could be more evenly spread among all five districts in El Paso County, giving Latinos the opportunity to elect their candidate of choice in all five of El Paso's State House districts. (Flores Report, Ex. E-8 [Dkt. 191-1], at p. 9).

890. El Paso County is 82.2 percent Latino, yet HD78 is only 66 percent Latino and has less than 50 percent Latino voter registration. The remaining four State House districts in El Paso are well over 80 percent Latino. (Ex. 418 ¶ 15 [Dkt. 330-5, at p. 94]).

891. The reconfigured H283 District 78 unites communities that are not similar. (Ex. 414 ¶ 11 [Dkt. 330-5, at p. 77]).

892. HD78 specifically carves out Latino communities. For example, there is a clear swap where Latino neighborhoods to the east of Doniphan Road are excluded from HD78 and affluent Anglo neighborhoods to the west of Doniphan Road are included in HD78. Plan H283 cuts the St. Judas Church out of HD78. The church's address is 4006 Hidden Way, El Paso, Texas. This is a church with a predominantly Latino parish, and its removal from HD78 is a clear example of carving out Latinos. (Ex. 418 ¶ 16 [Dkt. 330-5, at pp. 94-95]).

893. The enacted HD 78 does follow the mountain boundary at some points along Alabama Street, but then it crosses the mountain to pick up the Northeast side. Instead of following the mountain range, the district boundary cuts across neighborhoods and cuts precincts. (PL Ex. 418 ¶ 19 [Dkt. 330-5, at p. 95]; PL Ex. 323 [Dkt. 325-4, at p. 1]).

894. The enacted HD 78 divides communities in the Northeast and along Doniphan Road that have no reason to be split except to carve out Latino neighborhoods. (Ex. 418 ¶ 20 [Dkt. 330-5, at p. 95]).

b. HD117

895. Chairman Solomons opposed the Farias amendment to the House redistricting bill in part because he claimed the amendment split 6 precincts along the boundary of HD117 and HD118. Chairman Solomons took the opposite position in supporting the El Paso portion of H283, which split 14 precincts along the boundary of HD77 and HD78. (July 2014 Tr. at 1045:9-17; PL Ex. 733).

896. Mr. Interiano testified that redistricters had a number of goals with respect to the crafting of HD117 that resulted in HD117 taking Somerset and Whispering Winds from HD118. The goals as explained by Mr. Interiano included making sure Rep. Garza had a chance to be reelected, making sure the district was over 50% SSVR, keeping HD117 in a rural area outside the City of San Antonio and Loop 1604, and keeping HD117 outside of San Antonio for reasons related to the Bexar Metropolitan Water District (because of water issues involving legislation and the courts). (July 2014 Tr. at 1518:7-19, 1526:3-16, 1559:1-16).

897. Mr. Interiano testified that he could have created an HD117 with an SSVR above 50% by taking the district inside Loop 1604 and inside the City of San Antonio. He further testified that he placed Somerset and Whispering Winds into HD117 in order to meet the goals of an SSVR over 50%, political performance, and keeping HD117 outside of the City of San Antonio and outside Loop 1604. (July 2014 Tr. at 1559:1-16).

898. Contrary to Mr. Interiano's testimony regarding the goals for drafting HD117, HD117 as enacted does not stay outside Loop 1604 or the City of San Antonio. Mr. Interiano conceded that HD117 goes takes in portions of the City of San Antonio in the northern

end of the district, where Loop 1604 meets up with IH-10 west. (July 2014 Tr. at 1550:14-21; PL Ex. 995).

899. Contrary to Mr. Interiano's testimony, HD117 takes in significant non-rural areas. Mr. Interiano conceded that HD117 took in substantial suburban development in the northern end of the district, outside of Loop 1604 and to the west of I-10. Mr. Interiano further testified that HD117 took in significant suburban development outside Loop 1604 and south of Bandera Road. (July 2014 Tr. at 1549:20-1550:8, 1550:22-15516; PL Ex. 992, PL Ex. 991).

900. Contrary to Mr. Interiano's testimony, HD 117 does not follow the boundaries of the Bexar Metropolitan Water District. (PL Ex. 996).

901. Contrary to Mr. Interiano's testimony, Rep. Garza did not have redistricting goals related to the Bexar Metropolitan Water District. Mr. Garza testified that he did not have any goals with respect to whether or not HD117 would include portions of the Bexar Metropolitan Water District. (July 2014 Tr. at 405:19-409:3).

902. Rep. Garza also testified that he did not know how the boundaries of HD117 under the benchmark plan lined up with the boundaries for the Bexar Metropolitan Water District. (July 2014 Tr. at 405:7-25).

c. HD33

903. In Nueces County, after eliminating a Latino majority district, redistricters created bizarre extensions of HD34. The extensions of HD34 carve out portions of HD32 for inclusion into HD34. (July 2014 Tr. at 646:15-648:12; DOJ 327).

904. In H283, the boundary between HD34 and HD32 departs from street geography. (July 2014 Tr. at 646:15-24; DOJ 327).

905. In H283, HD34 extends a "boot" into HD32 to remove the homes of Raul Torres and Solomon Ortiz, Jr., potential challengers to the incumbent Todd Hunter, from HD32. (July 2014 Tr. at 647:16-648:2).

906. Raul Torres, a former Republican State Representative and Solomon Ortiz, Jr., a former Democratic State Representative, both have past legislative experience representing HD33 but were carved out of HD32 in H283. (July 2014 Tr. at 632:3-18; 648:6-12).

907. In H283, an area named Los Encinos was placed into HD32 where it protrudes into HD34. Los Encinos contains a high Hispanic population but low voter turnout. (July 2014 Tr. at 647:6-15).

908. In H283, HD32 contains a northern extension to take in the Hillcrest area; the Hillcrest area contains a high African American population but low voter turnout. (July 2014 Tr. at 648:13-23).

8. Redistricters Drew Challenged Portions of the Map Behind Closed Doors and Excluded Legislators who had been Named in Charge of Their County Redistricting

909. Around the time of the first formal meeting of the House Redistricting Committee, Chairman Burt Solomons asked Rep. Pickett to take the lead on El Paso redistricting. (July 2014 Tr. at 731:25-732:7; Ex. 974).

910. Chairman Solomons and Rep. Pickett were friends, Austin roommates and officed near each other in the Capitol. (July 2014 Tr. at 751:2-752:11, 1038:15-24).

911. Rep. Pickett was an early supporter of Rep. Joe Straus for Speaker of the Texas House. (July 2014 Tr. at 1037:25-1038:14).

912. Early supporters of Speaker Joe Straus were also known as "Straus Lieutenants" and often received committee chairmanships to help the Speaker with his policy goals. (July 2014 Tr. at 1032:21-1033:17).

913. Chairman Solomons testified that Rep. Pickett is a "Straus Lieutenant." (July 2014 Tr. at 1089:25-1091:6).

914. In 2011, Rep. Pickett not only served on the House Redistricting Committee but had also been appointed by Texas House Speaker Straus as the chair of the Homeland Security and Public Safety and Transportation Funding, Expenditures and Finance committees. (July 2014 Tr. at 727:10-19).

915. The House leadership made clear to Rep. Pickett that El Paso would be a drop-in county. (July 2014 Tr. at 731:17-24).

916. After Rep. Pickett submitted his preferred map, signed by the delegation, to Chairman Solomons, the Redistricting Committee redrew the map. (*See* FOF 553-566).

917. In Bexar County, Rep. Mike Villareal was in charge of gathering the proposals from the member of the Bexar County delegation and assembling them into a drop-in map for the Redistricting Committee. (*See* FOF 584-591).

918. Rep. Villareal sent nine maps to Gerardo Interiano containing versions of HD117 that was over 50% SSVR and in which candidate Molina won the 2006 race for Court of Criminal Appeals. (*See* FOF 623, 640-642, 650).

919. At the same time that Mr. Villareal was sending his maps on behalf of the delegation to Mr. Interiano, Mr. Interiano was working on a different version of HD117 which was ultimately incorporated into the final Bexar County map. (*See* FOF 640-654).

III. C185 Dilutes Latino Voting Strength in Violation of Section 2

A. *Gingles* I

1. Latino Opportunity to Elect in the Benchmark Plan C100

920. The benchmark plan, also known as C100, has seven Latino opportunity districts: 15, 16, 20, 23, 27, 28, and 29. (Engstrom Corr. Rebuttal report at 26; 2011 Tr. 512:22-513:6).

921. According to Mr. Interiano, in plan C100, Congressional Districts 15, 16, 20, 23, 27, 28 and 29 are Latino opportunity districts. (Ex. J-61, Vol. 1, at 83:13-19).

922. If a Latino opportunity district fails to elect a Latino-preferred candidate in one election year, it should not automatically be categorized as not a Latino opportunity district. (2011 Tr. 1860:14-18; 513:7-514:12).

923. Dr. Alford stated that these districts, CDs 15, 16, 20, 23, 27, 28, and 29, were all intended to be what he calls "effective" minority districts. (Ex. E-17, at p. 4 [Dkt. 223-2, at p. 5]).

924. The State's expert witness, Dr. Alford, testified that the benchmark congressional plan overall contains "10 districts that are likely to elect minority candidates of choice." (2011 Tr. 1834:9-18).

a. Dallas-Fort Worth Metroplex

925. There is not a Latino opportunity district in the Dallas-Fort Worth Metroplex in the benchmark C100. (Ex. J-1; 2011 Tr. 512:24-513:6).

b. Harris County—CD 29

926. In plan C100, there is a Hispanic Citizen Voting-Age Population majority congressional district in Harris County, CD 29. (PL Ex. 343 [Dkt. 326-1, at p. 1]).

927. CD 29 is a Latino opportunity district in the benchmark. (2011 Tr. 512:24-513:6).

c. CD 23

928. CD 23 is a Latino opportunity district in the benchmark. (2011 Tr. 512:24-513:6).

929. CD 23 in Plan C100 has a HVAP of 62.8%, a CVAP of 58.4%, and a SSVR of 52.6%. (PL Ex. 200 [Dkt. 320-1, at p. 4]).

930. From 2002 to 2010, the candidate of choice of Latinos won 7 of 14 racially contested general elections in CD 23 in the benchmark. From 2006 to 2010, the candidate of choice of Latinos won 3 of 7 racially contested exogenous general elections in CD 23 in the benchmark. (PL Ex. 200 [Dkt. 320-1, at p. 5]; PL Ex. 237 [Dkt. 387-237, at p. 1]; PL Ex. 238 [Dkt. 387-238, at pp. 1, 3]; PL Ex. 239 [Dkt. 387-239, at p. 1]: PL Ex. 240 [Dkt. 387-240, at p. 1]; PL Ex. 241 [Dkt. 387-241, at p. 1]; PL Ex. 1638 at 3).

931. Because the candidate of choice of Latinos won two out of three endogenous elections between 2006 and 2010, Congressional District 23 in plan C100 provided Latino voters with an opportunity to elect representatives of their choice. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 27).

932. Dr. Flores concluded that even though in 2010, Latinos in CD 23 and CD 27 failed to elect the candidates of their choice, the districts remain Latino opportunity districts. (2011 Tr. 513:16-23).

933. In 2010, CD 23 incumbent Ciro D. Rodriguez garnered about 84.7% of the Latino vote, compared to just 18.1% of the votes of non-Latinos. However, only 40.77% of the voters who turned out in the CD23 general election were Latinos. Because of low Anglo voter support, Ciro Rodriguez only garnered 44.44% of the votes cast in the CD23 election. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 25-27).

934. Dr. Engstrom's analysis showed that Congressional District 23 in the benchmark is a Latino opportunity district despite the fact that the Latino- preferred candidate was defeated in the 2010 General Election. CD23 has a majority of Latino population, was created by the district court in *LULAC v. Perry* as an opportunity district, and elected the Latino preferred candidate in the 2006 and 2008 General Election. (Engstrom at 2011 Tr. 513:7-515:5).

935. The State's expert witness, Dr. Alford, testified that since CD 23 was created in 2006, it elected the Latino-preferred candidate in 2006 and 2008. (Alford Deposition 2011 Tr. at 121:6-9.

d. CD27

936. CD27 is a Latino opportunity district in the benchmark plan C100. 2011 Tr. 512:24-513:6).

937. With respect to Congressional District 27, Dr. Engstrom concluded that voting was racially polarized in the 2010 election. The incumbent, Solomon Ortiz, received an estimated 86.6 percent of the votes cast by Latinos and only 15.9 percent of the votes cast by non-Latinos. (2011 Tr. 509:23-510:4).

938. The turnout count indicated that in Congressional District 27 Latinos constituted 46.72 percent of the people turning out to vote. (2011 Tr. 510:5-7).

939. Dr. Engstrom determined that CD 27 was an opportunity district because it was at 69 percent in 2010 and because Latinos elected an incumbent for the entire decade beginning in 2000 except for 2010. He did not think that the exception of 2010 would take CD 27 out of the reasonable opportunity to elect category. (2011 Tr. 514:13-25)

940. Dr. Engstrom concluded that former Representative Solomon Ortiz was the Latino preferred candidate in Congressional District 27 when looking at the endogenous 2010 election. (2011 Tr. 515:1-4).

2. Latino Opportunity to Elect in the Enacted Plan C185

a. Statewide

941. Latinos are provided the opportunity to elect their preferred candidate in seven districts in C185. These are CDs 15, 16, 20, 28, 29, 34, and 35. (2011 Tr. 515:8-16; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28).

942. The number of Latino opportunity districts did not change between the benchmark plan, C100, and the plan that the Texas Legislature enacted, C185. (2011 Tr. 446:15-18).

943. Mr. Interiano conceded that in plan C185, Congressional Districts 15, 16, 20, 28, 29, 34 and 35 are Latino opportunity districts. (Ex. J-61, Vol. 1, at 93:7-9).

944. Dr. Alford testified that in Plan C185, there are not eight districts in which Latinos can elect their candidate of choice. (2011 Tr. 1908:14-1909:2).

945. Dr. Alford testified, with respect to Plan C185's failure to create an additional Latino opportunity district, "the first time I looked at the maps, that's the question that occurred to me, is where -- where had that -- where was that growth in the map? (2011 Tr. 1919:15-1920:1).

946. The enacted plan, C185 adds CD 34 and CD 35 as Latino opportunity districts but takes away Latino opportunity districts 23 and 27. (2011 Tr. 485:20-486:8).

947. The net gain of Latino opportunity districts in C185, the enacted plan, is zero. (2011 Tr. 486:9-10).

b. Dallas-Fort Worth Metroplex

948. Plan C185 does not include a Latino opportunity district in the Dallas-Ft. Worth Metroplex. (Ex. J-8; PL Ex. 200 [Dkt. 320-1, at p. 1]).

949. CD 6 in Plan C185 is not a Latino opportunity district. (2011 Tr. 515:14-16; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28).

c. South and West Texas

950. In plan C185, the northern border of the South Texas configuration of HCVAP majority congressional districts extends east from El Paso County to Reagan County, then southeast to Bexar County with an extension picking up parts of Caldwell, Hays and Travis Counties, and then south to Kleberg County. (PL Ex. 344 [Dkt. 326-1, at p. 2]).

951. In plan C185, the South Texas configuration of Hispanic CVAP majority congressional districts includes the following Latino opportunity districts: CD15, CD20, CD28, CD34, CD35. (2011 Tr. 515:14-16; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28).

d. CD23 in C185 is Not a Latino Opportunity District

952. When racially polarized voting exists in a geographic area, the group composition of election districts in that area is a crucial determinant of Latinos' opportunity to elect representatives of their choice. (Engstrom Report, Ex. E-7 [Dkt. 154-1], at p 18).

953. Although the Hispanic population of CD 23 increases in C185, CD 23 is not a Latino opportunity district. (2011 Tr. 454:8-11; 516:1-4; 545:16-18).

954. Mr. Interiano conceded that Congressional District 23 in C185 does not perform as well as Congressional District 23 in C100. (Ex. J-61, Vol. 1, at 96:23-97:2).

955. Dr. Alford, the State's expert witness, characterized the redrawing of CD23 in Plan C185 as "unfortunate[]." (2011 Tr. 1820:14-16).

956. The State's expert witness, Dr. Alford, testified that CD23 in Plan C185 slightly increased in Spanish surname voter registration, but it decreased in its election performance. (2011 Tr. 1877:18-22).

957. The State's expert witness, Dr. Alford, testified that he did not count CD23 in Plan C185 as a performing district for Latinos, explaining that CD23 "is probably less likely to perform than it was and so I certainly wouldn't count and don't -- in all of this discussion, I haven't counted the 23rd as an effective minority district in the newly adopted plan, but it does remain a majority district." (2011 Tr. 1839:1-13; 1877:23-1878:6).

958. The State's expert witness, Dr. Alford, testified that the new CD35 is a "swap" for CD23, explaining, "in the sense that there is some -- that there is something in the plan that I think might address the weakness of 23, I think would be the creation of [35]." (2011 Tr. 1875:10-23).

959. The State's expert witness, Dr. Alford, testified that "added population [in CD23] has also made the reconstituted election analysis marginally worse, and so the 23rd is less likely than it was previously, but it still remains a majority Hispanic district, and it has been offset in the creation of the 35th by a district that does have very good reconstituted election numbers." (2011 Tr. 1839:14-1840:7).

960. CD23 in C185 would elect the Latino voters' candidate of choice in only one of ten elections. (PL Ex. 200 at p. 5; PL Ex. 242 at 1; PL Ex. 243 at 1; PL Ex. 244 at 1; PL Ex. 244-1 at 1; PL Ex. 245 at 1; PL 290; PL Ex. 426 at 1).

e. CD27 in C185 is Not a Latino Opportunity District

961. CD 27 in Plan C185 is a not Latino opportunity district. (2011 Tr. 515:14-16; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28).

962. In the enacted plan, C185, CD 27 pivots around Nueces County. Nueces County in C185 is the southernmost county in the district, which runs up along the Coastal Bend and north into Bastrop County. (2011 Tr. 458:11-13; PL Ex. 386 [Dkt. 330-3, at p. 2]).

963. Mr. Downton explained that his goal in drawing CD27 in C185 was "to create a congressional district anchored in Nueces County that would be a Republican-leaning district, to increase Congressman Farenthold's chances of being reelected." (Aug. 2014 Day 5 Tr., 1632:21-1633:4, Aug. 15, 2014).

964. In CD 27 in the enacted plan, C185, Nueces County, once a Latino majority county anchoring a Latino opportunity district, was assigned into a district where Latinos are the minority. (2011 Tr. 459:1-7; PL Ex. 386 [Dkt. 330-3, at p. 2]).

965. In C185, the new CD 27 reduces the SSVR from 69.2% to 45.1% when compared to the benchmark plan. (2011 Tr. 458:14-16; 2011 Tr. 970:23-971:4; 2011 Tr. 971:20-22; Flores Report, Ex. E-8 [Dkt. 191-1], at p. 11).

966. The 24% reduction of SSVR in CD 27 dilutes Latino voting power and prohibits Latinos from electing their candidate of choice. (Flores Report, Ex. E-8 [Dkt. 191-1], at p. 11).

967. CD 27 is completely reconfigured in the enacted plan, C185. (2011 Tr. 458:5-8).

968. According to Mr. Downton, CD 27 in the benchmark and CD 27 in C185 are totally different districts. (2011 Tr. 971:5-8; Ex. J-62-II, at48:19-21).

969. Chairman Solomons understood that Congressional District 27 was protected under the Voting Rights Act. The enacted plan divided benchmark CD 27 into two districts and cut Nueces County loose from the Valley. (Ex. J-60, at 153:1-16).

f. CD34 is a Swap for CD27

970. Senator Kel Seliger, Chair of the Texas Senate Select Redistricting Committee, testified that CD 34 is essentially a swap for CD27 in terms of Latino opportunity. (Ex. J-59: 26:18-23).

971. The State's expert witness, Dr. Alford, testified that CD27 in Plan C185 "has flipped, in almost exactly the same way 23 was flipped previously, so it is CD-27 this time that is flipped into being a majority . . . Anglo district." (2011 Tr. 1829:11-1830:4).

972. The State's expert witness, Dr. Alford, testified that CD34 in Plan C185 is "the replacement district" for CD27 which "has been flipped into a majority Anglo district," concluding that "although that [CD34] is a new district, in the sense of its number, it is one of the ones above 32, it is simply a reconfigured District 27."(2011 Tr. 1831:18-1832:12). Dr. Alford further testified that he would not count CD 34 as an additional Latino opportunity district. (2011 Tr. 1832:13-19).

973. Mr. Downton also admitted that CD 34, a Latino majority district in Plan C185, is swap for CD 27, which was a Latino majority district in the benchmark for purposes of Section 5 of the Voting Rights Act. (2011 Tr. 971:14-19; Ex. J-62-I, at 31:24-32:3; Ex. J-62-I, at 66:13-15).

g. CD29 is a Latino Opportunity District

974. In plan C185, there is one Hispanic Citizen Voting-Age Population majority congressional district in Harris County. (PL Ex. 344 [Dkt. 326-1, at p. 2]).

975. CD 29 in Plan C185 is a Latino opportunity district. (2011 Tr. 515:14-16; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28).

h. CD35 is a Latino Opportunity District

976. Ryan Downton, who is familiar with Travis County, testified that he kept the community of interest on the East Side of Austin, which is predominantly Hispanic, together in CD35 in C185. (Aug. 2014 Day 5 Tr., 1776:21-1776:24; (Aug. 2014 Day 5 Tr., 1674:11-1675:3, Aug. 15, 2014).

977. Celeste Villarreal is an associate judge for the City of Austin, first moved to Austin in 1978 and has had ties to Austin for 36 years. (2011 House Phase of 2014 Trial, 1128:20-1128:21; 1129:3-1129:4, Aug. 14, 2014).

978. Ms. Villarreal is a past president of the Mexican American Bar Association of Texas (MABA Texas), and she previously served as legislative director for MABA Texas. (Aug. 2014 Tr., 1129:5-1129:9, Aug. 14, 2014).

979. Ms. Villarreal came to be involved with the Texas Latino Redistricting Task Force when she was testifying on behalf of MABA Texas at the Capitol in 2011, and she saw a number of the members of the Task Force in the halls of the Capitol. Those members then reached out to MABA Texas. (Aug. 2014 Tr., 1129:17-1129:21, Aug. 14, 2014).

980. Ms. Villarreal testified that she was contacted by Lydia Camarrillo, the executive director of the Southwest Voter Registration and Education Project. Ms. Camarillo asked Ms. Villarreal if MABA Texas would be willing to join the Texas Latino Redistricting Task Force. Thereafter, Ms. Villarreal proposed to the board of MABA Texas that the organization join the Task Force, and the board approved. (Aug. 2014 Tr., 1129:25-1130:11, Aug. 14, 2014).

981. Ms. Villarreal testified that, along with other member organizations of the Texas Latino Redistricting Task Force, the MABA Texas board approved the organization's joining of the redistricting lawsuit as a plaintiff. (Aug. 2014 Tr., 1130:12-20, Aug. 14, 2014).

982. Ms. Villarreal lives in Travis County very near the boundary of Congressional District 35 in Plan C185. Ms. Villarreal lives near the area north of Martin Luther King Dr. and west of Texas State Highway 130, near Decker Lane. (Aug. 2014 Tr., 1131:13-1131:15; 1131:19-1131:19, Aug. 14, 2014).

983. Ms. Villarreal characterized the area of CD35 that is near her neighborhood as lower income and very blue collar, predominantly Hispanic but with a lot of African-American residents. (Aug. 2014 Tr., 1132:8-1132:16, Aug. 14, 2014).

984. Ms. Villarreal characterized that area of Travis County near Decker Lane as blue collar, middle and lower income and as being very demographically mixed and including Latinos, Anglos, Asians and Nigerian residents. (Aug. 2014 Tr., 1132:3-1132:6, 1132:6-1132:7, Aug. 14, 2014).

985. Celeste Villarreal characterized the area of CD35 around Johnny Morris, north of Martin Luther King and south of 290 as lower to middle income and mostly Hispanic. (Aug. 2014 Tr., 1132:17-1132:23; 1133:7-1133:9, Aug. 14, 2014).

986. Ms. Villarreal testified that, having grown up partly in San Antonio and having lived the majority of her adult life in Austin, she sees more similarities than differences between San Antonio and Austin. She further testified that she supported a Latino opportunity congressional district bridging San Antonio and Austin that includes similar communities. (Aug. 2014 Tr., 1133:24-1134:10, Aug. 14, 2014).

987. Gonzalo Barrientos served in the Texas House of Representatives for ten years and in the Texas Senate for twenty-one years representing Travis County. Sen. Barrientos lives in Travis County. (Aug. 2014 Day 4 Tr., 1157:7-22, 1142:15-1142:18, 1161:11-1162:19, Aug. 14, 2014)

988. Former Texas Senator Gonzalo Barrientos testified that the boundaries of CD35 in Travis County encompass several communities of interest that share similar housing and socio-economic characteristics. These neighborhoods include: the historical Latino area of Travis County south of 7th Street and north of the river, east of I-35; the traditional African-American community that begins at 7th Street and stretches north and lies east of I-35; south of 7th Street and down in the area of William Cannon and Dove Springs and east of I-35; the area around Riverside, south to 71, and east of I-35; the small area of CD 35 that is west of I-35 and east of Manchaca (2304); the area south of Ben White (290) to the area of Slaughter Lane; 7th Street, north of the river, east to the county lines on either side of I-35 generally out to the county line; and the areas of Creedmore and Mustang Ridge. (Aug. 2014 Day 4 Tr., 1154:3-1159:25, Aug. 14, 2014).

989. When he was a state senator, Sen. Barrientos worked on issues that were relevant to Latino communities in both Travis County and Bexar County like elder abuse and funding of schools. (Aug. 2014 Day 4 Tr., 1160:1-1160:12, Aug. 14, 2014).

990. Senator Barrientos prefers a Congressional District that includes Latinos in Travis County as well as Latinos in Bexar County a lot more than variations that stretched from the east side of Austin all the way to McAllen. He said that for Mexican-Americans and Hispanics in Austin and San Antonio, there is not much difference in interests. Sen.

Barrientos said he also has familial connections in both San Antonio and Travis County. (Aug. 2014 Day 4 Tr., 1160:13-1161:4, Aug. 14, 2014).

991. Sen. Barrientos supported the drawing of Congressional District 35 in 2011 and believes that Congressional District 35 connects communities of interest in its current configuration. (Aug. 2014 Day 4 Tr., 1168:17-1168:25, Aug. 14, 2014).

992. In C185, the configuration of CD35 is consistent with the neighboring CD21, an Anglo majority district that historically connected portions of San Antonio to portions of Austin. In the 1992 and 1994 elections, as well as the 1996 primary elections, CD 21 had portions of Bexar County in it, as well as portions of Williamson County, north of Travis County. (PL Ex. 304 [Dkt. 322-5, at p. 1013]).

993. In the 1996 special elections, as well as the 1998 and 2000 elections, CD 21 had portions of Bexar County in it, as well as portions of Williamson County, north of Travis County. (PL Ex. 305 [Dkt. 323-1, at p. 1]; 2011 Tr. 944:3-11; PL Ex. 305).

994. In the 2002 elections, CD 21 stretched from Bexar County to Travis County. (PL Ex. 306 [Dkt. 323-1, at p. 2]; 2011 Tr. 944:12-16; Ex. 306).

995. In the legislatively adopted map used for the 2004 elections and the 2006 primaries, San Antonio and Austin were united in CD 21. (2011 Tr. 944:19-22).

996. CD 21 in Plan C185 contains portions of Austin and San Antonio and is represented by Rep. Lamar Smith. (2011 Tr. 943:11-944:2.

3. Gingles I Demonstration Districts

a. Statewide

997. At least one proposed redistricting plan, C190, created nine Latino opportunity districts: 6, 15, 16, 20, 23, 28, 34, 35 and 36. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28; 2011 Tr. 515:10-18).

998. The interim congressional plan ordered by this Court—C235—restored Congressional District 23 as a Latino opportunity district. (Dkt. 691; Ex. PL 1076).

999. The interim congressional plan C235 contains eight Latino opportunity districts: 15, 16, 20, 23, 28, 29, 34 and 35. (Dkt. 691; Ex. PL 1076).

b. Dallas-Fort Worth Metroplex

1000. CD 6 in Plan C190 is a Latino opportunity district. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28; 2011 Tr. 515:10-18).

1001. Congressional District 6 in plan C190 unites communities with low educational attainment in Dallas and Tarrant Counties. (PL Ex. 361 [Dkt. 328-1, at p. 3]).

1002. Congressional District 6 in plan C190 unites low-income communities in Dallas and Tarrant Counties. (PL Ex. 362 [Dkt. 328-1, at p. 4]).

1003. Congressional District 6 in plan C190 unites Latino communities in Dallas and Tarrant Counties. (PL Ex. 363 [Dkt. 328-1, at p. 5]).

1004. Over the past couple of decades, there has been dramatic growth the Latino population of Dallas, while the Anglo population has declined. (Ex. 415 ¶ 15 [Dkt. 330-5, at p. 81]).

1005. The schools in CD6 in Plan C190 have large, growing English Language Learner (or ELL) populations. The residents in these areas are struggling to overcome substantial dropout rates in many of the schools in these areas, which can be attributed to the challenges presented by the low-income and ELL populations. (Ex. 415 ¶ 21 [Dkt. 330-5, at p. 82]).

1006. The streets and transportation infrastructure in the proposed district are uniformly poor. Many of the streets throughout the proposed district need repair, and many of the neighborhoods lack sidewalks. The housing in these areas is typically low- to middle-income housing, and there is substantial multifamily housing. (Ex. 415 ¶ 22 [Dkt. 330-5, at pp. 82-83]).

1007. The Latinos in these areas 1argely work in construction or run small businesses in the district, such as markets and restaurants. There are numerous small minority- owned business throughout the district. (Ex. 415 ¶ 23 [Dkt. 330-5, at p. 83]).

1008. The Latinos who reside in the areas reflected in this proposed district have much in common, culturally, linguistically, and economically. They are socially conservative and very family oriented. There are many cultural celebrations, parades, festivals, health fairs, colleges fairs, and the like, that are widely attended on a regular basis in this area. (Ex. 415 ¶ 23 [Dkt. 330-5, at p. 83]).

1009. The Latino community in the DFW Metroplex is estimated to be l.8 million, and the Dallas, Ft. Worth, Grand Prairie, Irving, and Farmers Branch schools systems are predominantly Latino. (Ex. 415 ¶ 24 [Dkt. 330-5, at p. 83]).

1010. The Hispanic businesses are similar in Dallas and Fort Worth in CD 6 in Plan C190. (2011 Tr. 573:5-8; PL Ex. 363 [Dkt. 328-1, at p. 5]).

1011. A Fort Worth mall within CD 6 in Plan C190 is targeted at Hispanic consumers and draws people from both Fort Worth and Dallas. It is very crowded every weekend. (2011 Tr. 573:14-574:21; PL Ex. 363 [Dkt. 328-1, at p. 5]).

1012. The Hispanic consumers are similar in Dallas and Fort Worth within CD 6 in Plan C190. (2011 Tr. 574:22-24; PL Ex. 363 [Dkt. 328-1, at p. 5]).

1013. Hispanics in Dallas and Fort Worth within CD 6 in Plan C190 share common characteristics. (2011 Tr. 575:15-21; PL Ex. 363 [Dkt. 328-1, at p. 5]).

1014. U.S. Representative Eddie Bernice Johnson testified that she supported the effort to create a Latino opportunity district in the Dallas-Ft. Worth area because when a minority's numbers are sufficiently large in an area, the community's desire is to be able to represent itself. (2011 Tr. 1276:21-1277:2).

c. South and West Texas

1015. In plan C190, the northern border of the South Texas configuration of Hispanic Citizen Voting-Age Population majority congressional districts extends east from El Paso County, then southeast from Reeves County to Bexar County with an extension picking up parts of Caldwell, Hays and Travis Counties, and then south to Nueces County. (PL Ex. 345 [Dkt. 326-2, at p. 1]).

1016. Plan C190 creates seven Latino opportunity congressional districts in South Texas: CDs 15, 16, 20, 23, 28, 34, and 35. (PL Ex. 339 [Dkt. 325-4, at p. 18]; 2011 Tr. 947:24-948:2; 2011 Tr. 947:7-11; 2011 Tr. 947:16-19; 2011 Tr. 515:10-18; 2011 Tr. 947:12-15; 2011 Tr. 948:3-6; 2011 Tr. 947:20-23).

1017. The Latino communities that have made up Congressional District 23 historically and would again in C190, including San Antonio, Eagle Pass, Laredo, and El Paso, share many commonalities. (Ex. 420 ¶ 10 [Dkt. 330-5, at p. 102]).

1018. Latinos in Uvalde and the other Latino communities that were in CD 23 historically and would be again in C190, including San Antonio, Eagle Pass, Laredo and El Paso share many interests in common including: the need for more economic investment,

immigration reform, and the need for affordable health insurance. (Ex. 420 ¶ 12 [Dkt. 330-5, at p. 102]).

1019. In C190, Maverick County is entirely within CD 23. (Ex. J-11).

1020. In C190, The placement of Webb County in CD 23 is consistent with historical redistricting in Texas. In the 1992 and 1994 elections, as well as the 1996 primary elections, Webb County was located in CD 23. (PL Ex. 304 [Dkt. 322-5, at p. 1013]; Ex. J-62-II, at 13:20-14:4).

1021. In the 2002 elections, Webb County was located in CD 23. (PL Ex. 306 [Dkt. 323-1, at p. 2]; Ex. J-62-II, at 13:20-14:4).

1022. In the 1996 special elections, as well as the 1998 and 2000 elections, Webb County was located in CD 23. (PL Ex. 305 [Dkt. 323-1, at p. 1]; Ex. J-62-II, at 13:20-14:4).

d. The Rio Grande Valley Configuration

1023. Cameron, Willacy, Starr, and Hidalgo counties comprise the Rio Grande Valley in South Texas. (2011 Tr. 621:2-6).

1024. Webb County is not part of the Rio Grande Valley. (2011 Tr. 635:12-16).

1025. The Rio Grande Valley has the largest indigent population in the State of Texas, which requires a tremendous expenditure of county resources. (2011 Tr. 621:17-21).

1026. Counties in the Valley pay for indigent healthcare, court-appointed attorneys, and paupers' funerals, among other expenses. Hidalgo County's resources are not sufficient to serve the needs of the community. (2011 Tr. 623:3-12).

1027. The State requires Hidalgo County to devote 8% of its budget to healthcare. The federal government also requires county monies to be paid for indigent healthcare. Because of its proximity to the border with Mexico, Hidalgo County is often required to provide

healthcare services to people who come to Hidalgo County from Mexico. (2011 Tr. 623:19-624:4; 629:17-630:1).

1028. The Valley is at risk of catastrophic flooding in the event of a large hurricane. Estimates of providing drainage range from $400 to $700 million. Hidalgo County used $60 million of a $100 million taxpayer bond issue to contract with the federal government to improve the Delta area of the Valley. The money was used for another purpose, and Hidalgo County is now trying to get the money back but without luck. Hidalgo County is hoping that its congressman can help. (2011 Tr. 624:5-626:4).

1029. The Valley is one of the only urban areas in Texas, and the U.S., that does not have an interstate highway system. Hidalgo County leaders are working on the effort piecemeal to gain interstate highways but historically but the Valley has been left out. (2011 Tr. 626:5-627:2).

1030. The Rio Grande Valley does not have any professional schools, medical schools, or law schools. The residents there believe they need more educational opportunities. (2011 Tr. 627:21-628:1).

1031. The Rio Grande Valley residents believe that their schools are underfunded by the State's school finance formula. They petitioned in Austin but were unable to get the resources they needed. (2011 Tr. 628:6-629:1).

1032. The Rio Grande Valley has the largest number of colonias in the State of Texas. Colonias are impoverished residential areas where people live without roads, plumbing, or sewers. The Valley local governments are trying to improve these areas but do not have the funds they need. (2011 Tr. 629:4-13).

1033. Having Hidalgo County anchor two congressional districts, such as demonstrated by Plan C190, would help the people of the county by providing better and greater representation. (2011 Tr. 631:9-23).

1034. Congressional District 28 in Plan C190, which is anchored in Hidalgo and Starr counties, also encompasses a cohesive Latino community of interest that would provide an opportunity for additional representation for the Rio Grande Valley. (Ex. 419 ¶ 22 [Dkt. 330-5, at p. 100]).

e. CD 27 and CD34

1035. CD 27 in Plan C190 is a not a Latino opportunity district. (2011 Tr. 947:20-23; Ex. J-62-II, at 61:10-17; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28; 2011 Tr. 515:10-18).

1036. Plan C190 places most of Nueces County in CD 34, a South Texas district, and places Rep. Farenthold's home in an Anglo district to the north. (Ex. J-62-II, at 56:2-6).

1037. CD 34 in Plan C190 does not have population and voter data that indicate packing. (Ex. J-62-II, at 57:7-13).

1038. It is possible to draw a safe district for Rep. Blake Farenthold while maintaining the bulk of Nueces County's Latino population in the South Texas configuration of congressional districts. (2011 Tr. 460:5-11; PL Ex. 339 [Dkt. 325-4, at p. 18]; PL Ex. 386 [Dkt. 330-3, at p. 2]).

1039. The configuration proposed by the Texas Latino Redistricting Task Force unites the communities of interest in Nueces County with other similar communities to the south in a Latino opportunity congressional district. (Ex. 412 ¶ 13 [Dkt. 330-5, at p. 70]).

1040. CD 34 also would provide a district centered in Cameron County allowing for the Latino residents of Cameron to elect a candidate of choice. (Ex. 419 ¶ 22 [Dkt. 330-5, at p. 100]).

f. Austin-San Antonio—CD35

1041. Congressional District 35 in Plans C185 and C190 provide Latinos an opportunity to elect candidates of their choice. (Ex. 413 ¶ 24 [Dkt. 330-5, at p. 75]).

1042. Congressional District 35 in Plan C185 and C190 unites communities with low educational attainment in Bexar and Travis Counties. (PL Ex. 367 [Dkt. 328-2, at p. 1]).

1043. The south and west sides of San Antonio are heavily Latino in population. (2011 Tr. 555:24-556:9).

1044. San Antonio and Austin have established bilingual Latino communities. (Ex. 413 ¶ 22 [Dkt. 330-5, at pp. 75]).

1045. The Latinos of San Antonio and Austin have similar socio-economic characteristics, similar jobs, and similar community needs. (Ex. 413 ¶ 22 [Dkt.330-5, at pp. 75]).

1046. The Latinos of San Antonio and Austin are generally poor to middle class, have blue collar jobs, and usually live paycheck to paycheck. (Ex. 413 ¶ 22 [Dkt. 330-5, at pp. 75]).

1047. The Latino areas of Austin and San Antonio included in District 35 in Plans C185 and C190 share similar social, economic, and cultural issues, such as issues of public safety, education, health care, and economic opportunity. (Ex. 416 ¶ 27 [Dkt. 330-5, at p. 87]).

1048. The Latino areas of Austin and San Antonio included in District 35 in Plans C185 and C190 have more in common with each other in many important aspects than they do with

the neighboring Anglo communities in their own cities. (Ex. 416 ¶ 28 [Dkt. 330-5, at p. 87]).

1049. South and west San Antonio are very different from Alamo Heights. The south and west sides are much poorer, and property values are lower, resulting in underfunded schools; Alamo Heights is much wealthier. (2011 Tr. 556:10-557:6).

1050. There are a lot of similarities between south and west San Antonio and southeast Austin. The housing is similar. People in southeast Austin have the same problems that people in south and west San Antonio have. The jobs pay less; the people are less educated. (2011 Tr. 557:17-558:19; 559:1-17).

1051. The Latino areas of Austin and San Antonio included in District 35 in Plans C185 and C190 are politically cohesive with each other. (Ex. 416 ¶ 28 [Dkt. 330-5, at p. 87]).

1052. Dove Springs is a neighborhood in Travis County and is located in District 35 in Plan C185 and C190. (Ex. 416 ¶ 21 [Dkt. 330-5, at p. 86]).

1053. Dove Springs is the epicenter of an emerging Latino community in the far Southeast Austin area, with a mixed immigrant Latino and native-born Latino population. Dove Springs is a lower-income and working-class neighborhood, and typical occupations range from jobs in the construction and service industries to public school teachers. However, Dove Springs also has a high unemployment rate. (Ex. 416 ¶ 22 [Dkt. 330-5, at p. 86]).

1054. Some of the main issues of concern for the residents of Dove Springs are issues related to educational and economic opportunity, the lack of adequate public safety and with the lack of adequate health care. (Ex. 416 ¶ 24 [Dkt. 330-5, at p. 86]).

1055. The southeast portions of San Antonio that are included in District 35 in Plans C185 and C190 are similar to Dove Springs in Travis County in that this area of San Antonio is a mixed immigrant and native-born Latino community. (Ex. 416 ¶ 27 [Dkt. 330-5, at p. 87]).

1056. District 35 serves the political interests of the Latino communities in Austin and San Antonio because it will mean that whoever represents District 35 will need to make the shared needs of these two communities a central part of his or her work. (Ex. 416 ¶ 29 [Dkt. 330-5, at p. 87]).

1057. District 35 will only continue to become more connected in infrastructure and economy the future as the I-35 corridor grows, and thus a single representative for both these areas will serve these combined interests. (Ex. 416 ¶ 30 [Dkt. 330-5, at p. 87]).

1058. Reaggregated Democratic primary election results in benchmark CD 25 show that numerous Latino candidates of choice do not prevail including candidates Linda Chavez Thompson, Morales, Madrigal, Cruz Deleon, and Alvarado. (PL Ex. 291; Ex. J-54: 49:5-57:21).

1059. A candidate in a citywide election in Austin or a countywide election in Travis County cannot win those at-large elections without Anglo support. (2011 Tr. 1183:2-7).

1060. Ryan Downton testified that he assigned Latino population to CD35 in C185 in order to create a 2 Latino opportunity district as required by section 2 of the Voting Rights Act. (Aug. 2014 Day 5 Tr., 1675:4-1675:8, Aug. 15, 2014.

g. Houston – CD29

1061. CD 29 in Plan C190 is a combined Latino and African American majority district. (PL Ex. 200 [Dkt. 320-1, at p. 1]).

1062. Congressional District 29 in plan C190 unites communities that share low educational attainment in Harris County. (PL Ex. 365 [Dkt. 328-1, at p. 7]).

1063. There is an elected and a political coalition between African Americans, Latinos and Asians in the Houston area. The communities work together on a number of issues including immigration, education, opportunities for small business, and civil rights issues. (2011 Tr. 1521:17-1522:14).

1064. U.S. Representative Sheila Jackson Lee testified that it is appropriate in creating a new majority-minority district under the Voting Rights Act in a place like Houston, where minorities operate in partnership with each other, to join together to create a new district. (2011 Tr. 1522:22-1523-4).

1065. Congressional District 29 in plan C190 unites low-income communities in Harris County. (PL Ex. 366 [Dkt. 328-1, at p. 8]).

1066. Houston LULAC has worked closely with the Houston area NAACP for over a decade and they have formed a permanent working group, which is referred to as the Black-Brown Coalition, to address issues that are of common interest to the African- American and Latino communities in the Houston area. (Ex. 417 ¶ 20 [Dkt. 330-5, at p. 90]).

1067. The African-American and Latino communities in Houston are overwhelmingly joined in their needs concerning public services, economic opportunity, and in the need to combat discrimination against their communities. (Ex. 417 ¶ 21 [Dkt.330-5, at p. 90]).

1068. African American and Latino leaders came together to work with Anglos to end “legal” segregation in Houston. (2011 Tr. 1082:13-1083:14).

1069. African Americans and Latinos in Houston coalesced in litigation to help the sanitation workers, who were mostly Latino and some African American. (2011 Tr.1081:1-7).

1070. African Americans and Latinos in Houston often work together to end joint discrimination. For example, they worked together to end salary discrimination by Harris County. (2011 Tr. 1390:16-1391:1).

1071. The NAACP and LULAC worked together to end hiring discrimination by Houston's METRO transportation system. (2011 Tr. 1391:2-14).

1072. The Houston NAACP and MALDEF worked together as intervenors in *Ross v. Houston ISD*, a school desegregation case. (2011 Tr. 1395:1-4).

1073. The African American and Latino communities in Houston have been working together for at least 45 years on issues such as criminal justice, immigration, the Voting Rights Act, unemployment, and education. (2011 Tr. 1400:6-18).

1074. African Americans and Latinos in Harris County come together with respect to issues that affect them both, such as police brutality and discrimination. (2011 Tr.1413:15-21).

1075. When Latinos in Houston went to Kay Bailey Hutchison's office advocating for the implementation of the DREAM Act, security was called. Congresswoman Sheila Jackson Lee responded by allowing the advocates into her office and even tried to contact Hutchison, unsuccessfully. (2011 Tr. 1401:23-1402:13).

1076. The Black-Brown Coalition has worked together to get the local government to establish a public defenders office. (2011 Tr. 1081:12-1082:7; Ex. 417 ¶ 22 [Dkt. 330-5, at pp. 90-91]).

1077. The Black-Brown Coalition has worked extensively on economic opportunity for minority-owned businesses such as by joining together to get the University of Texas Health System to ensure more of its contracts are awarded to historically underutilized

businesses. These economic benefits will aid both African- American and Latino business. (Ex. 417 ¶ 23 [Dkt. 330-5, at p. 91]).

1078. When a Mexican national killed an African-American police officer, the Black- Brown Coalition worked together to ensure that Latino and African-American leaders spoke out against efforts to use this as an excuse to vilify the Latino and immigrant community. (2011 Tr. 1392:12-21; Ex. 417 ¶ 24 [Dkt. 330-5, at p. 91]).

1079. The Black-Brown Coalition also worked together to discourage local law enforcement from entering into agreements with the federal government that would have permitted patrolling officers to enforce federal immigration law. The Coalition was unified in the understanding that such an agreement risked increased racial profiling. (Ex. 417 ¶ 25 [Dkt. 330-5, at p. 91]).

1080. According to local advocates, African Americans and Latinos in the Houston area are politically cohesive. (Ex. 417 ¶ 26 [Dkt. 330-5, at p. 91]).

1081. African-American and Latino voters have supported the same candidate in a number of political campaigns. (Ex. 417 ¶ 26 [Dkt. 330-5, at p. 91]).

1082. Latinos and African Americans have worked together to get officials elected in citywide races in Houston countywide races in Harris County. (2011 Tr. 1402:23-1403:10).

1083. African Americans and Latinos voted cohesively for a Latino, Adrian Garcia, for Sherriff and for an African American, Clarence Bradford, for District Attorney. (Ex. 417 ¶ 26 [Dkt. 330-5, at p. 91]).

1084. Latino voters overwhelmingly voted in support of an African American candidate, Alexander Green, for Congress. (Ex. 417 ¶ 26 [Dkt. 330-5, at p. 91]).

1085. African American and Latino candidates often actively campaign among voters from the other racial group. (Ex. 417 ¶ 27 [Dkt. 330-5, at p. 92]).

1086. Latino candidates are regularly invited to and pursue opportunities to address predominantly African-American church congregations, indicating that candidates in Houston look across racial lines in assessing their potential voters. (Ex. 417 ¶ 27 [Dkt. 330-5, at p. 92]).

1087. According to local advocates, African American and Latino communities contained in District 29 in Plan C190 would vote in coalition with each other and that this district would offer this coalition an opportunity to nominate and elect a candidate of its choice. (Ex. 417 ¶ 28 [Dkt. 330-5, at p. 92]).

1088. District 29 would combine a largely African American community with a predominantly Latino community into one district. The communities contained in this district are largely working class and low income. They share many similarities in terms of the public safety, economic, and educational issues that they face. They are unified in terms of many of the key issues that voters often look at when choosing who to vote for as an elected official. (Ex. 417 ¶ 29 [Dkt.330-5, at p. 92].

h. CD 36

1089. In plan C190, there is a Hispanic Citizen Voting-Age Population majority congressional district in Harris County, CD 36. (PL Ex. 345 [Dkt. 326-2, at p. 1]).

1090. Congressional District 36 in Plan C190 provides Latinos an opportunity to elect candidates of their choice. (Ex. 413 ¶ 24 [Dkt. 330-5, at p. 75].

B. Compactness

1091. It is not the district that has to be compact. It is the minority community that has to be sufficiently numerous and geographically compact to comprise the majority of district for purposes of creating minority opportunity districts. (Ex. J-42, at 24:2-24).

1092. A district may be drawn with low compactness scores because it is drawn around another protected minority district in the same area. (Ex. J-42, at 15:6-14).

1093. Dr. Giberson's analysis does not include potential electoral performance of the districts examined. (Ex. J-42, at 26:16-25).

1094. There is no bright line rule for compactness measures. There is no one definitive measure to decide if a district is compact or not. (Ex. J-42, at 12:3-7).

1095. Quantitative measures are used to highlight whether a district shape might be an outlier at least in terms of measurement scores. Then a further examination of the geography is needed to make a determination of the relative compactness of a district. (Ex. J-42, at 12:8-19.

1. Compactness of Districts in Plan C190

1096. District 15 in Plan C190 is comparable to District 15 in C185 in terms of compactness and is less long and thin overall. (Ex. J-42, at 39:3-16).

1097. District 16 in Plan C190 has good compactness scores and would be considered compact. (Ex. J-42, at 38: 20-24).

1098. District 20 in C190 has good compactness scores and would be considered compact and is consistent with previous boundaries for the district. (Ex. J-42, at 40:11-17).

1099. District 23 in C190 is elongated, but not more so in comparison to other proposals and would still be considered borderline compact. (Ex. J42, at 40:6-10).

1100. District 27 in Plan C190 has good compactness scores wound be considered reasonably compact. (Ex. J-42, at 38:25-39:2).

1101. District 28 in C190 has good compactness scores and would be considered compact. (Ex. J-42, at 40:1-5).

1102. District 29 in Plan C190, the Task Force Congressional proposal, is wholly contained within Harris County. (Ex. J-42, at 36:15-17).

1103. District 35 in Plan C190 has the same compactness scores as District 35 in Plan.C185. (Ex. J-42, at 38:10-15).

1104. District 36 in plan C190, the Latino Redistricting Task Force proposal, is more compact than the score for three of the districts in the State's list of the top five least compact districts used in elections since 1996 (the post-Shaw era). District 36 in C190 was also drawn around District 18, an African American opportunity district. (Ex. J-42, at 16:12-25).

C. Racially Polarized Voting

The findings of fact related to racially polarized voting in Texas and in the areas in which Latino opportunity congressional districts can be drawn are found at FOF 92-177.

D. Totality of the Circumstances

The findings of fact related to the totality of the circumstances are found at FOF 178-446.

IV. C185 Intentionally Discriminates Against Latino Voters in Violation of Section 2 and the Fourteenth Amendment

A. Sequence of Events Leading up to Challenged Decision

1105. When the Texas Legislature started its 2011 redistricting cycle, the benchmark congressional plan was a court-ordered remedy following the U.S. Supreme Court's decision in *League of United Latin Am. Citizens v. Perry*, 548 U.S. 399, 440 (2006).

1106. On remand from the U.S. Supreme Court, and in order to bring the map into compliance with section 2 of the Voting Rights Act, the district court in *LULAC v. Perry* added portions of Bexar County to CD23 and released several Hill Country counties into CD21. (PL Ex. 231, pp. 2-3 [Dkt. 347 at p. 3]).

1107. In total, in order to repair CD23, the district court adjusted the boundaries of five congressional districts. (PL Ex. 231, p. 7 [Dkt. 347 at p. 3]).

1108. The 3-judge panel opined: "That this remedial order makes changes in the lines of five districts, as few as possible consistent with conscientious partisan neutrality, is not the product of aggressive remediation. Rather, it is the consequence of an aggressive map, which resulted in the section 2 violation the Supreme Court found. . . . This map corrects the violation, makes the adjustments that flow from that correction, and stops." (PL Ex. 231, p. 7 [Dkt. 347 at p. 3]).

1109. Texas gained four new congressional seats in the apportionment following the 2010 Census. (Aug. 2014 Day 5 Tr., 1597:13-1597:19, Aug. 15, 2014).

1110. By 2010, each Latino opportunity district in South Texas in the court-drawn plan was overpopulated relative to the new 2010 ideal district population; the combined excess population added up to three-quarters of an additional congressional district. (PL Ex. 338, 399 [Dkt. 347 at p. 8, 10]).

1111. In the fall of 2010, when Mr. Interiano began working on redistricting for Texas House Speaker Joe Straus, Mr. Opiela was working for Speaker Straus in a political capacity. Mr. Opiela later changed jobs and started working as the redistricting attorney for the Texas Republican congressional delegation. (July 2014 Tr. at 1478:9-1479:13).

1112. Mr. Interiano had known Mr. Eric Opiela since at least 2004. They had been students together at the University of Texas. (July 2014 Tr. at 1477:25-1478:8).

1113. Eric Opiela accompanied Congressman Lamar Smith to a meeting with Rep. Burt Solomons on the day Rep. Solomons was named Chairman of the House Redistricting Committee: (July 2014 Tr. at 1967:24-1968:5).

1114. Ms. Bonnie Bruce, Chief of Staff for Redistricting Chairman Solomons, called Mr. Opiela a “frequent flyer” because of the frequency with which Mr. Opiela visited the House Redistricting Committee office. (July 2014 Tr. at 1968:6-11).

1115. Ms. Bruce testified that during the redistricting process, Mr. Opiela would visit the Redistricting Committee offices with a redistricting laptop to talk about congressional redistricting and "would drop by the office frequently to tell us about some new idea that he had had." (July 2014 Tr. at 1969:6-21).

1116. Ms. Bruce testified that she knew Mr. Opiela had a computer program other than RedAppl on his laptop because RedAppl is proprietary software. (July 2014 Tr. at 1969:16-21).

1117. Sen. Seliger testified that he remembered that Mr. Opiela drew and worked on maps and that he regularly visited with Sen. Seliger’s redistricting committee director, Doug Davis. He also remembered having looked at Mr. Opiela’s maps during redistricting. (Aug. 2014 Day 1 Tr., 236:14-237:12; Nov. 4, 2011 Tr. 825:25-826:5; PL 1617).

1118. Mr. Downton testified that Mr. Opiela visited Mr. Downton in the House Redistricting Committee office and showed Mr. Downton maps from his laptop computer. (Aug. 2014 Day 5 Tr., 1728:12-1728:23, Aug. 15, 2014).

1119. Mr. Interiano testified that he communicated frequently with Mr. Opiela during the process of drafting the congressional plans. (July 2014 Tr. at 1493:23-25; Aug. 2014 Day 1 Tr., 297:21-297:25, Aug. 11, 2014).

1120. Mr. Interiano also consulted with Mr. Opiela while he was drafting the House map and before he was drawing the congressional map. (July 2014 Tr. at 1494:1-1495:15; US Ex. 104).

1121. While working on the congressional redistricting plan, Mr. Interiano and his colleagues had access to OAG10 reports generated by the Attorney General's Office that showed, for draft districts, the Latino candidate of choice and the rate at which Latino voters were able to elect their candidates of choice. (Aug. 2014 Day 1 Tr., 301:22-303:6, Aug. 11, 2014).

1122. David Hanna, an attorney with the Texas Legislative Council, provided legal advice to members of the Legislature and their staffs on redistricting issues. Mr. Hanna has close to 25 years' experience advising the Texas Legislature on redistricting legal standards and performed the same role in 2011 that he did in the 2001 and 2003 redistricting cycles (Aug. 2014 Day 5 Tr., 1507:17-1507:21; 1538:5-1538:19, Aug. 15, 2014).

1123. David Hanna testified that he was not asked to and did not provide any written analysis of possible section 2 or section 5 issues in any draft congressional plans, although he prepared those types of memos for the House redistricting phase. (Aug. 2014 Day 5 Tr., 1537:11-1537:23, Aug. 15, 2014).

1124. At the start of the 2011 redistricting process, the legislative leadership decided, with respect to the division of labor between the House and the Senate, that the House was going to focus on the House map, in order to get it done during the regular session, and

the Senate was going to take the lead on the congressional map. The Senate then took the lead on the congressional map. (Aug. 2014 Day 1 Tr., 340:11-340:20, Aug. 11, 2014).

1125. Doug Davis was the lead mapper in the Senate and worked for Senate Redistricting Chairman Kel Seliger. (Aug. 2014 Day 5 Tr., 1596:2-1596:23, Aug. 15, 2014).

1126. Ryan Downton, at the time General Counsel for the House Committee on Redistricting, was the primary person responsible for the drawing of the congressional map in the House. (Aug. 2014 Day 5 Tr., 1591:13-1591:15; 2011 Tr. 903:5-7; Ex. J-62-I, at 9:1-8).

1127. Gerardo Interiano assisted Ryan Downton on the congressional map. (2011 Tr. 1418:15-22).

1128. During the 2011 legislative session, Congressman Lamar Smith was the point person for and proposed maps on behalf of the Republican congressional delegation, with the exception of Congressman Barton. Eric Opiela was working for the Republican delegation and served as the liaison with the House Redistricting Committee. (Aug. 2014 Day 5 Tr., 1595:13-1595:23, Aug. 15, 2014).

1129. Early in the congressional redistricting process, the Republican congressional delegation communicated its goals to the House leadership. Mr. Interiano testified that one area where the Republican congressional delegation and the House leadership disagreed was that Congressman Smith and Eric Opiela wanted to have the new four districts split two and two. (Aug. 2014 Day 1 Tr., 348:5-348:17, Aug. 11, 2014).

1130. While working on the congressional map on the Senate side, Sen. Seliger cut Nueces County up out of the benchmark CD 27 and put it into a district higher north after meeting with Republicans in the Congressional delegation and being asked if he would mind looking to see if there was a way to get Mr. Farenthold a good chance to hold his

district. This change to CD 27 ended up in the enacted plan. (Aug. 2014 Day 1 Tr., 228:8-229:15, Aug. 11, 2014; PL Ex. 1131).

1131. On the House side, Chairman Solomons also decided that Nueces County would be removed from the majority Latino congressional district running south and instead be placed in a congressional district running north. (Aug. 2014 Day 5 Tr., 1772:25-1773:5, Aug. 15, 2014).

1132. In mid to late April, Congressman Lamar Smith sent a congressional redistricting proposal to Mr. Interiano which contained a majority minority district in the Dallas Ft. Worth area as well as an additional Latino majority district in South-Central Texas. Mr. Interiano testified that he waited until the House map process was wrapping up and then he shared Congressman Smith's proposal with Ryan Downton. (Aug. 2014 Day 1 Tr., 348:18-349:13; DEF Ex. 573).

1133. On April 28, 2011, Redistricting Committee member Marc Veasey, who is African American, asked Chairman Solomons on the House floor whether Chairman Solomons had a draft congressional map from Rep. Lamar Smith and when the House Redistricting Committee would take up Congressman Smith's map. Chairman Solomons did not tell Rep. Veasey that he had received a map from Congressman Smith. (Aug. 2014 Day 4 Tr., 1309:8-1313:9, 1276:10-1277:7; DEF Ex. 190 at 833).

1134. Chairman Solomons also did not tell Rep. Veasey that Ryan Downton was working on congressional redistricting maps. (Aug. 2014 Day 4 Tr., 1278:23-1278:25, Aug. 14, 2014).

1135. On May 2, 2011, Governor Perry sent a redistricting plan to Chairman Solomons who forwarded the plan to Ryan Downton. Governor Perry's plan created a Hispanic VAP

majority congressional district in Dallas Ft. Worth. (Aug. 2014 Day 5 Tr., 1700:1-1700:14; PL Ex. 744).

1136. The comments associated with draft Congressional Plan HRC1 C113 said, "Please contact Travis Richmond, OOG, with comments." Plan SOLO C100 from the Solomons account had the same comments and is described as "received from xgov." Ryan Downton identified Travis Richmond as an aide who works in the Governor's Office and testified that the plan came from the Governor's Office. (PL Ex. 744, 1329; Aug. 2014 Day 5 Tr., 1602:7-1602:15, Aug. 15, 2014).

1137. Chairman Solomons recalled looking at a congressional proposal from the Governor but testified that he did not remember whether the plan created a Hispanic VAP majority congressional district in Dallas Ft. Worth. (Aug. 2014 Day 4 Tr., 1304:6-1304:13, Aug. 14, 2014).

1138. Mr. Downton worked on the map to raise the Latino population in the district and was able to create a district with 58.5% Hispanic VAP but could not achieve a Hispanic CVAP majority. (Aug. 2014 Day 5 Tr., 1702:8-1702:21; PL Ex. 745).

1139. On May 14, 2011, Mr. Opiela forwarded to Mr. Interiano a letter from Congressman Smith to his colleagues in the Republican delegation regarding their congressional redistricting proposal. The letter stated: "The delegation proposal adds a new DFW VRA district for two reasons: 1, to minimize the possibility of a successful Section 2 claim since there are over a million voting age Hispanics in DFW and they do not have either an effective coalition or Hispanic majority district. And 2, politically, if a new Democratic district is not created in DFW, the long-term prospects of Congressman Sessions and to some extent Congressman Marchant's district as Republican majority

districts becomes unlikely in the out years of this decade." (Aug. 2014 Day 5 Tr., 1702:22-1703:19; PL Ex. 1114).

1140. Mr. Downton testified that in mid to late May, Chairman Solomons made the decision that the congressional map would not have a new majority minority district in Dallas Ft. Worth. (Aug. 2014 Day 5 Tr., 1772:11-1772:24, Aug. 15, 2014).

1141. Chairman Solomons testified that he and Chairman Seliger made the decision not to draw a majority minority district in the Dallas Ft. Worth area because staff advised them that such a district was not legally required. (Aug. 2014 Day 4 Tr., 1300:3-1301:10, Aug. 14, 2014).

1142. During the regular session, the legislative leadership decided not to have a House and Congressional redistricting proposal under consideration at the same time. As a result, no draft congressional plan was released by either redistricting committee during the regular session. (Aug. 2014 Day 1 Tr., 340:24-341:25, Aug. 11, 2014).

1143. As the regular session was coming to an end, House Redistricting Chairman Solomons and Senate Redistricting Chairman Seliger talked and decided that the House would take the lead on congressional redistricting. Chairman Solomons sent Ryan Downton and Gerardo Interiano to meet with Doug Davis, the lead mapper in the Senate, and the three agreed to move forward with Mr. Downton's draft map. (Aug. 2014 Day 5 Tr., 1596:2-1596:23, Aug. 15, 2014).

1144. The 2011 regular legislative session ended without the House or Senate releasing or passing a Congressional redistricting bill and Governor Perry called a special session for redistricting. (Aug. 2014 Day 1 Tr., 354:23-355:4; (2011 Tr. 1463:21-1464:5; 2011 Tr. 91:25-92:4; 109:19-21; PL Ex. 214).

1145. On the evening of May 30, Ryan Downton finished his congressional map and sent it to the Texas Legislative Council for publication. (Aug. 2014 Day 5 Tr., 1620:7-1621:16; DEF Ex. 506, 508).

1146. On May 31, 2011, Chairmen Solomons and Seliger made a congressional plan public as the SOLOMONS-SELIGER CONGRESSIONAL PROPOSAL– C125. (DEF Ex. 506).

1147. In the Texas House, notice for the hearing on HB 4, the companion bill for SB 4, was provided on June 1 for a public hearing on June 2, 2011. (PL Ex. 216 [Dkt. 347 at p. 2]; PL Ex. 217 [Dkt. 347, at 2]).

1148. The public had approximately 48 hours to review the congressional map before the June 2nd committee hearing, which was the only opportunity for public comment in the House. (August 2014 Tr. at 1345:18-25 and at 1346:19-22).

1149. The Senate redistricting committee took public testimony on the bill on June 3, 2011 and voted the bill out the same day. (August 2014 Tr. at 1346:24-1347:19; PL Ex. 1611, PL Ex. 214).

1150. The House hearing on June 2nd, and the Senate hearing on June 3rd, were the only opportunities provided for public comment on the congressional plan released on May 31st. (August 2014 Tr. at 1348:14-18; PL Ex. 214, 217).

1151. The Senate passed the redistricting bill on June 6, 2011. (PL Ex. 214).

1152. On June 9, 2011, the House Redistricting Committee met and took up a substitute plan – C149. The Committee did not take public testimony and voted out the bill. (PL Ex. 214, DEF Ex. 506).

1153. On June 13, 2011, Chairman Solomons released Plan C170, Chairman Solomons' West Texas Amendment. The following day, June 14, the House took up the redistricting bill

for debate and adopted Chairman Solomons' floor amendment C170. (Aug. 2014 Day 5 Tr., 1689:1-1689:13, Aug. 15, 2014; DEF Ex. 506, 603.2).

1154. On June 15, 2011, following further amendments, the House passed the final congressional plan, C185, as part of SB 4. (DEF Ex. 604 at 2-9; PL Ex. 214 at 1).

1155. On June 20, 2011, the Senate concurred in the House amendments. (PL Ex. 214 at 1).

1156. During the 2011 redistricting process Mr. Hanna did not tell anyone that the congressional plan under consideration by the Legislature complied with the Voting Rights Act. (Aug. 2014 Day 5 Tr., 1507:22-1508:1, Aug. 15, 2014).

1157. Mr. Hanna explained that he did have concerns and he expressed them as concerns about "at least one of the districts." (Aug. 2014 Day 5 Tr., 1508:2-1508:15, Aug. 15, 2014.

1. CD23 Sequence of Events

1158. At the start of the 2011 redistricting cycle, CD23 was a Latino opportunity district. (2011 Tr. 512:24-513:6; Aug. 2014 Day 2 Tr., 546:6-546:8, Aug. 12, 2014).

1159. The OAG10 report created by the Texas Attorney General's Office showed benchmark CD23 elected the Latino-preferred candidate in three out of the ten racially contested elections chosen for analysis. However, CD23's complete performance record was seven out of 14 racially contested elections. The Attorney General's OAG10 analyses excluded four racially-contested statewide races held in the same time period as the races included in the OAG10 (2002-2010): the 2008 election for Court of Criminal Appeals, in which candidate Molina garnered 52.18% of the vote in benchmark CD 23; the 2002 election for Supreme Court Justice in which candidate Yanez garnered 53.89% of the vote in benchmark CD 23; the 2002 race for Court of Criminal Appeals in which candidate Molina garnered 50.23% of the vote in benchmark CD 23; and the 2002 race for Supreme

Court Pl. 4 in which candidate Mirabal garnered 55.3% of the vote in benchmark CD23. (*Compare* U.S. Ex. 610 *with* PL Ex. 237, 240 and 291 at p. 79).

1160. In endogenous elections, Latinos in CD 23 were able to elect their candidate of choice to Congress in two of three elections from 2006-2010. (2011 Tr. 513:24-514:6).

1161. The State's expert witness, Dr. Alford, agreed that he would classify a district as a Latino opportunity district if it contains a majority Spanish surname voter registration, and if Latinos are voting cohesively and elect a Latino-preferred candidate the majority of the time. (2011 Tr. 1860:19-24; see also 2011 Tr. At 1859:24-1860:5).

1162. In the 2010 election in CD23, voting was racially polarized. The Latino-preferred candidate received an estimated 84.7% of the votes cast by Latinos, and just 18.1% of votes cast by non- Latinos. (2011 Tr. 515:1-5; 509:3-9) The percentage of those turning out who were Latino was 40.77%. (2011 Tr. 509:10-22) The incumbent in CD23, who was Latino-preferred, received 44.44% of the total votes cast in the election. (PL Ex. 392 at 25-26).

1163. Dr. Alford examined the same data analyzed by Dr. Engstrom regarding voter turnout in the 2010 election and reached the same results. (2011 Tr. 1865:19-25).

1164. The decennial census showed that CD 23 in the benchmark was overpopulated by about 149,000 people. (2011 Tr. 450:4-11; PL Ex. 236 [Dkt. 347 at 4]).

1165. Francisco Canseco was the incumbent in CD23 at the time of redistricting. (PL Ex. 329)

1166. On November 17, 2010, Mr. Interiano and Mr. Opiela, who worked together in the House Speaker's office, exchanged a series of emails regarding the redistricting of CD23 and CD27. In the initial email, Mr. Opiela wrote that certain data "would be useful in identifying a 'nudge factor' by which one can analyze which census blocks, when added

to a particular district (especially 50+1 minority majority districts) help pull the district's Total Hispanic POP and the Hispanic CVAPs up to majority status, but leave the Spanish surnamed RV and TO the lowest. This is especially valuable in shoring up Canseco and Farenthold." The email from Mr. Opiela contained the subject line: "useful metric." (July 2014 Tr. at 1481:2-23; PL Ex. 1617).

1167. At the time that Mr. Interiano received the "useful metric" email from Mr. Opiela, the two men were both working as counsel for Speaker Straus. (July 2014 Tr. at 1536:8-14).

1168. When he received the "useful metric" email from Mr. Opiela, Mr. Interiano had previously worked as a campaign manager and had routinely worked with voter turnout and voter registration information. (July 2014 Tr. at 1537:23-1538:3).

1169. Mr. Interiano testified that at first he had no clue what Mr. Opiela meant in his "useful metric" email but later came to understand that Mr. Opiela was trying to figure out if he could use those metrics to draw a district where there was a lower turnout of Spanish surname voters while leaving the Hispanic population higher. (July 2014 Tr. at 1537:6-22).

1170. Mr. Interiano testified that during redistricting he understood Mr. Opiela was trying to draw districts that had demographic benchmarks above a certain level but would elect a candidate who was not the Hispanic candidate of choice. (Aug. 2014 Day 1 Tr., 375:19-376:6, Aug. 11, 2014).

1171. Mr. Interiano was aware that Mr. Opiela had a large trove of data available to him in drawing plans. (Aug. 2014 Day 1 Tr., 298:1-298:4, Aug. 11, 2014).

1172. Mr. Opiela had election results by precinct for statewide races and a database of all registered voters that allowed him to identify voters at the block level by their voting

history and Spanish surname designation. (July 2014 Tr. at 1490:2-1493:16; US Ex. 149).

1173. Following his exchange with Eric Opiela about the "useful metric," Mr. Interiano sent a series of requests to the Texas Legislative Council seeking the data requested by Mr. Opiela in his "nudge factor" email. Mr. Interiano would forward the responses from the Texas Legislative Council, including data, to Mr. Opiela and others. (July 2014 Tr. at 1482:10-1484:10, 1619:3-8); US Ex. 81, DEF Ex. 262).

1174. Mr. Interiano used his personal email address for his exchanges with Mr. Opiela because he believed that the communications were in the nature of "political work." (July 2014 Tr. at 1484:1-1485:9).

1175. Mr. Interiano also made a request of the Texas Legislative Council on behalf of Mr. Opiela for voter turnout information about Aransas County, which ultimately was included in CD27 in C185. (July 2014 Tr. at 1486:2-23; US Ex. 94; PL Ex. 1127).

1176. On November 20, 2010, Eric Opiela shared with Mr. Interiano an email from Congressman Smith expressing concern, among other things, about CD23 and implicitly acknowledging that the incumbent, Francisco Canseco, was not the Latino preferred candidate. Congressman Smith wrote, "What's the best way to help Conseco? We discussed but not clear whether will have to reconfigure to his detriment. Do we have to draw dist where candidate who recd majority of Hispanic vote wld have won?" (US Ex. 76).

1177. The November 20 email that Mr. Opiela shared with Mr. Interiano includes a response by Mr. Opiela that he suspects that Mr. Canseco was not the minority candidate of choice in CD23. (US Ex. 76).

1178. Mr. Opiela refers to race when strategizing on how to bolster Mr. Canseco's re-election. In his email, Mr. Opiela mentions that he and Mr. Interiano had been discussing "the problems inherent in trying to protect both Farenthold and Canseco" and that one possibility is to "move Canseco up to pick up Anglo voters in Midland, but then we pair him with Conaway--which is unacceptable, and probably will lead to a Section 2 vote dilution claim on the basis of (the new) CD 23. You see the problem?" Mr. Opiela mentions "Anglo voters" four times in the email. (Aug. 2014 Day 1 Tr., 345:21-345:23; US Ex. 76).

1179. Also in the November 20, 2010 email, Mr. Opiela refers to a conversation he had "last night" with Mr. Interiano. Mr. Interiano testified that the conversation was about the challenges associated with CD23 and 27 because they had "two Republicans that had been elected in heavily Hispanic districts[.]" (Aug. 2014 Day 1 Tr., 343:18-344:2, Aug. 11, 2014).

1180. At the beginning of the 2011 Redistricting Process, Mr. Canseco's goal was to maintain the integrity of Congressional District 23 as a Hispanic majority district because he identified himself as Hispanic and wanted to represent an area of Texas that was identified with Hispanics. He testified that putting him in an Anglo district would not be a good fit for him, and in redistricting he communicated his goal of maintaining the character and Hispanic population levels of his district to his chief of staff, Scott Yeldell. (Aug. 2014 Day 2 Tr., 569:12-570:11, Aug. 12, 2014).

1181. At one point Mr. Canseco was part of conversations about acquiring a purely Republican area for the newly drawn district, but he rejected the idea because he would not make it

through a contested Republican primary and because the district would not be a good fit for him. (Aug. 2014 Day 2 Tr., 570:12-571:1, Aug. 12, 2014).

1182. Mr. Canseco was not looking for an arrangement for CD23 along the lines of what happened with Blake Farenthold in Congressional District 27. (Aug. 2014 Day 2 Tr., 571:3-571:10, Aug. 12, 2014).

1183. Mr. Canseco testified, with respect to the instructions he gave his Chief of Staff on redistricting CD23, that "I did not want a Farenthold district. And, by that, I mean I didn't want to go northwest. I wanted to maintain the border integrity, the rural integrity, the San Antonio aspect of it, which was ultimately maintained." (Aug. 2014 Day 2 Tr., 579:6-579:13, Aug. 12, 2014).

1184. Mr. Canseco communicated to Lamar Smith, whom he knew was taking the lead on redistricting for the Republican delegation, that it was important that CD23 comply with the Voting Rights Act, otherwise it wouldn't work. Mr. Canseco told Congressman Smith that the constraints in redistricting CD23 were: releasing 150,000 or more in population, preserving the characteristics of the 23rd District as a minority opportunity district, and making sure that it works, so that it is competitive within the structure of the Voting Rights Act. (Aug. 2014 Day 2 Tr., 571:3-571:10; 572:4-572:15, Aug. 12, 2014).

1185. Mr. Canseco testified that he did not want the map to get into a courtroom battle and the way to prevent that was to observe the voting rights law and make sure that the district, as reconstituted, meets every bit of the Voting Rights Act. (Aug. 2014 Day 2 Tr., 577:23-578:8, Aug. 12, 2014).

1186. Mr. Canseco testified that he knew that Eric Opiela was working with Congressman Smith and knew him personally but never personally met with Eric Opiela about

redistricting. He also testified that he never met with Gerardo Interiano personally. (Aug. 2014 Day 2 Tr., 571:11-571:24, Aug. 12, 2014).

1187. Senator Kel Seliger chaired the Senate Redistricting Committee and had served in the Texas Senate since 2004. (Aug. 2014 Day 1 Tr., 218:17-219:7, 219:8-219:13).

1188. In the benchmark plan, Senator Seliger identified CD23 as a Latino opportunity district along with Congressional District 16 in El Paso, Congressional District 28, Congressional District 20 in San Antonio, Congressional District 15, Congressional District 27 on the Gulf Coast and Congressional District 29 in Houston. (Aug. 2014 Day 1 Tr., 219:14-220:6, Aug. 11, 2014).

1189. With respect to Congressional District 23, Senator Seliger believed that it is a logical conclusion that a district is a Latino opportunity district if it elects the Latino-preferred candidate two out of three times. (Aug. 2014 Day 1 Tr., 219:14-220:6, Aug. 11, 2014).

1190. Sen. Seliger was aware that in general, if he had wanted to release 149,000 people from CD23 to bring it into the population ideal, he could have simply retracted the district toward the U.S.-Mexico border. Sen. Seliger testified that if he had done so, Latino voters in that situation would have determined the outcome of an election in Congressional 23. (Aug. 2014 Day 1 Tr., 226:12-227:20, Aug. 11, 2014).

1191. However, Sen. Seliger did not ask his staff to explore the possibility of making CD23 a district in which Latino voters had a significantly greater share of the electorate than they did in the benchmark. He also did not look at whether it was possible to draw the south Texas configuration of districts from the Gulf Coast all the way to El Paso to include the new Latino District 35 and still significantly increase the Spanish Surname Voter Registration in CD23. (Aug. 2014 Day 1 Tr., 227:21-228:7, Aug. 11, 2014).

1192. Senator Seliger's goal as he started out on congressional redistricting, was to figure out if there was any way in political terms he could help Congressman Canseco hold Congressional District 23. (Aug. 2014 Day 1 Tr., 220:7-220:12, Aug. 11, 2014).

1193. Senator Seliger wanted to make Congressional District 23 politically safer for Mr. Canseco because he felt that Canseco's election in 2010 was a bit of an aberration and he did not know if Congressional District 23 in the benchmark was reliable for Mr. Canseco. He also thought it was possible that Mr. Canseco would lose in Congressional District 23 in 2012 if the district was not reconfigured in some way. (Aug. 2014 Day 1 Tr., 224:17-225:2, Aug. 11, 2014).

1194. While he was working on Congressional District 23, Sen. Seliger looked at voting patterns and ethnicity and would go into various counties to see what he could do to change the district. He even looked at one point at splitting Webb County to reach his goal for Congressional 23, but did not do that in the end because the Supreme Court had criticized a Webb County split in the district in *LULAC v. Perry*. (Aug. 2014 Day 1 Tr., 225:3-225:12, Aug. 11, 2014).

1195. Senator Seliger's attitude at the time they worked on the Congressional redistricting on the Senate side was that they had to keep CD23 as an opportunity district no matter what. However, as the Senate redistricters worked on the map, Senator Seliger concluded that he could not keep CD23 as an opportunity district and piece it together where it served Mr. Canseco. Specifically, he believed that if he made it too much of a sure thing for Congressman Canseco, he would be compromising CD 23's status as an opportunity district, which he could not do. (Aug. 2014 Day 1 Tr., 222:19-224:2, Aug. 11, 2014).

1196. With respect to their attempt to meet the goal of helping Mr. Canseco hold his district, Senator Seliger testified: "[w]e didn't really do a very good job, I don't think[…]We just couldn't satisfy ourselves." (Aug. 2014 Day 1 Tr., 220:7-222:18, Aug. 11, 2014).

1197. On April 6, 2011, Mr. Opiela sent a proposed redistricting plan to Mr. Downton's personal email address. Mr. Downton imported the redistricting plan from Mr. Opiela into his REDAPPL account where it became HRC1 C104. (Aug. 2014 Day 5 Tr., 1678:22-1680:25; PL Ex. 311 at p. 434; PL Ex. 587).

1198. The plan sent by Mr. Opiela, HRC1 C104, takes in counties north and east of the Pecos River including Loving, Ward, Winkler, Crane, Upton, Reagan, Schleicher, Crockett and all of Sutton. In Mr. Opiela's plan, Maverick County is not in Congressional 23 and the HCVAP of CD23 is 57.9% (Aug. 2014 Day 5 Tr., 1681:1-1682:11, Aug. 15, 2014).

1199. Under plan HRC1 C104, Congressional District 23 elects the Latino candidate of choice in only 1 out of the 10 OAG elections. (US Ex. 674; PL Ex. 587).

1200. At this point in time, Mr. Downton had not done a significant amount of work on the congressional redistricting plan; Mr. Opiela's plan appears as the fourth redistricting plan in Mr. Downton's REDAPPL account for congressional redistricting. (Aug. 2014 Day 5 Tr., 1683:3-1683:14, Aug. 15, 2014).

1201. On April 13, 2011, Doug Davis, who was working on congressional redistricting in the Senate, wrote "We're still concerned about the Voting Rights Act" in an email to Lee Padilla, who worked with the National Republican Congressional Committee. The email is part of a series of exchanges with the subject line "Canseco." In the emails, Mr. Davis explains that he has analyzed a proposed plan for CD23 and although "[i]t looks nice politically," he still has concerns under the Voting Rights Act. Mr. Davis concludes,

"We're going to have to put our best legal minds on the 23rd. We just don't know what their verdict will be." (Aug. 2014 Day 1 Tr., 325:12-325:22; PL Ex. 1673).

1202. Mr. Interiano testified that Doug Davis told him he was concerned about certain drafts of Congressional 23. Mr. Davis was concerned that Latinos might not be able to elect their candidate of choice in those drafts of CD23. Mr. Interiano further testified that Mr. Davis probably mentioned a concern about CD23 electing the Latino-preferred candidate in one out of ten elections. (Aug. 2014 Day 1 Tr., 325:23-327:9, Aug. 11, 2014).

1203. In April and May, Mr. Opiela sent a series of congressional proposals to Ryan Downton which shared similar features of CD23 including taking in counties north and east of the Pecos River, excluding Maverick County, and having an HCVAP close to 58%. (Aug. 2014 Day 5 Tr., 1683:18-1685:7, Aug. 15, 2014).

1204. Mr. Downton testified that when he ran OAG10 analyses on his various drafts of CD23, they usually came back as 1 in 10. (Aug. 2014 Day 5 Tr., 1685:15-1686:1, Aug. 15, 2014).

1205. Senator Seliger testified that as the process moved forward, the House came up with a congressional plan and Senator Seliger thought that the plan looked good. Thus, the architecture of CD23 came from the House. (Aug. 2014 Day 1 Tr., 224:3-224:16, Aug. 11, 2014).

1206. On May 19, 2011, David Hanna received a map in his REDAPPL account from Doug Davis. The comments on the map from Mr. Davis said: "Pushing the envelope... Give it a gander, if you will. 2 Valley districts that are high in concentrations, obviously. 23 and 28 are the operatives here." (Aug. 2014 Day 5 Tr., 1578:6-1579:2; PL Ex. 1693; 580).

1207. The map from Mr. Davis showed a CD23 and a CD28 that were balanced in non-suspense SSVR, with 56.9% in CD23 and 56.1% in CD28. (Aug. 2014 Day 5 Tr., 1580:2-1580:23; PL Ex. 580).

1208. In Mr. Davis's map, CD23 elected the Latino candidate of choice in 3 out of 10 of the OAG10 elections. (PL Ex. 580; US Ex. 684).

1209. On May 20, 2011, Mr. Interiano's REDAPPL account showed a "Congressional Proposal Map 2" as Plan STRJC106. (Aug. 2014 Day 1 Tr., 328:10-330:4; PL Ex. 1338).

1210. Plan STRJC106 showed a CD23 that excludes Ward, Crane, Upton, Reagan, Crockett, Schleicher and Sutton counties. Maverick County was contained wholly within Congressional District 23. The Spanish surnamed voter registration non-suspense was 62.1 percent for Congressional District 23. With respect to exogenous elections, Linda Yanez wins with 62 percent in 2008, Mr. Noriega wins with 58.9 percent of the vote, and Mr. Molina wins with 56.2 percent for Court of Criminal Appeals, place 4. (Aug. 2014 Day 1 Tr., 328:10-330:4; PL Ex. 1338).

1211. Mr. Interiano testified that during the redistricting process he was aware of proposals that improved Latino voting strength in CD23 and created additional Latino opportunity districts in the statewide map. (Aug. 2014 Day 1 Tr., 306:24-308:6, Aug. 11, 2014).

1212. Also dated May 20, 2011, STRJC107 has the description "Congressional Committee Map." Unlike the preceding STRJC106 from the same day, STRJC107 has a CD23 in which Ward, Crane, Upton, Reagan, Crockett, Schleicher and the remainder of Sutton counties are included. Maverick County is removed from Congressional District 23 and the Spanish surname voter registration for this version of CD 23 is 52.6 percent, about ten points lower than STRJC106. With respect to exogenous elections, Ms. Yanez wins her

race with only 50.5 percent of the vote, Mr. Noriega loses with 47.4 percent of the vote and Mr. Molina loses with 46.6 percent of the vote. (Aug. 2014 Day 1 Tr., 330:5-331:24; PL Ex. 1339).

1213. Comparing the two plans, STRJ C106 and C107, the performance of the three candidates changes from three out of three victories to one out of three. (Aug. 2014 Day 1 Tr., 332:2-332:7, Aug. 11, 2014).

1214. On May 25, 2011, Mr. Downton was working on a version of CD23 that encompassed the counties north and east of the Pecos River, excluded Maverick County and had an HCVAP of 58.2%. (Aug. 2014 Day 5 Tr., 1686:8-1688:7; PL Ex. 1136).

1215. On May 28, 2011, Mr. Interiano in an email to Ryan Downton with a cc to Doug Davis, "Any guidance on your 23. Have you been able to make any of the changes that we all discussed?" Mr. Downton responded, "Have it over 59% HCVAP, but still at 1/10." (US Ex. 630).

1216. Mr. Downton testified that during this time, people had different opinions about CD23. (Aug. 2014 Day 5 Tr., 1638:1-1640:15, Aug. 15, 2014).

1217. David Hanna was concerned about the configuration of CD23 as it was being developed. Mr. Hanna was concerned that that CD23 might not comply with section 2 and that the district might be retrogressive under section 5 of the Voting Rights Act (Aug. 2014 Day 5 Tr., 1516:2-1516:19, Aug. 15, 2014).

1218. During the 2011 redistricting, Jeff Archer was the interim assistant executive director at the Texas Legislative Council and the supervisor of David Hanna. (Aug. 2014 Day 2 Tr., 639:14-639:21, 641:17-641:24, Aug. 12, 2014).

1219. Over the course of his 32 years with the Texas Legislative Council and in his responsibilities with respect to redistricting, Mr. Archer came to familiarize himself with the requirements of the Voting Rights Act, reading every redistricting case, every voting rights case and every opinion or letter of the Attorney General under the Voting Rights Act that he could find. (Aug. 2014 Day 2 Tr., 642:25-643:18, Aug. 12, 2014).

1220. The redistricting publication that Mr. Archer wrote in the 1990s was the predecessor to the publication that the Texas Legislative Council still publishes on redistricting law. He was the primary author and/or editor of the first edition. The Legislative Council updated it in 2000 and again in 2010 and 2011, the last edition being primarily edited by Mr. Hanna. (Aug. 2014 Day 2 Tr., 641:25-642:24, Aug. 12, 2014).

1221. At the end of May, 2011, Mr. Hanna asked Mr. Archer to examine Congressional District 23. Mr. Hanna told Mr. Archer that Doug Davis wanted somebody to take a look at a proposed District 23 to determine whether there was a problem with it being an opportunity district or not. Mr. Archer performed some independent analysis of the district and expressed a concern that the Congressional District 23 was not preserved as a minority opportunity district. (Aug. 2014 Day 2 Tr., 644:2-645:10, Aug. 12, 2014).

1222. The CD 23 version that Mr. Archer analyzed was sent to him from the RedAppl account used by Ryan Downton. Mr. Archer testified that CD 23 was virtually the same across several draft plans—C120, C125 and C130. (Aug. 2014 Day 2 Tr., 645:11-647:7, Aug. 12, 2014).

1223. Using software available to the TLC, Mr. Archer performed his analysis of the draft CD 23 in Plan C125 by gathering data on election returns for the existing district for 2006, 2008 and 2010. He examined statewide elections, from Lt. Governor to Supreme Court

or Court of Criminal appeals. Mr. Archer used a regression analysis to identify Hispanic or Spanish-surnamed candidates who were the candidate of choice of Hispanic voters, and then examined how those candidates performed in the proposed CD 23. (Aug. 2014 Day 2 Tr., 647:8-649:8, 649:17-20, 649:9-650:20; US Ex. 609).

1224. Mr. Archer created scatter plots on several races and concluded that voting was racially polarized in CD23. (Aug. 2014 Day 2 Tr., 650:21-652:17, Aug. 12, 2014).

1225. From looking at the trend in the draft Congressional District 23 election results, Mr. Archer thought that the draft district was in the gray area and he was not sure that Hispanics had an opportunity in that district. (Aug. 2014 Day 2 Tr., 660:14-662:12, Aug. 12, 2014; US Ex. 609).

1226. Mr. Archer expressed his concern about CD 23 possibly having "problems" to David Hanna. He told Mr. Hanna, "you need to look at this closely and decide for yourself what you have got here, because 2010 could indicate a problem." (Aug. 2014 Day 2 Tr., 660:14-662:12, Aug. 12, 2014).

1227. Mr. Archer acknowledged that with respect to the 2006 race for Court of Criminal Appeals featuring candidate Molina, which Mr. Archer testified that he examined during his CD23 analysis, that CD23 in the enacted plan was slightly worse for Mr. Molina than the CD23 he examined in his analysis. (Aug. 2014 Day 2 Tr., 662:21-664:7, Aug. 12, 2014).

1228. David Hanna testified that Mr. Archer told him that he had concerns about CD23 based on his election analysis. Mr. Hanna told Doug Davis and Gerardo Interiano that both he and Mr. Archer had concerns about CD23 and Mr. Hanna may have shared the concerns with Ryan Downton.

1229. Mr. Hanna further testified that the concerns about CD23 shared by Mr. Hanna and Mr. Archer were not resolved in the enacted plan C185. (Aug. 2014 Day 5 Tr., 1518:16-1518:23, Aug. 15, 2014).

1230. On June 10, 2011, Mr. Opiela sent an email to Mr. Interiano, Mr. Downton and Congressman Smith in which he continued to discuss improving CD 23's Hispanic levels while maintaining it as a Republican district. Mr. Interiano understood the email to mean that Mr. Opiela was trying to make sure Mr. Canseco could be reelected while keeping the SSVR at benchmark levels. (Aug. 2014 Day 1 Tr., 310:1-310:20; US Ex. 633).

1231. In his June 10, 2011 email, Mr. Opiela asked Mr. Interiano to have the two attached redistricting plans "run against election performance" and Mr. Interiano responded that he would. (US Ex. 633).

1232. On the following Monday, June 13, 2011 at 7:23 a.m., Mr. Opiela sent Mr. Interiano a plan for Congressional District 23 and saying "Let's discuss this morning." (US Ex. 195 at 316).

1233. Mr. Interiano responded at 8:00am, "When can you come down to the redistricting office?" (Aug. 2014 Day 1 Tr., 314:21-315:22; US Ex. 195 at 316).

1234. The redistricting office was the office in the Capitol shared by Mr. Interiano and Mr. Downton. (Aug. 2014 Day 1 Tr., 314:21-315:22).

1235. Mr. Opiela responded "45 mins" and Mr. Interiano wrote "Sounds good. . . I'm uploading it right now. . . see you here." Mr. Interiano uploaded the redistricting plan into RedAppl where it became STRJ C116. (Aug. 2014 Day 1 Tr., 312:9-314:4; US Ex. 195 at 316).

1236. In Plan STRJC116 from Mr. Opiela, Ward, Crane, Upton, Reagan, Crockett, Schleicher and Sutton counties are inside Congressional District 23. Maverick County is split between CDs 23 and 28. The non-suspense Spanish surname voter registration is 54.1 percent. With respect to exogenous elections, Ms. Yanez wins her race with only 50 percent of the vote. Mr. Noriega loses with 46.9 percent and Mr. Molina loses both of his races for Court of Criminal Appeals. (Aug. 2014 Day 1 Tr., 332:8-333:18; PL Ex. 1348).

1237. At 8:16am, Mr. Interiano emailed David Hanna, "Can you come down to the redistricting office when you get here?" Mr. Hanna responded, "Around 9 OK?" (Aug. 2014 Day 1 Tr., 316:12-316:24; US Ex. 748).

1238. At 8:34am the Texas Legislative Council sent Mr. Interiano a report on STRJC116 showing Census data on Hispanic citizen voting age population. (Aug. 2014 Day 1 Tr., 314:3-314:20; *see, e.g.* PL Ex. 1127 at 11).

1239. The plan in Mr. Interiano's account, STRJC116, is last modified at 8:32am on June 13, 2011. (US Ex. 664).

1240. One minute later, at 8:33am, Mr. Interiano sent Mr. Downton the congressional map which became HRC1C187 in Mr. Downton's REDAPPL account. The note with the map says "possible floor map." (Aug. 2014 Day 1 Tr., 322:3-322:18; US Ex. 658).

1241. At 12:45pm Mr. Interiano received a map in his REDAPPL account with the note "floor amendment, slight revision." (US Ex. 664).

1242. Mr. Interiano conceded that the STRJC116 and "floor amendment" maps appearing in the REDAPPL accounts of Mr. Interiano and Mr. Downton on June 13 are very similar. (Aug. 2014 Day 1 Tr., 318:21-320:18, Aug. 11, 2014).

1243. At 3:24, Mr. Downton finished working on HRC1C194, labelled "Solomons floor amendment – final." (US Ex. 658 at 4).

1244. Mr. Downton sent his plan, HRC1C194, to the Texas Legislative Council which made the plan public as Chairman Solomons' West Texas Amendment, C170. (Aug. 2014 Day 1 Tr., 320:19-322:2; US Ex. 728).

1245. Chairman Solomons testified that his staff would have been aware that the Solomons West Texas amendment reduced the election performance for Latino preferred candidates in CD 23. (August 2014 Tr. at 1289:6-16)

1246. The following day, June 14, the House took up the redistricting bill for debate and considered Chairman Solomons' floor amendment C170. (Aug. 2014 Day 5 Tr., 1689:1-1689:13, Aug. 15, 2014).

1247. The configuration of CD23 in C170 was incorporated into the final enacted plan C185. (Aug. 2014 Day 5 Tr., 1692:10-1693:2, Aug. 15, 2014).

1248. Plan C170, Chairman Solomons' West Texas Amendment, retained the Opiela map's split of Maverick County and inclusion of counties north and west of the Pecos River, as well as decreased election performance for Latino-preferred candidates when compared to the benchmark. C170 reflected some changes to Mr. Opiela's boundary between CD23 and CD16 in El Paso and some changes to the boundary between CD23 and CD20 that slightly reduced the SSVR in CD20 from Mr. Opiela's version. Plan C170 (PL Ex. 825, PL Ex. 1348).

1249. Mr. Opiela was unhappy with the changes made by Mr. Downton to his map because the changes decreased SSVR in CD20. Later in the evening of June 13, Mr. Opiela wrote to Congressman Smith and his Chief of Staff Jennifer Brown in which he explained his

view that Latino population in CD20 should not be assigned to CD23: "I had a voice wondering in the back of my head how they were able to find enough Hispanics to jack Quico [Canseco] up from 52.8 to 54.1. I knew they couldn't do it alone with just 18k more in Maverick. They stole them from CD 20. This was the whole point behind this exercise. I gave them the tools to fix this, and it was used for this." (Aug. 2014 Day 1 Tr., 368:16-370:5; 372:2-372:9; DEF Ex. 631).

1250. The following day, on June 14, Mr. Opiela wrote to Mr. Interiano to express his support for Plan C149, although he was disappointed that the SSVR in CD20 was below the benchmark. Mr. Opiela concludes: "What is done is done. Let's get this bill passed!" (DEF Ex. 632).

1251. As floor debate of the Congressional redistricting plan proceeded in the House, Aaron Pena, a Hispanic Republican state representative from South Texas, made public PLAN C179; which would have amended Chairman Solomons' PLAN C170, pulled CD23 out of Schleicher and Sutton counties and extended CD23 into more of Bexar County. (DEF Ex. 569; PL Ex. 1124; US Ex. 757).

1252. Eric Opiela analyzed the Pena Amendment, concluded that the amendment resulted in "130 less generic Republican congressional votes in [20]10" and stated "Lamar is hesitant to make the change if it could actually result in either no improvement or a decline in performance for Quico." The analysis was forwarded by Bonnie Bruce to Chairman Solomons who responded "It needs to be withdrawn. Not going to accept the Pena amendment." (US Ex. 757).

1253. Chairman Solomons testified he opposed the Pena Amendment based on Eric Opiela's analysis. (August 2014 Tr. at 1351:4-1352:1, US Ex. 757).

1254. Senator Seliger testified that no one ever told him that CD 23 in C185 was predicted to elect the Latino-preferred candidate in only one out of ten elections. Senator Seliger testified that if he had understood that Mr. Canseco was not the Latino-preferred candidate and that he was taking steps to make this district safer for Mr. Canseco, to him that would have been a violation of the Voting Rights Act. (Aug. 2014 Day 1 Tr., 225:13-225:22, Aug. 11, 2014).

1255. With respect to some of the counties that were added to Congressional District 23 north of the Pecos River—Loving, Ward, Winkler, Crane, Upton and Reagan—Sen. Seliger did not know why those counties were added to Congressional 23 because that was done by his House counterparts. Similarly, he does not know why Maverick County was split in the enacted plan whereas it was contained whole in C23 in the benchmark plan because the Maverick County split came over from the House. (Aug. 2014 Day 1 Tr., 225:23-226:7, Aug. 11, 2014).

1256. Mr. Canseco testified that he did not see a map of Congressional 23 in the enacted plan until after the plan was passed. (Aug. 2014 Day 2 Tr., 575:23-576:15, Aug. 12, 2014).

1257. Near the end of the redistricting process, Mr. Canseco learned from his Chief of Staff that the redistricting plan drawn in the Texas Legislature took away Republican precincts in the Helotes area and gave them to District 20. (Aug. 2014 Day 2 Tr., 573:16-575:5, Aug. 12, 2014).

1258. Mr. Canseco also became aware that he was losing some of the south side precincts of San Antonio that had been very strong for him in his primary and that the population that he was losing on San Antonio's south side was being swapped for territories out in El Paso County. Mr. Canseco testified that he was concerned that losing the south side of

San Antonio precincts that had been strong for him in the primary might make it difficult for him in his reelection if he drew a Republican primary challenger. (Aug. 2014 Day 2 Tr., 575:6-575:22, Aug. 12, 2014).

1259. When he saw the final map of CD23, Mr. Canseco's primary concern was whether the district would pass muster under the Voting Rights Act and whether it preserved the border region and San Antonio areas. (Aug. 2014 Day 2 Tr., 575:23-576:15, Aug. 12, 2014).

1260. Mr. Canseco testified that when he did see the plan, he was ambivalent, explaining that although the district still had the border, "I lost a lot of the south side San Antonio. I lost some areas in Helotes." (Aug. 2014 Day 2 Tr., 582:10-582:21, Aug. 12, 2014).

1261. Sen. Seliger does not recall ever exploring whether the changes to Congressional 23 would impact Mr. Canseco's ability to be nominated in a contested Republican primary. (Aug. 2014 Day 1 Tr., 225:23-226:11, Aug. 11, 2014).

1262. Sen. Seliger did not examine the west Texas counties that were added to CD 23 to see whether the voters in those Republican primaries would support a Hispanic in the Republican primary.

1263. Mr. Interiano testified that during the legislative session he inquired into whether the enacted CD23 (in C185) offered Latino voters the opportunity to elect their candidate of choice and he talked with others about the issue but he did not recall ever making a decision on whether the district did or didn't offer Latino voters the opportunity to elect their candidate of choice. (Aug. 2014 Day 1 Tr., 327:10-327:15, Aug. 11, 2014).

1264. Mr. Hanna testified that after C185 was enacted, he and Mr. Archer continued to have concerns that CD23 violated the Voting Rights Act. (Aug. 2014 Day 5 Tr., 1518:16-1518:23, Aug. 15, 2014).

1265. Mr. Hanna testified that it would have been possible to increase Latino opportunity to elect in CD23 by bringing other Latino voters into the district. (Aug. 2014 Day 5 Tr., 1521:21-1522:6, Aug. 15, 2014).

2. Dallas-Ft. Worth

1266. On April 5, 2011, Mr. Interiano received an email from the scheduler for Congressman Lamar Smith, enclosing a confidential memorandum from Rep. Smith. (Aug. 2014 Day 1 Tr., 305:7-305:21; US Ex. 195).

1267. Rep. Smith stated in his memo that he wanted to create an opportunity district for minorities in the Dallas-Fort Worth area. (Aug. 2014 Day 1 Tr., 304:25-305:6; US Ex. 195).

1268. On May 9, David Hanna received two redistricting plans from Ryan Downton with the comments "First Plan for review" and "Second plan for review." (Aug. 2014 Day 5 Tr., 1543:11-1544:19; PL Ex. 578-5).

1269. The plans sent by Mr. Downton to Mr. Hanna included a CD33 in Dallas-Ft. Worth that looked to Mr. Hanna to be potentially a majority minority district. (Aug. 2014 Day 5 Tr., 1544:20-1545:17, Aug. 15, 2014).

1270. On May 14, 2011, Mr. Opiela forwarded to Mr. Interiano a letter from Congressman Smith to his colleagues in the Republican delegation regarding their congressional redistricting proposal. The letter stated: "The delegation proposal adds a new DFW VRA district for two reasons: 1, to minimize the possibility of a successful Section 2

claim since there are over a million voting age Hispanics in DFW and they do not have either an effective coalition or Hispanic majority district. And 2, politically, if a new Democratic district is not created in DFW, the long-term prospects of Congressman Sessions and to some extent Congressman Marchant's district as Republican majority districts becomes unlikely in the out years of this decade." (Aug. 2014 Day 5 Tr., 1702:22-1703:19; PL Ex. 1114).

1271. Ryan Downton testified that he was aware of the potential beneficial effects on members of the Republican delegation in the DFW area by creating a majority minority district: creating a new minority opportunity district in Dallas Ft. Worth served a Republican partisan purpose by taking Democratic votes and concentrating them in a new district. (Aug. 2014 Day 5 Tr., 1606:7-1606:22; 1703:20-1703:23, Aug. 15, 2014).

1272. Rep. Smith maintained his idea of creating an additional minority opportunity district in the Dallas-Fort Worth area later in the process. (Aug. 2014 Day 1 Tr., 306:7-306:11, Aug. 11, 2014).

1273. On May 2, 2011, Ryan Downton received a plan from the Texas Governor's office that proposed creating a Hispanic VAP majority district in the Dallas Ft. Worth area. Aug. 2014 Day 5 Tr., 1602:16-1602:25; PL Ex. 744, 745).

1274. Around May 3, 2011, Ryan Downton started working on a congressional map. (Aug. 2014 Day 5 Tr., 1608:10-1608:22, Aug. 15, 2014).

1275. A May 17th, 2011 email from Mr. Opiela to Mr. Interiano shows that Congressman Smith continued to advocate the creation of an additional minority opportunity district in the Dallas-Fort Worth area at that later date. Mr. Smith further suggested that creating a new minority opportunity district in the Dallas-Fort Worth area would minimize the

possibility of a successful Section 2 claim. (Aug. 2014 Day 1 Tr., 306:12-306:23; US Ex. 749).

1276. Mr. Downton testified that the House leadership rejected the proposals by the Governor and the Republican delegation because the proposed Dallas Ft. Worth minority districts were not greater than 50% HCVAP and thus deemed not required under the Voting Rights Act. (Aug. 2014 Day 5 Tr., 1603:1-1603:17, Aug. 15, 2014).

1277. Mr. Downton testified that around May 25, 2011 Mr. Interiano instructed him to unite the Ft. Worth African American population in one congressional district. (Aug. 2014 Day 5 Tr., 1618:6-1618:18, Aug. 15, 2014).

1278. Mr. Downton further testified that he used racial shading in REDAPPL as a proxy for communities of interest because he did not know Ft. Worth at all. (Aug. 2014 Day 5 Tr., 1618:19-1620:1; 1621:17-1622:17).

1279. Mr. Downton testified that while mapping Ft. Worth in REDAPPL, he turned on the racial shading for black population and took the areas of more concentrated black population and put them all in District 12. He then looked at the Hispanic population and saw two distinct Hispanic communities – one in north Fort Worth and the other in south Fort Worth -- and kept each of those communities together in separate districts. (Aug. 2014 Day 5 Tr., 1621:17-1622:13, Aug. 15, 2014).

1280. On May 28, 2011, Mr. Downton wrote an email to Gerardo Interiano and Doug Davis stating, “Changes made to keep the Black population together in District 12.” (US Ex. 630).

1281. Mr. Downton’s assignment of African Americans to CD12 and assignment of north and south Ft. Worth Latinos to separate congressional districts was incorporated into C125,

the Solomons-Seliger Statewide redistricting plan released on May 31, 2011. (Aug. 2014 Day 5 Tr., 1621:17-1622:9; DEF Ex. 506).

1282. On June 9, 2011, for the statewide committee substitute by Chairman Solomons– C149 – Mr. Downton again used racial shading to assign both north and south Ft. Worth Latinos to CD26. (Aug. 2014 Day 5 Tr., 1623:17-1626:4, Aug. 15, 2014).

1283. Mr. Downton testified that he assigned the north and south Ft. Worth Latinos to CD26 because he read "on a blog" that they were a community of interest. Mr. Downton stated that he was not sure where the blog author was getting his information but the blog author showed north and south Ft. Worth Latinos in separate districts and Mr. Downton decided to put them in the same district. (Aug. 2014 Day 5 Tr., 1623:17-1626:4; 1627:18-1629:3).

1284. Mr. Downton testified that originally he had assigned the predominantly African American precinct of Como to CD26 where they would be combined with Latinos in a configuration similar to HD90 in the House plan. Mr. Downton testified that he later removed Como from CD26 and "put it with the black community in District 12." (Aug. 2014 Day 5 Tr., 1623:17-1626:4; 1629:4-1629:18, Aug. 15, 2014).

3. CD27

1285. Sen. Seliger knew that Blake Farenthold, the incumbent of Congressional District 27, had won in 2010 and defeated a 27-year incumbent, Solomon Ortiz. He also assumed that Mr. Farenthold won by a small margin of votes and believed that Mr. Farenthold was not the Latino candidate of choice. (2011 Tr. 973:14-16; (Aug. 2014 Day 1 Tr., 228:8-229:2, Aug. 11, 2014).

1286. Sen. Seliger was aware during redistricting that Nueces County is a Latino majority county (Aug. 2014 Day 1 Tr., 229:16-230:1, Aug. 11, 2014).

1287. Representative Todd Hunter acknowledged that Nueces County is a majority Hispanic county, but testified that he does not think of it as one. (Aug. 2014 Day 4 Tr., 1109:5-1109:25, Aug. 14, 2014).

1288. Rep. Hunter is a member of the House of Representatives for House District 32 in Nueces County. In 2011, he was a member of the Texas House Redistricting Committee. (Aug. 2014 Day 4 Tr., 1060:15-1062:4, Aug. 14, 2014).

1289. Sen. Seliger cut Nueces County up out of the benchmark CD 27 and put it into a district higher north after meeting with Republicans in the Congressional delegation and being asked if he would mind looking to see if there was a way to get Mr. Farenthold a good chance to hold his district. This change to CD 27 ended up in the enacted plan. (Aug. 2014 Day 1 Tr., 228:8-229:15, Aug. 11, 2014; PL 1131).

1290. Sen. Seliger described the benchmark Congressional District 27 as clearly an opportunity district and believed the new CD 27 was a district that Representative Farenthold could "hold." Sen. Seliger made Congressional District 34 just to the west because he felt that he was clearly required to create an opportunity district coming out of the Valley. (Aug. 2014 Day 1 Tr., 229:16-230:1, Aug. 11, 2014).

1291. Mr. Interiano testified that one goal in the changes made to Congressional District 27 was improving the electoral chances of Representative Farenthold. (2011 Tr. 1462:19-22).

1292. In the benchmark plan C100, according to the 2010 Census, CD 27 was overpopulated by 43,505 individuals. (Ex. J-62-II, at 51:12-14).

1293. Sen. Seliger knew that instead of taking Nueces County whole out of the south Texas congressional districts, that he could take Mr. Farenthold's neighborhood along Shore Drive in Corpus Christi and pair it with counties to the north to make him a safer district and leave the rest of Nueces County's population in the district that runs down the Gulf to Cameron County. (Aug. 2014 Day 1 Tr., 230:2-230:16, Aug. 11, 2014).

1294. It would have been possible to draw CD 27 by simply shedding the 43,500 additional voters; drawn this way, CD 27 would have remained a Latino opportunity district. (2011 Tr. 972:8-13; Ex. J-62-II, at 52:2-13).

1295. Mr. Downton admitted that CD 27 was redrawn so dramatically to give the Anglo incumbent a better chance for reelection and that the redistricters could have accomplished this goal by placing a small portion of Nueces County with the incumbent's home in a district that went to the north and left the bulk of Nueces County in a South Texas district. (2011 Tr. 971:10-13; Ex. J-62-II, at 53:4-54:5).

1296. Ryan Downton testified that before reassigning Nueces County to a congressional district running north, he did not check with Hispanic leaders or voters in Nueces County to learn their views and he could not recall whether any of them testified before the committee during the 2010 interim hearings. (Aug. 2014 Day 5 Tr., 1775:15-1775:20, Aug. 15, 2014).

1297. Rep. Todd Hunter did not think that anyone asked for Nueces County to be moved into an Anglo majority Congressional District during the 2010 and 2011 hearings for redistricting. He also does not remember any Latino representative or advocate ever testify that the 200,000 Latinos that are in Nueces County be moved into an Anglo Congressional District. (Aug. 2014 Day 4 Tr., 1110:5-1110:13, Aug. 14, 2014).

1298. According to Ryan Downton, redistricters did consider including Nueces County in the South Texas configuration of congressional districts, and it would have relieved pressure to maintain benchmark SSVR levels in CDs 20 and 23. (2011 Tr. 949:22-950:3).

1299. In the 1992 and 1994 elections, as well as the 1996 primary elections, Nueces County constituted a part of CD 27 and anchored a South Texas district. (PL Ex. 304 [Dkt. 347 at p. 7]).

1300. In the 1996 special elections, as well as the 1998 and 2000 elections, Nueces County constituted a part of CD 27 and anchored a South Texas district. (PL Ex. 305 [Dkt. 347 at p. 7]).

1301. In the 2002 elections, Nueces County constituted a part of CD 27, anchored a South Texas district and was split between two congressional districts. (PL Ex. 306 [Dkt. 347 at p. 7]).

1302. The North-South Rio Grande Valley configurations existed as far back as the 1990s. (PL Ex. 321, at pp. 102-03 [Dkt. 347 at p. 7]).

B. Direct Evidence of Discrimination

1. Texas Redistricters Reduced Latino Voting Strength in CD23 to Prevent Latinos From Electing Their Candidate of Choice

a. REDAPPL

1303. The smallest level of geography at which election data is available in REDAPPL is called a voter tabulation district, or VTD, and VTDs typically conform to current election precincts. (2011 Tr. 317:6-12).

1304. While mapping in REDAPPL, a user can display statistics for an election in a box at the bottom of the screen; if a user wanted to know if a particular candidate prevailed in a

specific race in a draft district, the user could use the election statistics in REDAPPL to show that result. (Aug. 2014 Day 5 Tr., 1566:10-1567:6, Aug. 15, 2014).

1305. Mr. Interiano testified that a user of REDAPPL can click on blocks or precincts and assign that geography into or out of a particular district while watching the effect of that change on SSVR and election performance on the district. As a result, the REDAPPL user could watch SSVR and election results going up and down as he built the district, choosing one precinct over another, and ultimately select that particular group of precincts that would meet his goal. (July 2014 Tr. at 1630:5-25).

1306. Mr. Downton testified that in REDAPPL, a user could turn on the Hispanic VAP shading and redistrict at the block level, clicking blocks in and out of the district, and, at the same time could have in the plan statistics box a couple of political races and SSVR and the user could watch those percentages fluctuating while clicking blocks into and out of the district. (July 2014 Tr. at 2093:12-2094:11).

1307. Since election data is loaded into REDAPPL, the redistricting software immediately can indicate the effect of moving a VTD into or out of a district on election returns. (2011 Tr. 317:24-318:20).

1308. Color shading by race or election returns for a particular election is available on REDAPPL. This allows people who do not know certain areas to accomplish racial and/or political redistricting goals with respect to those areas. (2011 Tr. 319:1-10).

1309. With the existing redistricting software, map drawers can add a precinct, a VTD, a census block, or a group of census blocks to a district. As soon as the map drawer makes a change to a district, he or she can see immediately the effect of the change on the district's demographics and election performance. (2011 Tr. 316:18-317:5).

1310. Data on the number of Democratic or Republican votes cast is not available below the precinct level of geography, although the REDAPPL software will allocate the data down to the block level by assuming that the overall proportion of Republican to Democratic votes in the precinct is the same for every Census block. (July 2014 Tr. at 1629:12-23, 2092:7-18, 2092:25-2093:4).

1311. While using REDAPPL, a user could shade the geography by percentage of population by ethnicity, the user could pull up the actual number of people in a block or a VTD, and the user could run reports while redistricting. (July 2014 Tr. at 1976:22-1977:12).

1312. REDAPPL was made available to state legislators in their offices on a dedicated computer. In order to log on to REDAPPL, a user would first have to enter a user name and password to access the dedicated computer, then enter a user name and password to access the specific account in REDAPPL. (July 2014 Tr. at 1971:2-25).

1313. REDAPPL was also loaded on laptops and given to legislators and staff outside of the office. (July 2014 Tr. at 2091:14-24).

b. Changes to CD23 in C185

1314. The State's expert witness, Dr. Alford, testified that he had observed as an expert witness in 2003 that changes were made to CD23 to shore up the reelection prospects of Representative Bonilla and in Plan C185 the changes were made to shore up the reelection chances of Representative Canseco. (2011 Tr. 1880:22-1881:7).

1315. Dr. Alford testified, with respect to the changes in CD23 from Plan C100 to Plan C185, that "[t]here are some obvious parallels between what happened previously and what happened this time." (2011 Tr. 1875:2-9).

1316. Dr. Alford also stated, when discussing the changes to CD23 "we feel like we are all having déjà vu[.]" (2011 Tr. 1929:18-21).

1317. Dr. Alford, testified, with respect to the changes in CD23 from Plan C100 to Plan C185, that the issue of race conscious redistricting is going to come up in this case. (2011 Tr. 1882:3-8).

1318. The State's expert witness, Dr. Alford, testified that he had observed as an expert witness in 2003 that changes were made to CD23 to add overwhelmingly Anglo Hill Country counties, while splitting the city of Laredo and Webb County. Dr. Alford further testified that although he was unaware Plan C185 added to CD23 the heavily Anglo counties north of the Pecos River, he did know that some people were upset that CD23 in Plan C185 splits the city of Eagle Pass and Maverick County. (2011 Tr. 1881:8-1882:2).

1319. Dr. Alford testified that in *LULAC*, the benchmark CD23 was a Latino majority district whose incumbent was not the candidate of choice. Most observers agreed CD23 was about to elect the Latino candidate of choice. (2011 Tr. 1820:17-1821:11).

1320. Dr. Alford, testified that "If I was advising the legislature on drawing the 23rd, I would not have done what was done to the 23rd." (2011 Tr. 1838 9:21). Dr. Alford further testified:

> [M]y first advice to the legislature would be just -- you know, in simple -- with a slight memory of history, do as little as possible to the 23rd as you can. It really has been a difficult -- it was a difficult district for the Court to draw. It was a difficult district for the legislature to draw. But, basically, enough is enough, right? Don't make this hard on yourself. . . Don't mess with the 23rd. That would be my first rule for drawing the districts.

(2011 Tr. 1840:8-22.

1321. The State's expert witness, Dr. Alford, testified "I would have advised either making -- either -- rather than creating a replacement district for the 23rd, I would have advised

making the 23rd itself a better performing district in terms of election numbers, or -- basically that, or leaving the 23rd alone." (2011 Tr. 1840:23-1841:5).

1322. Under C185, the opportunity for Latinos to elect their candidate of choice in CD 23 is reduced even though the district remains majority Latino. (Flores Report, Ex. E-8 [Dkt. 341 at p. 2], at p. 10; 2011 Tr. 454:4-455:1).

1323. In the areas that C185, the enacted plan, moved into CD 23, the Latino voters underperform when compared to the Latino voters in the areas drawn out of CD 23, even though the percentage of Spanish surnamed registered voters (SSVR) increases. (2011 Tr. 451:3-9; PL Ex. 236 [Dkt. 347 at p. 4]).

1324. To reduce Latino voter performance while keeping the SSVR percentage constant, or raising the SSVR percentage slightly as was done, the redistricters had to do very detailed searches for VTDs that underperformed but had a majority of Latino voters in them. (2011 Tr. 451:10-16; 2011 Tr. 454:14-19; PL Ex. 235 [Dkt. 347 p. 4]).

c. Mappers Redistricted on the Basis of Race to Protect Congressman Canseco

1325. According to Mr. Interiano, there were two concurrent goals with respect to the redistricting of Congressional District 23—maintain or increase Hispanic demographic percentages and provide an opportunity for Representative Canseco to be reelected. (2011 Tr. 1454:23-1455:3; Ex. J-61, Vol.1, 102:5-11).

1326. Mr. Downton, the author of the congressional plan, made deliberate changes to protect the incumbent of CD23 whom he knew was not the candidate of choice of Latinos. (2011 Tr. 952:3-13; 966:3-5).

1327. When he was drawing CD 23, Mr. Downton turned on the shading for election results and SSVR when drawing the maps. This meant that he could see the effects on election

results and SSVR of every change he made the instant he made the change. (2011 Tr. 954:4-8; Ex. J-62-I, at 56:15-57:8; Ex. J-62-I, at 41:15-17).

1328. Mr. Downton made these changes precinct-by- precinct, with the dual goals of strengthening the district for Mr. Canseco and increasing the SSVR. (2011 Tr. 1454:23-1455:3; Ex. J-61-I, at 102:5-11).

1329. As a result, the precincts that Mr. Downton drew into CD23 had a slightly higher SSVR, but lower election results for Latino-preferred candidates. (2011 Tr. 452-453; PL Ex. 395-398).

1330. Mr. Downton acknowledged that it was possible that in the precincts he swapped into CD23 Anglo voters turned out at higher rates than Latino voters. (2011 Tr. 956:4-19; Ex. J-62-I, at 76:24-77:20). Mr. Downton further acknowledged that the Latino majority precincts he swapped into CD23 could have been more racially polarized. (2011 Tr. 957:8-15; Ex. J-62-I, at 78:2-22).

1331. Mr. Downton was aware that Maverick County is strongly Latino. (2011 Tr. 965:24-966:2).

1332. When Mr. Downton was drawing CD 23, he was aware that Rep. Canseco was not the Latino candidate of choice. (2011 Tr. 966:3-5; Ex. J-62-I, at 90:9-11).

1333. Mr. Downton chose not to include in CD 23 areas that were majority Hispanic and that tended to be less likely to prefer Rep. Canseco. (Ex. J-62-I, at 90:25-91:3).

1334. There was no need to cut Maverick County in configuring CD 23. (2011 Tr. 784:2-3).

1335. Mr. Downton admitted to removing the highly—and increasingly—mobilized Maverick County voters, who are over 95% Latino, because they would not vote for the incumbent

he sought to protect. (Ex. J-62-I, at 87:21-23; Tr. 681:21-671:18; U.S. Census QuickFacts, PL Ex. 302 [Dkt. 347 at p. 7], at p. 1010).

1336. As the map of CD23 was finalized in June 2011, Mr. Downton knew that he could have increased the SSVR or HCVAP of CD23 by swapping territory with its neighbor, CD28, to take in all of Maverick County but Mr. Downton decided against it because such a change might have endangered the ability of Mr. Canseco to be reelected. (Aug. 2014 Day 5 Tr., 1693:23-1694:14, Aug. 15, 2014).

1337. Mr. Downton testified that taking all of Maverick County into CD23 and then shedding parts of Atascosa County back into CD28 could have potentially increased the voting strength of Hispanics in 23, but it would have negatively affected Mr. Canseco's chance at being reelected. (Aug. 2014 Day 5 Tr., 1666:11-1666:18; 1694:15-1694:21, Aug. 15, 2014).

1338. Mr. Downton testified that the Maverick County split was an idea that he took from Mr. Opiela. (Aug. 2014 Day 5 Tr., 1658:4-1658:6, Aug. 15, 2014).

1339. Mr. Downton testified that Chairman Solomons ultimately made the decision not to include Maverick County whole in CD23. (Aug. 2014 Day 5 Tr., 1666:11-1668:15, Aug. 15, 2014).

1340. Mr. Downton also testified that the concept of splitting Atascosa County came from Mr. Opiela, although Mr. Downton split the county differently. (Aug. 2014 Day 5 Tr., 1663:2-1663:8, Aug. 15, 2014).

d. Mappers Sought out Low Performing Latino Precincts in Order to Bolster Congressman Canseco's Re-election

1341. Sen. Seliger testified, while looking at the e-mail from Eric Opiela to Gerardo Interiano in which Opiela discusses "a nudge factor," the nudge factor is a point where the

population going to the polls would increase Congressman Canseco and Farenthold's chances of winning the district. He agreed that the intent of the nudge factor being described in Mr. Opiela's e-mail appears to be to increase the Hispanic voting age population to a higher level but leave the Spanish surname voter registration and turnout lower than before. (Aug. 2014 Day 1 Tr., 234:10-235:7, Aug. 11, 2014; PL Ex. 1617).

1342. Sen. Seliger believes that using the nudge factor as Mr. Opiela indicated in his e-mail might result in a district where there could be an increase in Hispanic citizen voting age population when compared to the benchmark, but poorer performance for the Hispanic-preferred candidate on Election Day. He also believes it is possible that if somebody were to use the nudge factor in designing a district, that the district would have a majority Hispanic citizen voting age population, but the Hispanic voters would be unable to elect their candidate of choice. (Aug. 2014 Day 1 Tr., 235:8-235:19, Aug. 11, 2014; PL Ex. 1617).

1343. When Sen. Seliger was shown the Opiela e-mail in his deposition, it caused him concern. Senator Seliger testified that if he had seen this email during the redistricting process, he would have asked for the staffer involved about the practical and legal effect of the nudge factor and about what the nudge factor does to the likelihood that the candidate of choice could be elected. He would also ask if the candidate wins five times out of ten, nine times out of ten, et cetera. Additionally, Senator Seliger testified that if he knew his staffer had received this email, he would instruct him not to use the nudge factor if it endangered the ability of Hispanics to elect a candidate of choice. (Aug. 2014 Day 1 Tr., 235:20-236:13, Aug. 11, 2014, PL Ex. 1617).

1344. As for terms used in the Opiela "nudge factor" email, during redistricting Sen. Seliger in 2011 understood CVAP to mean citizen voting age population, SSVR to mean Spanish surname voter registration and that VTDs meant voter tabulation districts. (Aug. 2014 Day 1 Tr., 236:14-236:23, Aug. 11, 2014).

1345. As compared to the benchmark, Mr. Downton was aware that CD 23 in C185 resulted in an increase in the total Hispanic population, an increase in the SSVR, an increase in the HCVAP, and an increase in the percentage of people voting for McCain in the 2008 Presidential election. (2011 Tr. 967:1-5; Ex. J-62-I, at 39:20-23).

1346. Mr. Downton sought to protect Rep. Canseco's incumbency by including in CD 23 precincts that went for McCain in the 2008 Presidential election, even though he knew it was possible that these precincts went for McCain because Anglo voters preferred McCain and turned out at higher rates than Latino voters. (2011 Tr. 956:4-19).

1347. Although Mr. Downton claimed he moved precincts into and out of CD23 to include more Hispanic Republicans, Mr. Downton conceded it is impossible to identify Spanish-surnamed registered voters by party. Mr. Downton could not identify Latino Republicans while drawing CD 23. (2011 Tr. 955:12-24; Ex. J-62-II, at 11:1-17).

e. Mappers Relied on the OAG10 to Ensure Latinos Would not have the Opportunity to Elect

1348. At the start of the 2011 legislative session, Redistricting Chairman Burt Solomons met with staff from the Texas Attorney General's Office and the Attorney General's Office offered assistance in the entire process. (July 2014 Tr. at 1013:14-22).

1349. During the redistricting process, Chairman Solomons and the staff working on redistricting received and relied on regression analysis on proposed districts based on ten

statewide elections involving minority candidates. The analysis was provided by the Attorney General's Office. (July 2014 Tr. at 1014:20-1015:19; US Ex. 190A).

1350. Chairman Solomons testified, with respect to the reconstituted election analysis, "we looked at it all the time." (Aug. 2014 Day 4 Tr., 1340:20-1341:2, Aug. 14, 2014).

1351. The analyses were called the "OAG 10" because, for each draft district under review, the Office of the Attorney General analyzed the results of ten statewide general election contests involving minority and Anglo candidates between 2002 and 2010. The OAG 10 reports identified the minority-preferred candidate in each district and indicated whether the preferred candidate would have carried that district. (Aug. 2014 Day 1 Tr., 6:6-6:21; July 2014 Tr. 1020:10-1023:7; US Ex. 190A; US Ex. 2).

1352. Mr. Interiano and Mr. Downton would summarize the results of the OAG10 analysis by talking in terms of the number of victories for Hispanic-preferred candidates out of ten. For example, they would characterize a district as a "one out of ten" district and the "ten" would be the ten elections in the OAG10, and the "one" would be the number of victories of the Hispanic-preferred candidate for that particular district. The map drawers during the redistricting process shared the OAG10 summaries among themselves. (Aug. 2014 Day 1 Tr., 7:11-8:1, Aug. 11, 2014).

1353. Chairman Solomons and the staff working on redistricting used the regression analysis to identify who was the minority candidate of choice and whether the minority preferred candidate would prevail in the new districts being drawn in a plan under analysis. (July 2014 Tr. at 1016:4-8).

1354. The OAG10 analyses did not include races in which two Anglo candidates ran against each other and did not include races in which an Anglo and an African American

candidate ran against each other. The analyses included only head to head races in which a Latino candidate ran against a non-Latino candidate. (Aug. 2014 Day 2 Tr., 526:14-528:15; PL Ex. 665).

1355. Mr. Hanna described the OAG10 as ten races chosen to measure the performance for Hispanic voters when evaluating a redistricting plan. (Aug. 2014 Day 5 Tr., 1508:23-1509:3, Aug. 15, 2014).

1356. Mr. Hanna testified that during the redistricting process, Doug Davis and Gerardo Interiano were focusing on and would mention to Mr. Hanna how many out of ten races a district performed in according to the OAG10. (Aug. 2014 Day 5 Tr., 1511:6-1511:15, Aug. 15, 2014).

1357. During the redistricting process, Mr. Hanna recommended on occasion that the redistricters perform election analyses to evaluate districts and he understood that the OAG10 was a critical component of showing whether a district was performing or not. (Aug. 2014 Day 5 Tr., 1512:23-1513:19, Aug. 15, 2014).

1358. House Redistricting Committee Chairman Burt Solomons testified that his staff used the OAG10 reports to determine whether a proposed plan would comply with the Voting Rights Act. (Aug. 2014 Day 4 Tr., 1265:20-1265:23, Aug. 14, 2014).

1359. The map drawers during the redistricting process shared the OAG10 analysis with Eric Opiela. Gerardo Interiano testified that he would have verbally shared the numbers with Mr. Opiela for the district that he was calling about. (Aug. 2014 Day 1 Tr., 8:2-8:24, Aug. 11, 2014).

1360. Mr. Interiano testified that the existence of the OAG10 analyses was not public knowledge at the time of redistricting and that he did not share the OAG10 analyses with

MALC, the Latino Task Force, or any members of the Texas House who represented minority opportunity districts. (Aug. 2014 Day 1 Tr., 379:6-379:25, Aug. 11, 2014).

1361. In order to assess retrogression, Mr. Interiano used reaggregated elections to determine if Latino preferred candidates were doing better or worse in new districts compared to the benchmark districts. (2011 Tr. 1456:19-22; Ex. J-61, Vol. 1, at 88:15-19; Ex. J-61, Vol. 1, at 89:18-22; Ex. J-61, Vol. 1, at 92:2-16).

1362. According to Mr. Interiano, the state's reaggregated election analysis showed that Congressional District 23 in plan C185 elects the Latino preferred candidate in one out of ten racially contested general elections. (2011 Tr. 1457:21-25; Ex. J-61, Vol. 1, at 94:11-19).

1363. The Attorney General's OAG analysis included the following elections: 2002 general election for Governor; 2004 general election for Railroad Commissioner; 2004 general election for Court of Criminal Appeals; 2006 general election for Lieutenant Governor; 2006 general election for Court of Criminal Appeals; 2008 general election for U.S. Senate; 2008 general election for Justice of the Supreme Court; 2010 general election for Lieutenant Governor; 2010 general election for Land Commissioner; and 2010 general election for Justice of the Supreme Court. (Ex. J-62-I, at 58:5-59:17; Ex. J-62-II, at 15:18-16:7).

1364. The Attorney General's OAG10 analyses excluded four racially-contested statewide races held in the same time period as the races in the OAG10: the 2008 election for the Court of Criminal Appeals which included candidate Molina; the 2002 election for Supreme Court Justice which included candidate Yanez; the 2002 race for Court of

Criminal Appeals which included candidate Molina and the 2002 race for Supreme Court Pl. 4 which included candidate Mirabal. (PL Ex. 240, 237, and 291 at p. 79).

1365. In the four races excluded by the OAG10, in benchmark CD23: candidate Molina garnered 52.18% of the vote in the 2008 election for Court of Criminal Appeals; candidate Yanez garnered 53.89% of the vote in the 2002 election for Supreme Court Justice; candidate Molina garnered 50.23% of the vote in the 2002 race for Court of Criminal Appeals; and candidate Mirabal garnered 55.3% of the vote in the 2002 race for Supreme Court Pl. 4. (PL Ex. 237, 240 and 291 at p. 79).

1366. Mr. Downton testified that if he had known that benchmark CD23 elected the Latino preferred candidate in seven of 14 exogenous elections, that would have "made it a close call" and he would have sought legal advice from the Attorney General and the Legislative Counsel. However, Mr. Downton testified that whether or not CD23 was performing for Latino voters in the benchmark it would not have changed the final 2011 map. (Aug. 2014 Day 5 Tr., 1696:13-1697:11; 2011 Tr. 960:8-961:15; Ex. J-62- II, at 17:17-20:19).

1367. Mr. Hanna testified that the OAG10 plays an important role in evaluating a redistricting plan's compliance with section 2 and section 5 of the Voting Rights Act. (Aug. 2014 Day 5 Tr., 1512:10-1512:13, 1514:4-1514:8).

1368. The chart sent by Ryan Downton to Gerardo Interiano on June 13, 2011, showing an OAG10 analysis of the draft CD23, is the type of analysis that Dr. Henry Flores would use in his work as a political scientist to evaluate Latino opportunity to elect. (Aug. 2014 Day 2 Tr., 526:14-528:15; PL Ex. 1665).

1369. Dr. Flores testified that in his opinion, the use of the OAG10 to evaluate drafts of CD23, as shown in the email from Mr. Downton to Mr. Interiano and Mr. Davis explaining that he has CD23 "still at 1/10," was central to the creation of CD23 in C185. (Aug. 2014 Day 2 Tr., 528:16-530:19; PL Ex. 1659).

1370. Dr. Flores testified that in his opinion, the creation of CD23 in C185 was a conscious effort, that there was an intent to get the configuration of CD 23 just the way it was presented in C185 and that race was the principal variable involved in the decision. (Aug. 2014 Day 2 Tr., 530:20-531:6, Aug. 12, 2014).

f. Mappers Relied on Racial Data to Create the Facade of a Latino Opportunity District

1371. Mr. Downton maintained that CD 23 in C185 is a Latino opportunity district because it has a majority of HCVAP. At the same time, Mr. Downton knew that the Latino candidate of choice won only 1 out of 10 reaggregated elections. (Aug. 2014 Day 5 Tr., 1635:19-1635:22; 2011 Tr. 950:14-17; Ex. J-62-I, at 93:5-23).

1372. Mr. Downton opined that CDs 15, 16, 20, 23, 28, 29, 34, and 35 are Latino opportunity districts in Plan C185, and he considered any majority-SSVR district to be a Latino opportunity district. (Ex. J-62-I, at 70:9-15).

1373. Mr. Interiano conceded that a district with a majority Spanish surname voter registration and Hispanic citizen voting-age population is not in every circumstance a Latino opportunity district. (2011 Tr. 1458:9-16).

2. Texas Redistricters Separated Voters on the Basis of Race in Dallas Ft. Worth

1374. In drawing the Dallas Ft. Worth congressional map, Mr. Downton testified that he was trying to add a new Republican district and balance each of the existing Republican

districts within a few points of each other so that all the Republican congressmen felt that they still had strong Republican districts. (Aug. 2014 Day 5 Tr., 1606:7-1606:22, Aug. 15, 2014).

1375. Mr. Downton testified that he created the "lightning bolt" that extends south out of CD26 in order to "balance the strong Republican nature of Denton County with some of the Democrats living in Tarrant County [and] to keep the other Tarrant County districts from becoming Democratic districts. (Aug. 2014 Day 5 Tr., 1607:24-1608:9, Aug. 15, 2014).

1376. Mr. Downton also used racial shading in REDAPPL to assign African Americans to CD12 and Latinos to CD26. (Aug. 2014 Day 5 Tr., 1621:17-1622:9; DEF Ex. 506).

1377. Mr. Downton explained that he used racial shading in REDAPPL to assign Hispanic population to the "lightning bolt" of CD26 because he did not have personal knowledge of the community characteristics of the residents who lived inside the "lightning bolt." (Aug. 2014 Day 5 Tr., 1710:9-1710:13).

1378. Mr. Downton used racial shading in REDAPPL as a proxy for community of interest. (Aug. 2014 Day 5 Tr., 1710:14-1710:20, Aug. 15, 2014).

1379. Mr. Downton testified that he did not know the identity of "Greg" of Greg's Opinion but he relied on Greg's blog post when deciding to assign Latinos from north and south Ft. Worth to the "lightning bolt" of his CD26. (Aug. 2014 Day 5 Tr., 1711:1-1711:3, Aug. 15, 2014).

1380. Mr. Downton did not view an overlay of the boundaries of HD90 in the House plan while drawing the "lightning bolt." (Aug. 2014 Day 5 Tr., 1712:4-1712:9, Aug. 15, 2014).

1381. Mr. Downton testified that the southern portion of the "lightning bolt" encompasses Hispanic population; where the "lightning bolt" takes in a less Hispanic area it may be to include a district office. (Aug. 2014 Day 5 Tr., 1712:10-1713:14; PL Ex. 1145).

1382. Mr. Downton testified that the areas to the east and west of the southern portion of the "lightning bolt" are predominantly African-American. (Aug. 2014 Day 5 Tr., 1714:9-1714:19; PL Ex. 1146).

1383. Mr. Downton testified that where the boundary of the "lightning bolt" splits the Tarrant County precinct 1120 (Como), it places more Hispanic populated blocks inside the "lightning bolt" and less Hispanic populated blocks outside the "lightning bolt." (Aug. 2014 Day 5 Tr., 1714:20-1716:1; PL Ex. 1151).

1384. Mr. Downton testified that the boundary of the "lightning bolt" splits Tarrant County precinct 1019, and it would otherwise be very difficult to keep African American population together in CD12. (Aug. 2014 Day 5 Tr., 1716:2-1717:14; PL Ex. 1147, 1148).

1385. Mr. Downton testified that where the neck of the "lightning bolt" becomes very narrow, south of the bend in the Trinity River, there is substantial black population excluded from the "lightning bolt." (Aug. 2014 Day 5 Tr., 1717:15-1717:22; PL Ex. 1149).

1386. Mr. Downton testified that the northern part of Ft. Worth that is included in the "lightning bolt" contains a dense Hispanic population. (Aug. 2014 Day 5 Tr., 1717:23-1718:4; PL Ex. 1150).

1387. Mr. Downton testified that where the boundary of the "lightning bolt" splits Tarrant County precinct 4138 the less Hispanic blocks are outside the "lightning bolt." (Aug. 2014 Day 5 Tr., 1718:5-1719:3; PL Ex. 1153).

1388. Mr. Downton testified that he did not draw CD26 as a Hispanic opportunity district. (Aug. 2014 Day 5 Tr., 1720:21-1721:1, Aug. 15, 2014).

1389. In Dallas County, the boundary of CD6 splits Dallas County precincts 1105 and 1127 and in both splits a higher percentage of Hispanic population is placed inside CD6 and a lower percentage of Hispanic population is placed outside CD6. (Aug. 2014 Day 5 Tr., 1721:2-1721:8; PL Ex. 1155).

1390. Mr. Downton testified that the boundary of CD6 splits Dallas County precincts 4614 and 4610 and in both splits a higher percentage of Hispanic population is placed inside CD6 and a lower percentage of Hispanic population is placed outside CD6. (Aug. 2014 Day 5 Tr., 1722:8-1723:7 PL Ex. 1156).

1391. Mr. Downton testified that the boundary of CD6 splits Dallas County precinct 4433 in such a way that a higher percentage of Hispanic population is placed inside CD6 and a lower percentage of Hispanic population is placed outside CD6. (Aug. 2014 Day 5 Tr., 1724:11-1724:16; PL Ex. 1157).

1392. Mr. Downton testified that in CD6 he would have attempted to keep Hispanics together as a community of interest. (Aug. 2014 Day 5 Tr., 1720:21-1721:1, Aug. 15, 2014).

1393. Mr. Downton split 14 precincts with the "lightning bolt" of CD26 and an additional 4 precincts with the boundary between CD12 and CD33 in Tarrant County. (PL Ex. 1633).

1394. Mr. Downton testified that he initially worked on CD26 looking only at partisan data but later he turned on racial shading in order to draw the "lightning bolt." (Aug. 2014 Day 5 Tr., 1767:13-1768:2, Aug. 15, 2014).

1395. Chairman Solomons was unable to provide a partisan explanation for why the extension of CD26 into Tarrant County follows the boundaries of the Hispanic population but not

the African American population. Chairman Solomons was further unable to provide an explanation of why Congressional District 26 splits 38 precincts in Tarrant County. (Aug. 2014 Day 4 Tr., 1305:18-1307:15, Aug. 14, 2014).

1396. Chairman Solomons testified that he gave no instruction to Mr. Downton regarding the Trinity River Development, or regarding the inclusion in CD 26 of Hispanics west of the areas that Mr. Burgess represented, and never had a discussion with Kay Granger about the Trinity River Project. (August 2014 Tr. at 1370:17-1371:25).

1397. Chairman Solomons agreed that for the purpose of complying with the requirement of population equality, District 26 could have taken in all of Denton County and only 30,000 people from Tarrant County, rather than the C185 lightning bolt configuration. (August 2014 Tr. 1293:6-14).

C. Discriminatory Impact

1. CD23

1398. In C185, CD23 took in new territory from counties from north and east of the Pecos River and portions of Frio, LaSalle and Atascosa counties. Neighborhoods around Socorro in south El Paso County were divided and added to Congressional District 23. The southern half of the city of Eagle Pass and Maverick County were removed from Congressional District 23. (PL Ex. 385, 379).

1399. In El Paso, CD23 swapped territory with CD16 although CD16 was overpopulated and only needed to shed population into CD23. (Aug. 2014 Day 2 Tr., 507:9-508:11; PL Ex. 399, 1029).

1400. The effect of the swaps in El Paso between CD16 and CD23 was to add a greater number of Latino registered voters with a turnout rate of 11% to CD23 and remove a smaller

number of Latino registered voters with a turnout rate of 14.9% from CD23. The overall effect of the move was to decrease the Latino turnout rate in CD23 but increase the SSVR (Aug. 2014 Day 2 Tr., 508:12-510:5; PL Ex. 1109).

1401. In West Texas, mappers assigned seven counties and 33,730 people to CD23 from CD11 (Aug. 2014 Day 2 Tr., 510:6-512:6; PL Ex. 1109, 1115).

1402. CD11 was only overpopulated by about 12,000 people but redistricters assigned 33,730 people to CD23 from CD11. (Aug. 2014 Day 2 Tr., 511:15-512:6; Ex. J-1).

1403. The overall effect of the move of these counties into CD23 was to add twice as many non-Latino registered voters to CD23 as Latino registered voters. (Aug. 2014 Day 2 Tr., 512:18-512:25; PL Ex. 1109).

1404. The overall effect of the move of these counties into CD23 was also to increase the participation gap between Latinos and non-Latinos because the Latino turnout rate in the added counties was 22.9% and the turnout rate of the non-Latino voters was 39.6%. In essence, the change imported a group of Latino voters that have a lower voter turnout rate and a much larger group of Anglo voters who have a much higher turnout rate. (Aug. 2014 Day 2 Tr., 513:5-513:21; PL Ex. 1109).

1405. In South Texas, redistricters removed half of Maverick County from CD23 and drew portions of Frio, Atascosa and LaSalle counties into CD23. The net effect of the move was to increase the number of Latino registered voters in the district but the Latino voters coming into CD23 had a lower turnout rate than the Latino voters removed from CD 23. (Aug. 2014 Day 2 Tr., 513:22-516:19;

1406. The changes to CD23 in South Texas also had the effect of increasing the non-Latino turnout rate because the non-Latino voters removed from the district had a turnout rate of

22.8% and the non-Latino voters added to CD23 had a turnout rate of 41.8%. The overall effect of the changes to CD23 in South Texas was to widen the participation gap between Latino and non-Latino voters. (Aug. 2014 Day 2 Tr., 516:20-517:6; PL Ex. 1109, 1116).

1407. In Bexar County, the movement of Latino voters into and out of CD23 had the overall effect of removing approximately 76,000 Latino registered voters with a turnout rate of 23.9%. (Aug. 2014 Day 2 Tr., 517:7-518:23; PL Ex. 1109).

1408. Overall, the turnout rate of the Latino voters who were added to CD23 was lower than the turnout rate of the Latino voters removed from CD23. (Aug. 2014 Day 2 Tr., 518:24-519:14; PL Ex. 1109).

1409. Overall, the changes to CD23 in C185 decreased the Latino voter turnout rate by 2% and increased the non-Latino voter turnout rate by 2% while also increasing the SSVR by 2 percent. The changes in voter turnout in CD23 are significant in light of how close some elections have been in the past. (Aug. 2014 Day 2 Tr., 519:15-520:18; PL Ex. 1109).

1410. In CD23 in C185, non-Latino voters turn out at 41.6%, much higher than the rate of Latino voters in CD23, whose turnout rate is 22.9%, based on the 2010 General Election turnout rates. (Aug. 2014 Day 2 Tr., 523:16-524:7; PL Ex. 1109).

1411. In 2012, in the Court-drawn interim plan C235, candidate Pete Gallego prevailed with a margin of victory of 4.75% over U.S. Rep. Francisco Canseco. The Task Force Plaintiffs' expert, Dr. Henry Flores, testified that if the 2012 race for CD23 had been held in C185, the results would have been very close and he is not sure who would have won. (Aug. 2014 Day 2 Tr., 522:11-523:4, Aug. 12, 2014).

1412. Dr. Flores testified that based on his observations and experience as a political scientist in Texas, the changes to CD23 in C185 calculated to create a CD23 that had more Latino registered voters but would have a lower Latino turnout rate. (Aug. 2014 Day 2 Tr., 524:9-524:20, Aug. 12, 2014).

1413. Dr. Flores testified that the Opiela "nudge factor email" expresses a clear intent, in order to protect the incumbent of CD23, to pull CD23's Hispanic population or CVAP up to majority status to create a congressional district that looks like a Hispanic majority district but yet leaves the Spanish surname RV and turnout the lowest -- a clear intent to do exactly what CD 23 looks like under C-185. (Aug. 2014 Day 2 Tr., 524:21-525:24; PL Ex. 1617).

1414. Dr. Flores testified that the Opiela "nudge factor email" does not seek to make CD23 more Republican by appealing to Latino voters to vote Republican. The intent of the email is not to get Latino voters to do anything but instead to create a district comprised of Latino voters who vote at lower rates than the Latino voters previously in CD23. (Aug. 2014 Day 2 Tr., 525:25-526:10; PL Ex. 1617).

1415. Dr. Flores formed his opinion that Texas redistricters sought to lower the Latino turnout rate in CD23, and testified to that opinion, before seeing the Opiela "nudge factor" email. (Aug. 2014 Day 2 Tr., 526:11-526:13; 2011 Tr. 450:2-541:16, 454:4-455:1).

1416. It was possible to bring CD23 into population equality by simply pulling it towards the U.S. Mexico border out of San Antonio, West Texas, or South Texas. (2011 Tr. 961:23-962:17; Ex. J-62-I, at 85:7-18).

1417. Instead, Texas redistricters drew CD 23 in Plan C185 to retain only 466,974 individuals and pulled in new population from other congressional districts. (Ex. J-62-I, at 82:21-25).

1418. It was not necessary to reduce CD23 by 230,000 people below the new ideal and replace that population with area from other congressional districts (Aug. 2014 Day 2 Tr., 505:23-506:16; PL Ex. 1029).

D. Procedural Departures

1419. The procedure for the Congressional map in the special session was similar to the process for the Texas House map with little opportunity to make changes and a rushed timeline. (2011 Tr. 806:22-807:19).

1420. During the regular session, there was no map proposed by the House redistricting committee or Chairman Solomons for public comment. (2011 Tr. 1463:21-1464:5; Ex. J-61, Vol. 1, at 118:10-17).

1421. During the regular session, no hearings with Congressional maps proposed by the legislative leadership were held. (2011 Tr. 91:25-92:4; 109:19-21; PL 211 [Dkt. 347 at p. 2]; PL Ex. 212 [Dkt. 347 at p. 2]).

1422. Instead, during the regular session the House Redistricting Committee held hearings on congressional redistricting with no proposed congressional maps offered by the Committee. (2011 Tr. 1463:16-20; 1571:22-1572:3).

1423. During the regular session, the Senate Redistricting Committee did not hold any hearings on congressional redistricting; Seliger scheduled a public meeting for May 19th during the regular session and then cancelled it. (Aug. 2014 Day 1 Tr., 230:17-231:6; PL Ex. 213).

1424. The congressional redistricting process was rushed in the special session. In the special session the proposed legislation for the Congressional map passed both the House and Senate Chambers in 16 days. (PL Ex. 214; Ex. J-59: 41:18-25).

1425. Notice for the House Redistricting Committee on HB 4, the companion bill for SB 4, was provided on June 1 for a public testimony hearing on June 2, 2011 and no subsequent public testimony was allowed for either HB 4 or SB 4 in the House Redistricting Committee. (PL Ex. 216 [Dkt. 347 at p. 2]; PL Ex. 217 [Dkt. 347 at p. 2]).

1426. During the special legislative session, the Senate Redistricting Committee held one public hearing to take testimony -- on June 3, 2011. The congressional plan that was publicly available for comment at that time was C130. (Aug. 2014 Day 1 Tr., 231:7-231:13, Aug. 11, 2014).

1427. Sen. Seliger testified that in Plan C130 Maverick County was whole inside of CD 23, no part of Atascosa County was in Congressional 23 and the CD 23 shape in El Paso was different than the way it ended up in the final plan. (Aug. 2014 Day 1 Tr., 231:14-232:5, Aug. 11, 2014).

1428. Although the public only saw C130 from the Senate Redistricting Committee, Sen. Seliger acknowledged differences between his plan, C130, and the enacted plan, C185. CD 23 went farther into the south side of San Antonio than the enacted plan. In Dallas/Fort Worth, and specifically in Tarrant County, Sen. Seliger's plan had a southern extension in CD 26 that was a different shape than the one that ended up in C185. In C185, the southern extension of CD 26 continues to the south farther and thinner than in his plan. (Aug. 2014 Day 1 Tr., 232:6-232:24, Aug. 11, 2014).

1429. As the map evolved past C130, there never was a public hearing in the Senate on the changes made to C130, and there was not a public hearing on the House side after Sen. Seliger released plan C130. (Aug. 2014 Day 1 Tr., 232:25-233:6, Aug. 11, 2014; US Ex. 728).

1430. In the special session, once a Congressional map was produced by the Senate committee, it was voted on within three days. (2011 Tr. 92:18-23).

1431. Alternative maps for the congressional plan that proponents claimed better reflected the growth of the minority community were introduced and rejected during the Special session. (Ex. J-59: 40:24-41:11).

1432. U.S. Representative Marc Veasey, who is African American, testified that as a member of the House Redistricting Committee in 2011, that he and others were kept in the dark and the leadership kept their activities secret. Mr. Veasey further testified that he was excluded from the planning of the three field hearings held by the Committee in the Dallas-Ft. Worth area. (July 2014 Tr. at 12:1-19; 8:19-24).

1433. When Mr. Downton received a congressional redistricting proposal from the Republican congressional delegation, he shared the proposal with the Redistricting Committee Chairman Burt Solomons but not the Vice-Chair Mike Villareal. (Aug. 2014 Day 5 Tr., 1787:6-1788:2, Aug. 15, 2014).

1434. Although the legislative leadership received and relied on regression analyses prepared by the Texas Attorney General's Office, which showed the likelihood of proposed districts to elect the minority candidate of choice, the legislative leadership did not share those reports with any minority legislators and did not inform minority legislators of the

existence of the regression analyses. (July 2014 Tr. at 1023:14-1025:5; Aug. 2014 Day 4 Tr., 1266:24-1267:1, Aug. 14, 2014; US Ex. 190A).

1435. Mr. Interiano testified that the existence of the OAG10 analyses, which the map-drawers used to assess whether draft districts offered Latino voters the opportunity to elect their preferred candidates, was not public knowledge at the time of redistricting and that he did not share the OAG10 analyses with MALC, the Latino Task Force, or any members of the Texas House who represented minority opportunity districts, although he did share the analyses with Eric Opiela. (Aug. 2014 Day 1 Tr., 379:6-379:25, 8:2-8:24).

1436. The House Redistricting Committee held field hearings before the release of the 2010 Census and as a result witnesses at the hearing were unable to testify regarding how demographic should influence the new redistricting maps. (July 2014 Tr. at 9:10-17).

1437. Legislative leadership hired the law firm of Baker Botts to serve as a resource in the redistricting process. Chairman Solomons met with lawyers from Baker Botts, but did not tell any minority legislators on the redistricting committee that Baker Botts was a resource to them. (July 2014 Tr. at 1025:6-23; Aug. 2014 Day 4 Tr., 1267:6-1267:9, Aug. 14, 2014).

1438. Chairman Solomons testified that he told legislators that his staff -- Bonnie Bruce, Gerardo Interiano and Ryan Downton – would assist legislators with any questions or concerns they had with the redistricting maps. Chairman Solomons further testified that the structure he set up involved his staff consulting the Legislative Council, Attorney General's Office or Baker Botts and providing an answer to the legislator with a question or concern. (July 2014 Tr. at 1025:24-1027:23).

E. Substantive Departure

1. Mappers Ignored Legal Standards

1439. Senator Kel Seliger, Chair of the Texas Senate Select Redistricting Committee, testified that he believed it was legally required to build a district to elect the candidate of choice in CD 23. (Ex. J-59: 31:6-16).

1440. Senator Kel Seliger, Chair of the Texas Senate Select Redistricting Committee, testified that no analysis was done to determine if Congressman Canseco was the Latino candidate of choice. (Ex. J-59: 31:3-16).

1441. Chairman Seliger testified that if Mr. Canseco were not the Latino candidate of choice, but the Legislature nonetheless was taking steps to make this district safer for Mr. Canseco, "it would be a violation [of the Voting Rights Act]." (Ex. J-59, at 31:6-16).

1442. In drawing the map, Mr. Downton considered it legally risky to fail to increase the number of Latino opportunity congressional districts in South Texas. (2011 Tr. 950:23-951:3; Ex. J-62-I, at 96:23-97:7).

1443. Mr. Downton looked at maps during the redistricting process that created 7 Latino majority congressional districts in South and West Texas that would elect a Latino preferred candidate more than half the time. (2011 Tr. 948:12-16).

1444. Mr. Downton testified that it was possible to draw seven Latino opportunity congressional districts in South and West Texas and that the decision not to draw seven was a "political" decision. (Ex. J-62-II, at 63:2-10).

1445. Mr. Downton did not factor the State's regression analysis into his determination whether a district was a Latino majority district. (Ex. J-62-I, at 22:16-23:4).

1446. When measuring VRA compliance, Mr. Downton stated that he didn't consider political performance as particularly relevant. He further testified that he would classify a district as a majority minority district if it elected the minority candidate of choice 3 out of 10 times or 1 out of 10 times. (Ex. J-62-I, at 24:21-25:2; 2011 Tr. 966:20-25).

1447. Mr. Hanna testified that he was aware during redistricting that it was possible to create a Congressional District 23 within the overall scheme of south Texas that would have alleviated his concerns with Hispanic performance. (Aug. 2014 Day 5 Tr., 1581:8-1581:15, Aug. 15, 2014).

1448. Mr. Hanna testified that if one had wanted to balance the Hispanic performance a little bit better between 23 and 28 in the congressional plan as it was evolving towards its final version, that one could have taken Maverick County whole into 23 and then shed some of either Dimmit, LaSalle or Atascosa into 28 and basically done a swap between CD23 and CD28 that would have increased the Hispanic performance. (Aug. 2014 Day 5 Tr., 1581:16-1582:2).

1449. Mr. Hanna further testified that he did not suggest to the people who were running the maps by him for his advice, while he was expressing his concerns, that there might be some fairly simple swaps between 23 and 28 that could alleviate his concerns. (Aug. 2014 Day 5 Tr., 1582:3-1582:9, Aug. 15, 2014).

1450. Chairman Solomons testified, with respect to creating a majority minority district in the Dallas Ft. Worth area, that if such a district was not legally required, he was not allowed to create it. (Aug. 2014 Day 4 Tr., 1301:1-1302:1, Aug. 14, 2014).

1451. David Hanna testified that he was asked by Gerardo Interiano or Doug Davis to look at the "lightning bolt" in Dallas Ft. Worth for possible legal problems. Mr. Hanna testified

that although he was aware of the potential of a *Shaw* violation and would have become concerned by block-level redistricting that separated Latinos from African Americans, he only examined the draft congressional map at the level of VTDs (Aug. 2014 Day 5 Tr., 1568:19-1569:25; 1573:22-1576:9; 1568:19-1569:11, Aug. 15, 2014).

1452. Based on a racially polarized voting analysis, Mr. Interiano advised Chairman Solomons to take particular care with respect to the Latino percentages in Congressional Districts 20 and 23. (2011 Tr. 1456:4-10).

1453. Mr. Interiano never conducted analysis to determine if Representatives Canseco and Farenthold were the Latino preferred candidate. (2011 Tr. 1456:11-18; Ex. J-61, Vol. 1, at 86:24-87:9).

1454. Mr. Interiano did not undertake any analysis to determine how many Latino opportunity congressional districts should be drawn in Texas. (Ex. J-61, Vol. 1, at 117:16-21).

2. Mappers Ignored Traditional Redistricting Criteria

1455. Mr. Downton testified that when he drafted CD23, he split Maverick County and the City of Eagle Pass, communities of interest that would normally be kept together by mappers following traditional redistricting criteria. (Aug. 2014 Day 5 Tr., 1754:10-1755:8, Aug. 15, 2014).

1456. Mr. Downton testified that he unintentionally split the City of Eagle Pass because he did not district at the block level but his testimony is undermined by the fact that he split two VTDs in the City of Eagle Pass, which requires districting at the block level. (Compare Aug. 2014 Day 5 Tr., 1755:17-1756:16 *with* PL Ex. 1633).

1457. Mr. Downton testified that Chairman Solomons had the final sign-off on splitting Maverick County in the congressional map. (Aug. 2014 Day 5 Tr., 1771:14-1772:1, Aug. 15, 2014).

1458. Maverick County has never been split before in CD23. (2011 Tr. 681:21-682:2; 766:22-767:1).

1459. CD 23 in C185 splits 19 precincts in Bexar County. (2011 Tr. 679:22-25).

1460. Although Ryan Downton and Gerardo Interiano testified that C185 removes Nueces County from a district in which it is joined with Cameron County in order to make Nueces County the "anchor" of its own congressional district, Nueces County was already the anchor of benchmark CD27 because it was the largest population component of benchmark CD27. (*Compare* Aug. 2014 Day 5 Tr., 1761:18-1762:4 and (Aug. 2014 Day 1 Tr., 344:10-344:25, Aug. 11, 2014) *with* US Ex. 690).

3. Leadership Did Not Review Maps for Legal Compliance

1461. As he took up redistricting in the 2011 legislative session, Sen Seliger was aware that, given the history of Texas, he would have to take care to comply with the Voting Rights Act. He was also aware that the previous Texas redistricting plans had been legally contested. (Aug. 2014 Day 1 Tr., 238:1-239:8, Aug. 11, 2014).

1462. Sen. Seliger was aware as he took up redistricting that in 1973 the U.S. Supreme Court invalidated the Texas multi-member system of electing members for the State House as discriminatory against minority voters. (Aug. 2014 Day 1 Tr., 238:5-9, Aug. 11, 2014).

1463. Going into redistricting, Sen. Seliger was aware that in 1982 the Department of Justice, under Section 5, had blocked the State House and congressional redistricting plans as

discriminating against minority voters. (Aug. 2014 Day 1 Tr., 238:10-14, Aug. 11, 2014).

1464. Sen. Seliger was also aware that in in 1991, the Department of Justice, under Section 5, blocked the State House redistricting plan as discriminatory against minority voters and that in 2001, the U.S. Department of Justice, under Section 5 of the Voting Rights Act, blocked the State House redistricting plan as discriminatory against minority voters. (Aug. 2014 Day 1 Tr., 238:15-24, Aug. 11, 2014).

1465. Sen. Seliger was also aware going into redistricting that in 2006 the U.S. Supreme Court had found the Texas congressional redistricting plan to be in violation of Section 2 of the Voting Rights Act. (Aug. 2014 Day 1 Tr., 237:13-237:21, Aug. 11, 2014).

1466. Although he knew that he had to take care to comply with the VRA, Sen. Seliger does not remember doing racially polarized voting analysis or ordering his staff to do so when the Congressional plan came over to him from the House after they had worked on it. He also does not remember having any discussions about racially polarized voting within the Republican Party primary or doing any analysis in 2011 to help identify which candidates would be Latino candidates of choice in a particular election. (Aug. 2014 Day 1 Tr., 239:4-239:22, Aug. 11, 2014).

1467. Sen. Seliger testified that he remembers having discussions with his staff about whether Latino voters in the new CD 23 would be able to elect their preferred candidate; Senator Solomons did not remember what they concluded about Latino ability to elect in CD 23 but remembers that he was assured the map was legal. (Aug. 2014 Day 1 Tr., 239:23-240:22, Aug. 11, 2014).

1468. With regard to the Congressional maps drawn on the House side by Mr. Interiano and Mr. Downton, Sen. Seliger relied on the two staffers to answer the question of the legality of those maps. (Aug. 2014 Day 1 Tr., 285:10-285:23, Aug. 11, 2014).

1469. Chairman Solomons sat with Mr. Downton in front of mapping software to work on the congressional map. (Ex. J-62-I, at 53:24-54:7).

1470. Chairman Solomons knew that if a new congressional plan were to reduce the number of wins by the minority candidate of choice by three or more it would create a problem. He also knew that it would be a problem if the number of wins went from 3 in the base plan down to one and believed such a change in performance would necessitate a change to the plan. (2011 Tr.1605:11-1607:2).

4. Leadership Ignored Concerns Raised by Staff

1471. On April 13, 2011, Doug Davis, who was working on congressional redistricting in the Senate, wrote "We're still concerned about the Voting Rights Act" in an email to Lee Padilla, who worked with the National Republican Congressional Committee. The email is part of a series of exchanges with the subject line "Canseco." In the emails, Mr. Davis explains that he has analyzed a proposed plan for CD23 and although "[i]t looks nice politically," he still has concerns under the Voting Rights Act. Mr. Davis concludes, "We're going to have to put our best legal minds on the 23rd. We just don't know what their verdict will be." (Aug. 2014 Day 1 Tr., 325:12-325:22; PL Ex. 1673).

1472. Senator Seliger later agreed to a configuration of CD23 drawn in the House without considering whether Doug Davis's concerns had been resolved in the House version of the map. (Aug. 2014 Day 1 Tr., 224:3-224:16, Aug. 11, 2014).

5. Leadership Ignored Concerns Raised by Legal Advisors

1473. At the end of May, 2011, Mr. Hanna asked Mr. Archer to examine Congressional District 23. Mr. Hanna told Mr. Archer that Doug Davis wanted somebody to take a look at a proposed District 23 to determine whether there was a problem with it being an opportunity district or not. Mr. Archer performed some independent analysis of the district and expressed a concern that the Congressional District 23 was not preserved as a minority opportunity district. (Aug. 2014 Day 2 Tr., 644:2-645:10, Aug. 12, 2014).

1474. Despite Mr. Archer's concerns, which Mr. Hanna shared and relayed to Doug Davis and Gerardo Interiano, the redistricters did not take steps to alleviate the concerns in the enacted plan C185. (Aug. 2014 Day 5 Tr., 1518:16-1518:23, Aug. 15, 2014).

6. Leadership Ignored Criticism from Other Republicans Involved in Redistricting

1475. On June 9, 2011, Corbin Casteel forwarded to Mr. Interiano an analysis by Dub Maines of the congressional map passed by the Texas House Committee on Redistricting; in the analysis, Mr. Maines opined that the map was retrogressive. (PL Ex. 311, at Congress 294-295 [Dkt. 347 at p. 7]; Congress408 [Dkt. 347 at p. 7]).

1476. Mr. Casteel is a friend of Mr. Interiano's, as well as a political consultant in Austin. (Ex. J-61-III, at 42:16-18).

1477. Mr. Maines worked for Congressman Joe Barton. (Ex. J-61-III, at 56:5-8).

1478. Mr. Casteel wrote in his email that the map that the House Committee had just passed "badly retrogresses CD20 without creating a new VRA district." (PL Ex. 311, at Congress294-295 [Dkt. 347 at p. 7]; Congress408 [Dkt. 347 at p. 7]).

1479. Mr. Interiano understood VRA to mean Voting Rights Act in this email. (Ex. J-61-III, at 43:11-12).

1480. Mr. Interiano disagreed with Mr. Maines regarding the map's retrogressing of CD 20. (Ex. J-61-III, at 43:23-25).

1481. Regarding Mr. Maines's emails, Congressman Lamar Smith later wrote to Pete Sessions: "Need to get word to Dale not to make any calls. AG upset. And pls call barton [sic]. Dub mains [sic] sending emails criticizing cd 20. May be used against us in court. We didn't kno [sic] Dale was making calls or wld [sic] have advised him not to do so." (PL Ex. 311, at Congress410 [Dkt. 347 at p. 7]).

7. Failure to Incorporate Wishes of Republican Congressional Delegation

1482. House Redistricting Chair Burt Solomons testified that he sought input on congressional redistricting from the Texas congressional delegation. Chairman Solomons testified that the process was somewhat driven by the members of the delegation in that redistricters were interested in what the members of the congressional delegation wanted, what they would like, and what they thought they could live with. (Aug. 2014 Day 4 Tr., 1262:3-1263:2, Aug. 14, 2014).

1483. Chairman Solomons testified that Congressman Lamar Smith came to his office on several occasions during the regular legislative session, every two to three weeks, to discuss redistricting and Chairman Solomons urged Congressman Smith to provide him a proposal for congressional redistricting. (Aug. 2014 Day 4 Tr., 1271:10-1272:11, Aug. 14, 2014).

1484. At the same time, Chairman Solomons testified that he had very little communication with Congressman Lamar Smith, and left it to his staff to communicate with the staff members of the congressional delegation. (August 2014 Tr. at 1295:16-1296:21).

1485. Congressman Lamar Smith was the spokesperson for the Texas Congressional delegation for the Congressional map and submitted a plan to the committee. (2011 Tr. 444:1-8, 1580:18-23; 1610:6-15).

1486. Chairman Solomons was aware that the Congressional delegation proposal would have the dual benefit of creating a Hispanic district in Dallas and Tarrant Counties as well as strengthening Republican performance in the surrounding districts. (1363:21-1364:1; DEF Ex. 573).

1487. The redistricters in Texas generally give a great deal of deference to the head of the congressional delegation of the same party when drawing new congressional districts. (2011 Tr. 444:21-445:3; 1320:8-15). More often than not, the delegation's wishes are included in the redistricting plan. (2011 Tr. 445:1-3).

1488. Representative Lamar Smith emailed the redistricters proposing a "Voting Rights Act district" in the Dallas-Ft. Worth Metroplex. (2011 Tr. 445:11-15; PL Ex. 311 [Dkt. 347 at p. 7] at Congress022-23).

1489. The district that Rep. Smith proposed, CD 33, had a 61% HVAP. (2011 Tr. 445:16-18; PL Ex. 311 [Dkt. 347 at p. 7] at Congress021).

1490. Rep. Smith's proposed district, or a similar district, was not featured on the enacted plan, C185. (2011 Tr. 446:11-14; Ex. J-8).

1491. Congressman Cuellar, a Democrat, worked closely with Congressman Smith, a Republican and the head of the Texas Republican Delegation, to determine the location of Texas's four new districts. They determined that two districts would be "Republican" and two would be "Hispanic." (2011 Tr. 1320:16-1321:25).

1492. The Texas Legislature ignored the wishes of the Texas Republican congressional delegation, and this was a surprise to Rep. Cuellar, because of how the Legislature historically worked with the input of the delegation and because the delegation had presented a bipartisan deal. (2011 Tr. 1322:1-1323:5).

8. Failure to Preserve Existing Boundaries Where Possible

a. CD23

1493. To make CD 23 conform to population requirements, the redistricters needed only remove 149,000 individuals. (2011 Tr. 450:9-11; PL Ex. 236 [Dkt. 347 at p. 4]).

1494. Instead of simply removing 149,000 individuals from CD 23, the redistricters moved over 600,000 individuals in and out of the district. (2011 Tr. 450:12-15; PL Ex. 236 [Dkt. 347 at p. 4]).

1495. The enacted plan, C185, moved over 300,000 individuals in Bexar County out of the CD 23 and about 60,000 individuals into CD 23 from Bexar County. (2011 Tr. 485:4-16; PL Ex. 236 [Dkt. 347 AT P. 4]).

1496. It was not necessary to remove a large population from CD 20 in Bexar County and place those individuals into CD 23. (2011 Tr. 486:17-20).

1497. Moving over 600,000 individuals in and out of CD 23 instead of removing 149,000 individuals from CD 23 was over-manipulation and extreme. (2011 Tr. 450:15-18; PL Ex. 236 [Dkt. 347 at p. 4]).

1498. Senator Kel Seliger, Chair of the Texas Senate Select Redistricting Committee, testified that District 23 could have been pulled downward closer to the border instead of going up to Loving, Ward, Crane, and Winkler to ensure Latinos determined the outcome of the election. (Ex. J-59: 38:5-19).

b. CD27

1499. The reconfiguration of CD 27 removes a substantial number of Latinos from the configuration of Latino opportunity districts in South Texas. (2011 Tr. 459:10-16; Flores Report, Ex. E-8 [Dkt. 341 at p. 2], at p. 11).

1500. In C185, Nueces County effectively is in a different district than in the benchmark. (Ex. J-62-II, at 49:1-10).

1501. In C185, Nueces County voters make up less than half of the registered voters in CD 27. (2011 Tr. 973:3-7; Ex. J-62-II, at 54:20-55:11).

1502. The removal of Nueces County from the South Texas configuration resulted in the elimination of a Latino majority district, which was not necessary. (2011 Tr. 459:24-460:4).

1503. Mr. Interiano testified that a goal of Plan C185 was to allow Nueces County to anchor a congressional district. (2011 Tr. 1461:21-1462:5; Ex. J-61, Vol. 1, at 112:1-10). However, Mr. Interiano further testified that he did not know what portion of Congressional District 27 voters were in Nueces County in plan C100. (2011 Tr. 1462:10-14).

1504. Mr. Interiano conducted no election analysis to determine if Nueces County could control the election in either Congressional District 27 in plan C100 or Congressional District 34 in plan C185. (2011 Tr. 1462:15-18; Ex. J-61, Vol. 1, at 114:7-10).

9. Failure to Examine Impact on Republican Primary Election Performance for Latino Republican Incumbent

1505. Mr. Interiano did not review any reaggregated election analysis containing primary elections. (2011 Tr. 1458:3-8).

1506. Mr. Downton did not look at primary data at all, and did not take any steps other than discussing the district with Rep. Canseco's office, to ensure that CD 23 in C185 would offer Latinos the opportunity to nominate their candidate of choice in the Republican primary. (2011 Tr. 967:10-12; Ex. J-62-II, at 47:1-19).

1507. Mr. Downton did not have any evidence regarding the degree to which voters in the Republican primary supported Latino candidates in the areas that were in CD 23 in the benchmark but not in C185. (2011 Tr. 967:24-968:4; 967:13-17; Ex. J-62-II, at 35:7-11).

1508. Mr. Downton did not have evidence to show that the West Texas counties that were included in CD 23 in C185 but not in the benchmark would support a Latino in the Republican primary. (Ex. J-62-II, at 35:18-22).

1509. Mr. Downton did not know whether Latino voters in the areas that are not in CD 23 in C185 but were in the benchmark may have given more votes to Latino Republicans in the primary when compared to the voters in the areas that were drawn into CD 23. (2011 Tr. 967:18-23; Ex. J-62-II, at 12-17).

1510. Rep. Canseco won the 2010 primary runoff against a non-Spanish-surnamed opponent, Hurd, by only 722 votes. (Ex. J-62-II, at 36:20-24).

1511. In the 2010 Republican primary, Rep. Canseco garnered only 32.16% of the vote, and the other 4 candidates got the remaining votes. (Ex. J-62-II, at 39:3-40:3).

1512. In the areas of CD 23 that are the same in C100 and C185, Mr. Canseco beat Mr. Hurd by less than 200 votes in the 2010 Republican primary runoff, garnering 50.95% of the vote. (Ex. J-62-II, at 37:23-38:5).

1513. In the 2010 Republican primary, about one third of Rep. Canseco's votes came from the portions of Bexar County that are not included in CD 23 in Plan C185. (Ex. J-62-II, at 40:11-18).

1514. In the 2010 Republican primary, incumbent Railroad Commissioner Carrillo performed better in the portions drawn out of CD 23 in C185 than he performed statewide and better than in those parts that remained in the district. (2011 Tr. 968:22-969:1; Ex. J-62-II, at 45:14-17; PL Ex. 385).

1515. In the 2010 Republican primary, incumbent Railroad Commissioner Carrillo had more total votes from the areas taken out of CD 23 than the areas that remained. (2011 Tr. 970:3-19).

1516. Mr. Downton could have requested and received reports from the TLC showing Rep. Canseco's Republican primary runoff performance in the areas draw out of CD 23 in C185. (Ex. J-62-II, at 43:13-22).

1517. Senator Kel Seliger, Chair of the Texas Senate Select Redistricting Committee, testified that no study was done in the counties of Loving, Ward, Winkler, or Crane to determine if the Republican primary voters would support an Hispanic candidate (Ex. J-59: 36:9-19).

1518. In the 2010 Republican primary for Railroad Commissioner, within the boundaries of benchmark CD23, Victor Carrillo received high percentages of the votes cast in precincts in the south side of San Antonio and in Maverick County. (PL Ex. 380 [Dkt. 347 at p. 9]).

1519. In the 2010 Republican primary for Railroad Commissioner, within the boundaries of benchmark CD23, the highest concentration of votes cast for Victor Carrillo was in Bexar County. (PL Ex. 381 [Dkt. 347 at p. 9]).

1520. In the 2010 Republican primary runoff for Congressional District 23, the highest concentration of votes cast for Francisco Canseco was in Bexar County. (PL Ex. 350 [Dkt. 347 at p. 8]; PL Ex. 234 [Dkt 347 at p. 4]).

1521. In the 2010 general election for Congressional district 23, Francisco Canseco received a high concentration of votes from far west and northwest Bexar County. (PL Ex. 351 [Dkt. 347 at p. 8]; PL Ex. 234 [Dkt 347 at p. 4]).

1522. In the 2010 Republican Primary Runoff Election, Rep. Canseco's votes came mostly from Bexar County and part of Zavala County. (2011 Tr. 456:3-7; PL Ex. 350 [Dkt. 347 at p. 8]).

1523. In the 2010 Republican Primary Election reaggregated in benchmark CD23, most of the votes cast for incumbent Railroad Commissioner Victor G. Carrillo came from Bexar and Medina counties. (2011 Tr. 456:20-24; PL Ex. 381 [Dkt. 347 at p. 9]).

1524. In the 2010 Republican Primary Election reaggregated in benchmark CD23, incumbent Railroad Commissioner Victor G. Carrillo won Maverick County with 56.6% of the vote. (PL Ex. 308 [Dkt. 347 at p. 7]).

1525. Victor G. Carrillo, the incumbent, outspent David Porter by a margin of 20-to-1 statewide. (PL Ex. 390 [Dkt. 347 at p. 10]).

1526. Victor G. Carrillo stated that his Hispanic surname caused his loss to David Porter. (PLEx. 390 [Dkt. 347 p. 10]).

1527. Victor G. Carrillo sent a letter to his supporters following his defeat which included the following statements: "I was handily defeated in spite of spending over $600,000 [.] Given the choice between "Porter" and "Carrillo"-- unfortunately, the Hispanic-surname was a serious setback from which I could never recover although I did all in my power to overcome this built-in bias. I saw it last time but was able to win because the "non-Carrillo" vote was spread among three Anglo GOP primary opponents instead of just one. Also, the political dynamics have changed turf some since 2004. I also urge party leaders to not alienate the Hispanic/Latina voter in Texas, as we now comprise about 39% of the population and we remain the fastest-growing minority group in the nation." (PL Ex. 390 [Dkt. 347at p. 10]).

1528. [Intentionally left blank].

1529. The portions of Bexar County that were moved in and out of CD 23 in the enacted plan, C185, make it much harder for a Latino Republican to survive a racially contested primary than it is in the benchmark, C100. (2011 Tr. 457:8-13).

10. Solomons is not Credible When he Claims he Abandoned the Mapping Effort to his Staff and Didn't ask Questions About the map

1530. Chairman Solomons claimed that he trusted his staff to take proposals and reject the ones that weren't going to work or would not be legal. He further testified that at the end of the redistricting process, he trusted their vouching for the map as a legal map. (Aug. 2014 Day 4 Tr., 1304:20-1305:17, Aug. 14, 2014).

1531. Chairman Solomons claimed that he expressed no goals to his staff during the legislative session with respect to the configuration of CD 23. (August 2014 Tr. at 1334:9-15).

1532. Chairman Solomons further claimed that his West Texas floor amendment, C170, which split Maverick County and featured a CD23 that could only elect the Latino-preferred candidate in only one of ten elections in the OAG10, was an amendment he was asked by staff to introduce, and that the statements he made in support of C170 were authored by his staff. (Aug. 2014 Day 4 Tr., 1286:5-1289:16, Aug. 14, 2014).

F. Factors Set out in *LULAC v. Perry*

1533. Maverick County contains about 58,000 people. (2011 Tr. 681:2-3; 766:14-45).

1534. For the past ten years, Maverick County has turned out about 12,000 to 14,000 voters for presidential elections, and 8,000 to 9,000 voters in any other election, and they vote heavily for the Latino-preferrred candidate. Splitting Maverick County could make the difference in a congressional election. (2011 Tr. 681:13-18, 771:9-18).

1535. The people of Maverick County are politically active and a significant voting bloc in their congressional district. When Maverick County is whole, it cannot be ignored. (2011 Tr. 769:1-24. 771:3-6).

1536. Maverick County's voters, who are overwhelmingly Latino, have increased their political organization and increased their participation rates since the year 2000 in order to become a more important political player in CD23. (2011 Tr. 765:16-19; 767:15-768:15; 768:23-770-10).

1537. Maverick County's voters sought to increase their county's influence in congressional elections in order to secure improved services including a health clinic for veterans. (2011 Tr. 768:23-770-10).

1538. Maverick County politicians were not informed by the Legislature that Maverick County would be split. They learned through the media. (2011 Tr. 767:2-7).

1539. Splitting Maverick County dilutes the voting strength of its citizens, who know that as a small community, they have to vote together to be heard. (2011 Tr. 767:15-768:15).

V. Texas Improperly Diluted Latino Voting Strength in the Name of Partisanship

1540. Eric Opiela, who worked as counsel for Speaker Joe Straus and later for the Republican congressional delegation, and who submitted various congressional maps to Texas redistricters, used race as a proxy for partisanship in his communications. In a November 20, 2011 email to Mr. Interiano and Congressman Larmar Smith regarding how to bolster Mr. Canseco's re-election, Mr. Opiela mentions that he and Mr. Interiano had been discussing "the problems inherent in trying to protect both Farenthold and Canseco" and that one possibility is to "move Canseco up to pick up Anglo voters in Midland, but then we pair him with Conaway--which is unacceptable, and probably will lead to a Section 2 vote dilution claim on the basis of (the new) CD 23. You see the problem?" (US Ex. 76).

1541. Congressman Lamar Smith used the terms "Republican district" and "Voting Rights district" in contrast with each other, revealing an improper assumption that the category of "Republican" is exclusive of minority voters. (2011 Tr. 654:8-15; PL Ex. 311, at pp. Congress 021-27).

1542. Representative Lamar Smith identified potential districts as either "Republican district[s]" or "Voting Rights Act district[s]." (2011 Tr. 443:5-25; PL Ex. 311).

1543. The Texas House leadership also adopted the view that creating a minority district was the opposite of creating a Republican district. Mr. Interiano testified that Chairman Solomons did not agree with Congressman Smith's redistricting proposal (to create two Voting Rights Act districts) because the House was made up of two-thirds Republicans

and in that atmosphere they did not stand a chance of being able to pass Congressman Smith's proposal. (Aug. 2014 Day 1 Tr., 350:2-350:19; DEF. Ex. 573).

1544. Mr. Interiano further testified that, with respect to Congressman Smith's proposal to create a majority minority district in Dallas Ft. Worth, Chairman Solomons determined that it was not required to draw the district and it "would have simply been an additional Democratic district in the state versus one that was required by the Voting Rights Act." (Aug. 2014 Day 1 Tr., 351:4-351:13; 380:23-381:10).

1545. Mr. Downton similarly testified that Chairman Solomons established a policy for the purposes of redistricting that only one of three of Texas's new congressional districts would be a Democratic district, as opposed to a 2-2 split, because only one additional majority minority district was required by the Voting Rights Act. Mr. Downton further testified "[I]n considering the proposed north Texas districts, we didn't think they were required. We did think the central Texas district was required. And so if you took that, the other three had to be Republican districts." (Aug. 2014 Day 5 Tr., 1604:3-1604:15, Aug. 15, 2014).

1546. Mr. Downton testified that he would not have moved forward with a draft version of CD 23 that offered Latinos the opportunity to elect their preferred candidates in two or three elections because it "wouldn't have been good for Republicans." (Aug. 2014 Day 5 Tr., 1686:2-1686:7, Aug. 15, 2014).

1547. Despite his claim that he was crafting CD23 to enhance the reelection of Francisco Canseco, Mr. Downton conceded he did not examine whether he was making it more difficult for Mr. Canseco to be nominated in the CD23 Republican Primary. (2011 Tr. 967:6-23).

1548. Mr. Canseco ran as a Republican candidate for CD23 in 2004 and 2008 but was defeated in the Republican Primary by non-Latino candidates. In 2010, Mr. Canseco won the Republican primary runoff election by 750 votes. (Aug. 2014 Day 2 Tr., 565:15-566:10, Aug. 12, 2014).

1549. After his general election defeat in 2012, Mr. Canseco chose to run again in Congressional 23 but was defeated by a non-Latino in the Republican Primary. (Aug. 2014 Day 2 Tr., 576:16-577:4, Aug. 12, 2014).

1550. Mr. Canseco would agree that a redistricter needs to be sensitive when drawing a Latino majority district to the areas that will support a Latino Republican in the primary. (Aug. 2014 Day 2 Tr., 577:5-577:7, Aug. 12, 2014).

1551. Mr. Canseco testified that his electoral support in his 2010 run for Congress came not just from strong Republican precincts, but also Democratic crossover support from the south side of San Antonio, in some of the border counties and other areas of the district. (Aug. 2014 Day 2 Tr., 566:11-566:17, Aug. 12, 2014).

1552. Near the end of the redistricting process, Mr. Canseco learned from his Chief of Staff that the redistricting plan drawn in the Texas Legislature took away Republican precincts in the Helotes area and gave them to District 20. (Aug. 2014 Day 2 Tr., 573:16-575:5, Aug. 12, 2014).

1553. Mr. Canseco also became aware that he was losing some of the south side precincts of San Antonio that had been very strong for him in his primary and that the population that he was losing on San Antonio's south side was being swapped for territories out in El Paso County. Mr. Canseco testified that he was concerned that losing the south side of San Antonio precincts that had been strong for him in the primary might make it difficult

for him in his reelection if he drew a Republican primary challenger. (Aug. 2014 Day 2 Tr., 575:6-575:22, Aug. 12, 2014).

1554. Dr. Alford agreed that a Latino voter can vote for a Republican in one election and Democrat in the next election and further stated "I think that is something we -- we can clearly infer about Latino voting behavior from all of this analysis. There is much more movement across party lines, in terms of how Latinos are distributed[.]" (2011 Tr. 873:12-19).

1555. Francisco Canseco, former congressman for CD23, testified that he made connections during his campaign with Latino Democratic voters to tell them his message and ask for their vote and he believes he was successful in this effort. Mr. Canseco believes that Latino values are American values, not Democrat or Republican values. Mr. Canseco testified that he believes that Latinos in Texas are likely to vote either Republican or Democrat depending on the candidate and the candidate's message and that it's a question of the character of the candidate and the ability of that candidate to reach out, communicate and show leadership to that area of the community. (Aug. 2014 Day 2 Tr., 568:8-569:9, Aug. 12, 2014).

1556. Mr. Canseco testified that when he was doing outreach as a Republican candidate to communities such as San Antonio, Uvalde and Del Rio, Mr. Canseco touched on common values, like, economic security, hard work and entrepreneurialism, among others. He also communicated a message of economic development and employment and educational opportunities because he grew up in Laredo, which like other border areas suffers from underachievement in education and employment. (Aug. 2014 Day 2 Tr., 567:4-567:25, Aug. 12, 2014).

1557. Mr. Canseco testified that as someone born and raised in Laredo, Texas and someone who knows the border region, he can successfully deliver a message of economic development to communities where there is a great deal of need for economic and educational attainment. (Aug. 2014 Day 2 Tr., 567:13-567:25, Aug. 12, 2014).

1558. Mr. Canseco testified that he can genuinely convey that he is a part of the Hispanic community and that he understands the subtleties that can be conveyed from one person of that group to another. He testified that such characteristics, and his cross-appeal to non-Hispanic populations, make him a good fit for a Latino majority district. Mr. Canseco testified that with respect to Hispanic voters voting for him as a Republican, that he has appeal in San Antonio, Uvalde and Del Rio. (Aug. 2014 Day 2 Tr., 566:20-567:7, Aug. 12, 2014).

1559. Mr. Canseco believed that if Congressional 23 was continued as a Hispanic majority district, that he could be reelected in the district as a Republican because of the values and the leadership that he had. (Aug. 2014 Day 2 Tr., 572:16-21, Aug. 12, 2014).

1560. Texas Senator Seliger believes that Latino voters can vote Republican and that more Latinos do not vote Republican because Republicans have not done a very good job of reaching out to Latinos. He believes that more Republicans have not done a very good job of reaching out to Latinos because "they keep coming up with proposals to declare English the official language of Texas to no good end and things like that." It is also his opinion that some of the positions related to immigration might not have done such a good job at reaching out to Latinos. Additionally, he thinks that it is possible that you could have a Latino majority district in which the Latinos preferred a Republican candidate in the general election. (Aug. 2014 Day 1 Tr., 233:12-234:9, Aug. 11, 2014).

1561. Texas State Representative Todd Hunter is a member of the House of Representatives for House District 32 in Nueces County. In 2011, he was a member of the Texas House Redistricting Committee. (Aug. 2014 Day 4 Tr., 1060:15-1062:4, Aug. 14, 2014)

1562. Rep. Hunter is active in the Nueces County Republican Party and acknowledged that the party contains Hispanic Republicans in Nueces County. (Aug. 2014 Day 4 Tr., 1110:14-1110:23, Aug. 14, 2014).

1563. Rep. Hunter believes that a Hispanic Republican can win a party primary in Nueces County and that a Hispanic Republican could win the party primary in the area that includes his House district. State Representative J.M. Lozano, from Kleberg County, and former State Representative Aaron Pena of Hidalgo County, testified that they are both Latino Republicans who appealed to Latino voters and earned their votes. (Aug. 2014 Day 4 Tr., 1110:24-1111:7; Aug. 2014 Day 1 Tr., 114:1-115:22; July 2014 Day 5 1781:11-14, 1802:9-1804:19).

1564. Texas Senator Jose Rodriguez testified that there are Republican Latinos in El Paso who are active with the El Paso County Republican Party and the Hispanic Republicans of Texas and that although there are considerations of partisanship in redistricting, the boundaries of HDs 77 and 78 in H283 are based on considerations of race and ethnicity. (July 2014 Tr. at 694:24-695:13).

1565. Former State Representative Dee Margo testified that the Republican Party has appeal for Hispanics in El Paso County and that there are Hispanics who vote Republican in El Paso County. (July 2014 Tr. at 803:6-11).

1566. Former State Representative Dee Margo testified that he had appeal among Hispanic Republicans in El Paso County and that the policy issues that were important to him, such

as education and health care, were also helpful in gaining support from Hispanic Republicans in El Paso. He further testified that one immigration-related issue that helped him gain approval in the Hispanic community was his support of legislation in Texas that would allow undocumented residents who graduated from Texas high schools to pay in-state tuition at public universities. (July 2014 Tr. at 803:12-24).

1567. With respect to his election to the State House, Dee Margo testified that his support was a combination of Republicans and Democrats, that there was a substantial number of Hispanic voters among both of those groups, and that his positions on immigration, health care and education helped him win the votes of Hispanic Republicans and Democrats. (July 2014 Tr. at 803:25:804:11).

1568. According to State Representative Larry Gonzales, who is a Latino Republican, Latinos in Texas are willing to vote for both Democratic and Republican candidates. (2011 Tr. 1656: 7-9).

1569. State Representative Larry Gonzales, a Latino Republican, testified that he helped create an organization to recruit and elect Latino Republicans to office in Texas. (2011 Tr. 1656-1659).

1570. Gerardo Interiano is a Hispanic Republican and worked on campaigns for Speaker Joe Straus and Congressman Lamar Smith. Mr. Interiano believes that Hispanics would respond to Republican messages around hard work and social conservatism. (Aug. 2014 Day 1 Tr., 323:8-324:8, Aug. 11, 2014).

1571. As a Hispanic Republican, Mr. Interiano testified that he is more cautious and sensitive when it comes to the subject of immigration and he had seen materials or internet postings in which Hispanic Republicans are urging caution to their fellow Republicans to

try to avoid sounding anti-Hispanic when talking about undocumented immigration. (Aug. 2014 Day 1 Tr., 324:9-324:17, Aug. 11, 2014).

1572. Mr. Interiano believed, as a result of the rural nature of CD23, that Hispanic voters leaned more conservative in the district, and that rural Hispanics would favor a more conservative Democrat over a more liberal Democrat. Mr. Interiano also believed that in CD23 Hispanic Republican voters would prefer a moderate Republican candidate over a very conservative Republican candidate. (Aug. 2014 Day 1 Tr., 324:18-325:11, Aug. 11, 2014).

1573. Mr. Interiano was not surprised that CD23 Congressman Pete Gallego garnered a greater percentage of the vote in his general election than President Barack Obama won in CD 23. (Aug. 2014 Day 1 Tr., 324:18-325:11, Aug. 11, 2014).

1574. Latinos voted in substantial percentages for Presidents Ronald Reagan, George H.W. Bush and George W. Bush. (Ex. J-51, at 37:5-10; 60:14-61:8).

1575. In the mid-1990s, Latinos in Wharton County coalesced behind the Republican candidate for County Sheriff because the Anglo Democratic establishment that controlled the political structure did not include Latinos. Latinos aligned themselves with local Republican candidates in order to form a coalition of voters that could compete with the Anglo Democratic establishment. (Ex. 411 ¶ 14 [Dkt. 330-5, at pp. 5-6]).

1576. Latinos work on political races for both parties. (2011 Tr. 569:2-3).

1577. Latinos contribute to candidates for both parties. (2011 Tr. 569:4-11).

1578. Alex Jimenez helped the Republican Mayor of Fort Worth get elected. He also helped Mary Louise Garcia, a Republican, run for County Clerk, and she was elected. (2011 Tr. 571:14-19).

1579. Mr. Jimenez, for example, chooses candidates by meeting them and seeing if they fit his values. (2011 Tr. 569:14-20).

1580. In chairing the Fort Worth and Dallas Hispanic Chambers of Commerce, Mr. Jimenez sought to influence legislation to help Hispanic businesses, and small businesses in particular. (2011 Tr. 570:4-17).

1581. Mr. Jimenez's political involvement includes seeking economic development and education for everyone because he believes they need to be in place for a strong community. (2011 Tr. 570:25-571:9).

1582. Mr. Jimenez testified that Hispanic voters in CD 6 in Plan C190 will look at what a person stands for regardless of political party. If a candidate promises to create jobs and strengthen education, that candidate should have the Latino support. However, if he tells Hispanics to go to Mexico, he will lose it. Party does not matter—Hispanics in this area would support a Republican if their values coincided. (2011 Tr. 576:16-577:16; PL Ex. 363 [Dkt. 328-1, at p. 5]).

1583. Ciro Rodriguez started his political career by campaigning against the Democrats on behalf of a Latino political party and on behalf of Latino advocacy organizations. (2011 Tr. 778:7-25).

1584. At the time that Ciro Rodriguez was in college and became politically active, neither the Democratic nor Republican parties were responsive to Latino voters. (2011 Tr. 778:21-779:6).

1585. At the time that Ciro Rodriguez became politically active, the main obstacles to increasing the number of Latino elected officials were the Democrats. (2011 Tr. 778:21-779:6).

1586. The first time that Ciro Rodriguez ran for office, he ran as an independent. About twelve years later, he ran for the State House as a Democrat. (2011 Tr. 779:7-11).

1587. Ciro Rodriguez's support has always come from the Latino community, and he is the Latino candidate of choice. (2011 Tr. 780:1-12).

1588. Sylvia Gonzalez, a Latino political organizer, worked on a campaign for George Bush Sr., a Republican, for Rick Perry's first campaign, and for Judge Ed Emmett, a Republican. (2011 Tr. 1398:19-23, 1401:14-22).

1589. Dr. Alford, reviewing EI analysis and exit poll estimates of Hispanic support for Republican candidates in the 2008 and 2010 election, opined: "maybe for Hispanic voters the notion of a right answer or sort of a one size fits all is maybe not as appropriate." (2011 Tr. 1780:11-1781:12).

1590. Dr. Alford agreed that a Latino voter who is socially and fiscally conservative could feel that the Republican Party had walked away from him for the past few years, because of certain policy positions, and he might even find himself voting Democratic. (2011 Tr. 1874:6-13).

1591. Dr. Alford further agreed that a conservative Latino voter could believe that in the past few years racial animosity in the political system had increased and not declined but further testified that he had not done any analysis of opinion polling in the Latino community regarding the issues that they have rated high on their concern list. (2011 Tr. 1874:19-1875:1).

1592. Dr. Alford testified that immigration policy is increasing the position of race in the current American political debate now. (2011 Tr. 1936:22-1937:23).

1593. A Houston Chronicle article from July 30, 2010, reads: "[State Representative Leo] Berman said he believes a path to citizenship for illegal immigrants is a path to creating Democratic voters. 'There's 25 million in the United States – you can't listen to the 8 million to 12 million numbers that come out of Washington every day – you're going to create an instant 25 million Democrats,' Berman said." (2011 Tr. 441:7, 13, 17; PL Ex. 202 at 0:07-0:16; PL Ex. 390 [Dkt. 330-4, at p. 2]).

1594. On a March 29, 2011 interview on NPR for a segment entitled, "Texas Republicans Take Harder Line on Immigration," State Rep. Leo Berman stated, "Most Hispanics right now do vote Democrat. There's no question about it. So, what vote are we going after? We're going after a vote that doesn't vote Republican anyway." (2011 Tr. 441:7, 13, 17; PL Ex. 202 at 2:30-2:55; PL Ex. 388 [Dkt. 330-3, at p. 5]).

VI. Population Growth

A. Population Growth in Texas

1. Statewide

1595. Texas gained 4 congressional seats as a result of its population growth from 2000 to 2010. (Kousser Decl., Ex. E-2 [Dkt. 128-1], at p. 109).

1596. 89% of Texas's population growth was African-American, Asian-American, or Latino – 65% of it Latino alone. (Kousser Decl., Ex. E-2 [Dkt. 128-1], at p. 109).

1597. Between 2000 and 2010, the Hispanic Citizen Voting-Age Population increased in every Latino opportunity congressional district. (PL Ex. 335 [Dkt. 325-4, at p. 13]).

1598. Between 2000 and 2010, the growth rate of the Hispanic population in Texas outpaced that of the Anglo, Black and "other" populations. (PL Ex. 336 [Dkt. 325-4, at p. 14]).

1599. The Latino population is concentrated in South and West Texas with additional concentrations in Harris County, and in Dallas and Tarrant Counties. (PL Ex. 352 [Dkt. 326-4, at pp. 4]; PL Ex. 353 [Dkt. 326-4, at p. 5; PL Ex. 383 [Dkt. 330-2, at p. 4]; PL Ex. 384 [Dkt. 330-2, at p. 5]).

1600. The growth of the Latino population accounted for 65% of total growth in South Texas and contributed significantly to statewide population growth. (PL Ex. 354 [Dkt. 327-1, at p. 1]).

1601. Average household size in predominantly Latino areas of the state, such as South and West Texas, are higher than those of the rest of the state. (PL Ex. 355 [Dkt. 327-1, at p. 2]).

1602. The population of South Texas and the Rio Grande Valley is younger on average than the rest of the state; a higher portion of the population in this region is below the age of 18. (PL Ex. 356 [Dkt. 327-2, at p. 1]).

1603. The 2010 Census count for Texas shows that the population of the state had increased by 4,293,741 individuals—from 20,851,818 in 2000 to 25, 145,561 in 2010. (Chapa Report, Ex. E-1 [Dkt. 128-5], at p. 4; U.S. Census QuickFacts, PL Ex. 294 [Dkt. 322-5], at p. 994; Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 1).

1604. The population of Texas grew rapidly between the years 2000 and 2010, and the Hispanic population grew even more rapidly. (2011 Tr. 176:5-6; Ex. J-1, Table 1 [Dkt. 128-7]).

1605. The Texas Hispanic population in 2000 was 6,669,666 persons. The Texas Hispanic population grew to 9,460,921 persons in the year 2010. (Gonzalez Baker Deposition, Ex. J-41, at 13 [2011 Tr. 13:1-5]).

1606. 2,791,255 persons, or at least 60%, of the State's total increase was due to the rapid growth of the Texas Hispanic population. In 2010, more than one out of every three Texans was Hispanic. (Chapa Report, Ex. E-1 [Dkt. 128-5], at p. 4; [Dkt. 128-7], at tbl. 1; Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 1).

1607. The total Hispanic citizen voting age population in Texas in 2010 was 3,674,800 persons, or 24.7% of the total citizen voting age of Texas. (Gonzalez Baker Deposition, Ex. J-41, at 19 [2011 Tr. 19:15]; Chapa Report, Joint Expert Ex. E-1, Table 7 [Dkt. 128-11]).

1608. From 2000 to 2010, the growth rate for the Hispanic voting-age population (HVAP) was approximately 43% statewide. (Gonzalez Baker Report, E-9 [Dkt. 281-2], at p. 1).

1609. In 2010, persons of Hispanic origin comprised 37.6% of the population of Texas, which represents a 5% increase in Latinos' share of the Texas population since 2000. (U.S. Census QuickFacts, PL Ex. 294 [Dkt. 322-5, at p. 994]; Gonzalez Baker Report, Ex. E-9 [Dkt. 149-4], at p. 3).

1610. In 2010, non-Hispanic whites comprised 45.3% of the population of Texas. (U.S. Census QuickFacts, PL Ex. 294 [Dkt. 322-5], at p. 994).

1611. While the total population of Texas increased by 20.59%, the Hispanic population increased by 41.85% and the non-Hispanic population by only 10.59%. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 1).

1612. There was a very rapid growth in the Hispanic citizen voting age population from 2005 through 2009. In these five years, the Hispanic citizen voting age population increased from 24.6% of the state's total citizen voting age population to 25.5%. (2011 Tr. 180:7-18; 2011 Tr. 189:1-6; Ex. E-1 [Dkt. 128-11]).

1613. The following 17 counties have 77% of Texas's Hispanic population: Bexar, Brazoria, Cameron, Collin, Dallas, Denton, El Paso, Fort Bend, Harris, Hidalgo, Lubbock, Montgomery, Nueces, Tarrant, Travis, Webb, and Williamson. (2011 Tr. 204:5-6; [Dkt. 128-7, at tbl. 1]).

1614. Bexar, Cameron, Dallas, Harris, Hidalgo, Nueces, Tarrant, and Travis counties, even those already saturated with Latino-origin populations in 2000, all saw substantial growth in their Latino-origin residents by 2010. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 4-5).

1615. Non-Latinos have not reproduced at replacement rates for more than a decade. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 5).

1616. In Cameron, Dallas, and Nueces counties, the Latino growth from 2000 to 2010 in each county actually exceeded the total growth for the county, suggesting that these counties not only saw substantial growth in their Latino communities, but also a reduction in their non-Latino populations. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 5; [Dkt. 149-4], at p. 4).

1617. In Travis and Tarrant Counties more than half of total intercensal growth was attributable to Latino growth. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 5-6).

1618. From 2000 to 2010, the growth rate for the Hispanic voting-age population (HVAP) was approximately 43% statewide. (Gonzalez Baker Report, E-9 [Dkt. 281-2], at p. 1).

1619. In each year from 2005 to 2009 the number and proportion of the Hispanic CVAP population has increased. (Chapa Report, Ex. E-1 [Dkt. 128-5], at p. 11).

1620. In contrast, the non-Hispanic Anglo population increased in number but its proportion of the total population has decreased. (Chapa Report, Ex. E-1 [Dkt. 128-5], at p. 11).

1621. The Latino population growth between 2000 and 2010 is likely to continue given the young age structure of the Latino population relative to its non-Latino White counterpart. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 10).

1622. Several counties in Texas would have lost population during the intercensal period had it not been for the growth in the Latino population alone. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 10).

1623. Latinos are the most significant demographic group in terms of past growth, past recent growth, and continuing growth in the population. (Gonzalez Baker Deposition, Ex. J-41, at 64 [2011 Tr. 64:7-11]).

2. Dallas-Fort Worth Metroplex

1624. The population of Dallas County grew from 2,217,792 in 2000 to 2,368,139 in 2010. (U.S. Census QuickFacts, PL Ex. 294 [Dkt. 322-5], at p. 994).

1625. In 2010, persons of Hispanic origin comprised 38.3% of the population of Dallas County, representing a nearly 10% increase since 2000. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-4], at p. 3).

1626. In 2010, non-Hispanic whites comprised 33.1% of the population of Dallas County. (U.S. Census QuickFacts, PL Ex. 294 [Dkt. 322-5], at p. 994).

1627. In Dallas County, the Latino growth from 2000 to 2010 actually exceeded the total growth for the county, suggesting that the county not only saw substantial growth in its Latino communities, but also a reduction in its non-Latino populations. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 5; [Dkt. 149-4], at p. 4; Gonzalez Baker Deposition, Ex. J-41, at 29-30 [2011 Tr. 29:19-30:17]).

1628. The population of Tarrant County grew from 1,446,230 in 2000 to 1,809,034 in 2010. (U.S. Census QuickFacts, PL Ex. 300 [Dkt. 322-5], at p. 1006).

1629. In 2010, persons of Hispanic origin comprised 26.7% of the population of Tarrant County, representing a nearly 7% increase since 2000. (U.S. Census QuickFacts, PL Ex. 300 [Dkt. 322-5], at p. 1006; Gonzalez Baker Report, Ex. E-9 [Dkt. 149-4], at p. 3).

1630. In 2010, non-Hispanic whites comprised 51.8% of the population of Tarrant County. (U.S. Census QuickFacts, PL Ex. 300 [Dkt. 322-5], at p. 1006).

1631. In Tarrant County more than half of total intercensal growth was attributable to Latino growth. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 5-6; Gonzalez Baker Deposition, Ex. J-41, at 33-34 [2011 Tr. 33:21-34:2]).

3. Austin-San Antonio

1632. The population of Bexar County grew from 1,392,935 in 2000 to 1,714,773 in 2010, (U.S. Census QuickFacts, PL Ex. 295 [Dkt. 322-5], at p. 996).

1633. In 2010, persons of Hispanic origin comprised 58.7% of the population of Bexar County, representing an almost 5% increase since 2000. (U.S. Census QuickFacts, PL Ex. 295 [Dkt. 322-5], at p. 996; Gonzalez Baker Report, Ex. E-9 [Dkt. 149-4], at p. 3).

1634. In 2010, non-Hispanic whites comprised 30.3% of the population of Bexar County. (U.S. Census QuickFacts, PL Ex. 295 [Dkt. 322-5], at p. 996).

1635. Latino intercensal growth amounted to nearly 78% of the total growth in Bexar County from 2000-2010. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 5; [Dkt. 149-4], at p. 4).

1636. The population of Travis County grew from 812,280 in 2000 to 1,024,266 in 2010. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-4], at p. 3).

1637. In 2010, persons of Hispanic origin comprised 33.46% of the population of Travis County, representing an over 5% increase since 2000. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-4], at p. 3).

1638. In Travis County more than half of total intercensal growth was attributable to Latino growth. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 5-6; Gonzalez Baker Deposition, Ex. J-41, at 33-34 [2011 Tr. 33:21-34:2]).

4. Rio Grande Valley

1639. The population of Cameron County grew from 335,227 in 2000 to 406,220 in 2010. (U.S. Census QuickFacts, PL Ex. 296 [Dkt. 322-5], at p. 998).

1640. In 2010, persons of Hispanic origin comprised 88.1% of the population of Cameron County. (U.S. Census QuickFacts, PL Ex. 296 [Dkt. 322-5], at p. 998).

1641. In 2010, non-Hispanic whites comprised 10.7% of the population of Cameron County. (U.S. Census QuickFacts, PL Ex. 296 [Dkt. 322-5], at p. 998).

1642. In Cameron County, the Latino growth from 2000 to 2010 exceeded the total growth for the county, suggesting that the county not only saw substantial growth in its Latino communities, but also a reduction in its non-Latino populations. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 5; [Dkt. 149-4], at p. 4; Gonzalez Baker Deposition, Ex. J-41, at 29-30 [2011 Tr. 29:19-30:17]).

1643. The population of Hidalgo County grew from 569,471 in 2000 to 774,769 in 2010. (U.S. Census QuickFacts, PL Ex. 298 [Dkt. 322-5], at p. 1002).

1644. In 2010, persons of Hispanic origin comprised 90.6% of the population of Hidalgo County. (U.S. Census QuickFacts, PL Ex. 298 [Dkt. 322-5], at p. 1002).

1645. In 2010, non-Hispanic whites comprised 7.8% of the population of Hidalgo County. (U.S. Census QuickFacts, PL Ex. 298 [Dkt. 322-5], at p. 1002).

1646. The intercensal growth in the Latino population in Hidalgo County represented nearly all of the total county increase. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 5).

1647. Creating an additional State House district in the Valley is important because the Valley has been one of the fastest growing areas over the last two decennials. (Flores Report, Ex. E-8 [Dkt. 191-1], at p. 10).

5. El Paso County

1648. The population of El Paso County grew from 679,622 in 2000 to 800,647 in 2010. (U.S. Census QuickFacts, PL Ex. 297 [Dkt. 322-5], at p. 1000).

1649. In 2010, persons of Hispanic origin comprised 82.2% of the population of El Paso County. (U.S. Census QuickFacts, PL Ex. 297 [Dkt. 322-5], at p. 1000).

1650. In 2010, non-Hispanic whites comprised 13.1% of the population of El Paso County. (U.S. Census QuickFacts, PL Ex. 297 [Dkt. 322-5], at p. 1000).

6. Nueces County

1651. The population of Nueces County grew from 313,534 in 2000 to 340,223 in 2010. (U.S. Census QuickFacts, PL Ex. 299 [Dkt. 322-5], at p. 1004).

1652. In 2010, persons of Hispanic origin comprised 60.6% of the population of Nueces County, representing an almost 5% increase since 2000. (U.S. Census QuickFacts, PL Ex. 299 [Dkt. 322-5], at p. 1004; Gonzalez Baker Report, Ex. E-9 [Dkt. 149-4], at p. 3).

1653. In 2010, non-Hispanic whites comprised 32.9% of the population of Nueces County. (U.S. Census QuickFacts, PL Ex. 299 [Dkt. 322-5], at p. 1004).

1654. In Nueces County, the Latino growth from 2000 to 2010 exceeded the total growth for the county, suggesting that the county not only saw substantial growth in its Latino communities, but also a reduction in its non-Latino populations. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 5; [Dkt. 149-4], at p. 4; Gonzalez Baker Deposition, Ex. J-41, at 29-30 [2011 Tr. 29:19-30:17]).

7. Maverick County

1655. The population of Maverick County grew from 47,297 in 2000 to 54,258 in 2010. (U.S. Census QuickFacts, PL Ex. 302 [Dkt. 322-5], at p. 1010).

1656. In 2010, persons of Hispanic origin comprised 95.7% of the population of Maverick County. (U.S. Census QuickFacts, PL Ex. 302 [Dkt. 322-5], at p. 1010).

1657. In 2010, non-Hispanic whites comprised 2.9% of the population of Maverick County. (U.S. Census QuickFacts, PL Ex. 302 [Dkt. 322-5], at p. 1010).

1658. In 2010, the total population of the City of Eagle Pass in Maverick County was 26,248 persons. (U.S. Census, Eagle Pass City Race and Hispanic origin: 2010, PL Ex. 303 [Dkt. 322-5], at p. 1012).

1659. In 2010, there were 25,065 persons of Hispanic origin, and they comprised 95.5% of the City of Eagle Pass in Maverick County. (U.S. Census, Eagle Pass City Race and Hispanic origin: 2010, PL Ex. 303 [Dkt. 322-5], at p. 1012).

1660. In 2010, there were 1,183 persons not of Hispanic origin, and they comprised 4.5% of the City of Eagle Pass in Maverick County. (U.S. Census, Eagle Pass City Race and Hispanic origin: 2010, PL Ex. 303 [Dkt. 322-5], at p. 1012).

8. Harris County

1661. The population of Harris County grew from 3,400,590 in 2000 to 4,092,459 in 2010. (U.S. Census QuickFacts, PL Ex. 301 [Dkt. 322-5], at p. 1008).

1662. In 2010, persons of Hispanic origin comprised 40.8% of the population of Harris County, representing an almost 9% increase since 2000. (U.S. Census QuickFacts, PL Ex. 301 [Dkt. 322-5], at p. 1008; Gonzalez Baker Report, Ex. E-9 [Dkt. 149-4], at p. 3).

1663. In 2010, non-Hispanic whites comprised 33.0% of the population of Harris County. (U.S. Census QuickFacts, PL Ex. 301 [Dkt. 322-5], at p. 1008).

1664. Harris County saw nearly 80% of its intercensal growth attributable to Latinos. (Gonzalez Baker Report, Ex. E-9 [Dkt. 149-3], at p. 5).

9. ACS Data

1665. The ACS is a valid measure for large and small geographic areas and the only such measure that provides citizenship information for small areas. The ACS data are the best available on the topic of citizenship. (2011 Tr. 181:24-182:18; 2011 Tr. 183:1-4; Gonzalez Baker Deposition, Ex. J-41, at 9 [2011 Tr. 9:12-15]).

VII. Standing of Latino Task Force Plaintiffs

A. Texas Latino Redistricting Task Force

1666. The Texas Latino Redistricting Task Force was formed during the 2011 Texas Legislative session. (Ex. J-56, at 12:17-13:7).

1667. Texas Latino advocates and advocacy organizations, including the organizations and individuals that eventually became the Plaintiff Latino Task Force held their first meeting on February 17th in Austin, Texas. (Ex. 411 ¶ 3 [Dkt. 330-5, at p. 1]).

1668. The Texas Latino Redistricting Task Force was officially formed on March 19,

2011. (Ex. 411 ¶ 3 [Dkt. 330-5, at p. 1]).

1669. The goal the Texas Latino Redistricting Task Force was to unite Latinos and the Texas Latino leadership, as well as to coordinate their advocacy efforts, around redistricting plans that fairly reflect the political strength of the Latino population in Texas (Ex. 411 ¶ 3 [Dkt. 330-5, at p. 1]).

1670. The members of the Texas Redistricting Task Force include MABA Texas, the National Organization of Mexican American Rights, Southwest Voter Registration Education Project, the Southwest Worker's Union, the William C. Velazquez Institute, and HOPE (Hispanic Organization for Political Education). (Ex. J-56, at 15:4-12; Ex. 411 ¶ 5 [Dkt. 330-5, at p. 2]).

1671. Decisions of the Latino Redistricting Task Force are made collectively by the organizations that are members, if necessary by voting. (Ex. J-56, at 38: 16-24).

1672. The Latino Redistricting Task Force meetings included discussing and coordinating redistricting plans and advocacy. The decision process sought consensus and was informal. The Task Force laid issues out on the table and members were allowed an opportunity to provide input. The Task Force discussed issues including the location of Congressional and House districts and their functionality. (Ex. J-52, at 26:8-27:21).

1673. The Latino Redistricting Task Force submitted maps to the 2011 Texas Legislature that were labeled MALDEF in District Viewer. (Ex. J-52, at 45:13-46:17).

1674. Lydia Camarillo and Nina Perales testified on behalf of the Texas Latino Redistricting Task Force at 2011 Texas legislative hearings. (Ex. J-56, at 57:7-14).

1675. The Latino Task Force participated in the redistricting process during Regular and Special Sessions of the Texas Legislature. (Ex. 411 ¶ 6 [Dkt. 330-5, at p. 2]).

1676. The Latino Task Force developed several demonstration redistricting maps that its members believed fairly reflected the growth in Texas's Latino population by creating new Latino opportunity districts in various areas of the state. (Ex. 411 ¶ 6 [Dkt. 330-5, at p. 2]).

1677. The Latino Task Force submitted these maps to the relevant redistricting committees, and representatives of the organizational members of the Latino Task Force, as well as the Task Force's legal counsel met with the legislative leadership and presented testimony at redistricting committee meetings in support of the demonstration maps. (Ex. 411 ¶ 6 [Dkt. 330-5, at p. 2]).

B. Texas LULAC & HOPE

1678. There are approximately 7,000 individual members of HOPE who reside throughout Texas. (Ex. 411 ¶ 8 [Dkt. 330-5, at pp. 3-4]).

1679. Texas HOPE has members who are Latino registered voters in the following counties: Bexar, Harris, Travis, Dallas, Tarrant, El Paso, Cameron, Hidalgo and Nueces. (Ex. 411 ¶8 [Dkt. 330-5, at pp. 3-4]).

1680. Activities of HOPE members include helping register Latino citizens, volunteering to take registered voters to the polls on election days, serving as poll watchers, and administering voter education workshops. (Ex. 411 ¶ 8 [Dkt. 330-5, at pp. 3-4]).

C. Southwest Voter Registration Education Project

1681. The Southwest Voter Registration Education Project is a member of the Latino Redistricting Task Force. (Ex. J-51, at 29: 1-9; 55:7-11).

1682. Southwest Voter Registration Education Project (SVREP) is not a membership organization. (Ex. 411 ¶ 12 [Dkt. 330-5, at p. 5]).

1683. SVREP's mission is to empower Latinos and other minorities by increasing their participation in the American democratic process. (Ex. 411 ¶ 12 [Dkt. 330-5, at p. 5]).

1684. SVREP helps strengthen the capacity, experience and skills of Latino leaders, networks, and organizations through programs that consistently train, organize, finance, development, expand and mobilize Latino leaders and voters around an agenda that reflects their values. (Ex. 411 ¶ 12 [Dkt. 330-5, at p. 5]).

1685. SVREP also mobilizes Latinos to register and vote. (Ex. 411 ¶ 12 [Dkt. 330-5, at p. 5]).

D. Mexican American Bar Association of Texas (MABA Texas)

1686. MABA Texas is a member of the Texas Latino Redistricting Task Force (Ex. J-56, at 10:23-24).

1687. MABA Texas is comprised of affiliate organizations in Dallas, Houston, Austin, San Antonio, and El Paso as well as individual members. Members include attorneys and judges (Ex. J-56, at 19-22; 16:10-15).

1688. Each affiliate organization represents members who are Latino registered voters in various counties in Texas, including: Bexar, Cameron, Dallas, El Paso, Harris, Hidalgo, Travis, and portions of Blanco, Brazoria, Collin, El Paso, Fort Bend, Galveston, Montgomery, Tarrant, Williamson counties. (Ex. 411 ¶ 10 [Dkt. 330-5, at p. 4]).

1689. Collectively, the affiliate organizations of MABA-Texas have approximately 1,500 members. (Ex. 411 ¶ 10 [Dkt. 330-5, at p. 4]).

1690. The MABA-Texas Board of Directors is comprised of board members who reside in the following counties: Travis, Bexar, Dallas, Harris, Hidalgo and El Paso. (Ex. 411 ¶ 10 [Dkt. 330-5, at p. 4]).

1691. MABA Texas was invited to join the Texas Latino Redistricting Task Force by an e-mail from Lydia Camarillo and decided to join the Texas Latino Redistricting Task Force after a vote by the MABA Texas Board and Directors. MABA Texas subsequently voted to join the lawsuit as a member of the Task Force. (Ex J-56, at 10:25-11:7; 62:7-63:8; 64:1-65:8; 103:7-104:3).

1692. Celeste Villarreal is a past president of the Mexican American Bar Association of Texas (MABA), and she has previously served as legislative director for the organization. (2011 Congressional Phase of 2014 Trial, 1129:5-1129:9, Aug. 14, 20140.

1693. Celeste Villarreal learned about the Texas Latino Redistricting Task Force when she was testifying on behalf of MABA TX at the Capitol in 2011, and she saw a number of the members of the Task Force in the halls of the Capitol. Those members then reached out to MABA Texas. (2011 Congressional Phase of 2014 Trial, 1129:17-1129:21, Aug. 14, 2014).

1694. Celeste Villarreal testified that she was contacted by Lydia Camarrillo, the executive director of the Southwest Voter Registration and Education Project. Ms. Camarillo asked Ms. Villarreal if MABA would be interested in joining the Texas Latino Redistricting Task Force. Thereafter, Ms. Villarreal proposed to the board of MABA that the organization join the Task Force, and the board approved. (2011 Congressional Phase of 2014 Trial, 1129:25-1130:11, Aug. 14, 2014).

E. Tejas NOMAR

1695. There are approximately 100 individual members of the Tejas National Organization for Mexican American Rights (Tejas NOMAR). (Ex. 411 ¶ 11 [Dkt. 330-5, at pp. 4-5]).

1696. The individual members of Tejas NOMAR reside in Tarrant, Dallas, Bexar, and Nueces counties. (Ex. 411 ¶ 11 [Dkt. 330-5, at pp. 4-5]). These individual members of Tejas NOMAR include Latino registered voters of Texas. (Ex. 411 ¶11 [Dkt. 330-5, at pp. 4-5]).

1697. Tejas NOMAR's mission is to promote and defend the civil rights of American Latinos to ensure that they are afforded all of the rights provided by the constitution and the Bill of Rights of the United States of America. (Ex. 411 ¶ 11 [Dkt. 330-5, at pp. 4-5]).

1698. Tejas NOMAR encourages Latinos to register to vote and vote by hosting annual conferences, conferring at board meetings, sending emails to members and the public, calling members and the public, and working with other Latino organizations. (Ex. 411 ¶11 [Dkt. 330-5, at pp. 4-5]).

F. William C. Velasquez Institute

1699. The William C. Velasquez Institute (WCVI) is not a membership organization. (Ex. 411 ¶ 13 [Dkt. 330-5, at p. 5]).

1700. WCVI is a tax-exempt, non-profit, non-partisan public policy analysis organization chartered in 1985. (Ex. 411 ¶ 13 [Dkt. 330-5, at p. 5]).

1701. The purpose of WCVI is to: conduct research aimed at improving the level of political and economic participation in Latino and other underrepresented communities; to provide information to Latino leaders relevant to the needs of their constituents; to inform the Latino leadership and public about the impact of public policies on Latinos; and to inform the Latino leadership and public about political opinions and behavior of Latinos. (Ex. 411 ¶ 13 [Dkt. 330-5, at p. 5]).

G. Southwest Workers' Union

1702. There are approximately 3,500 individual members of SWU who reside in San Antonio, Austin, and Hondo, Texas. (Ex. 411 ¶ 9 [Dkt. 330-5, at p. 4]).

1703. The individual members of SWU include Latino registered voters of Texas. (Ex. 411 ¶ 9 [Dkt. 330-5, at p. 4]).

1704. Activities of SWU include yearly voter registration drives in high schools and in the community, phone banking to encourage voters to turn out on Election Day, and voter education workshops. (Ex. 411 ¶ 9 [Dkt. 330-5, at p. 4]).

PROPOSED CONCLUSIONS OF LAW

I. Vote Dilution in 2011 House Plan

1. Plan H283 dilutes Latino voting strength in violation of section 2 of the Voting Rights Act of 1965, 42 U.S.C. 1973, *et. seq.* *Thornburg v. Gingles*, 478 U.S. 30 (1986).

A. *Gingles* Prong 1: Numerosity and Compactness

2. Latinos are sufficiently numerous and compact to comprise the citizen voting age majority in more districts than contained in the State's enacted plan, H283, including in Harris County, Nueces County and the Rio Grande Valley. *See Gingles*, 487 U.S. at 50-51; *Johnson v. DeGrandy*, 512 U.S. 997, 1008 (1994).

3. In Bexar County, the State created HD117 with a bare 50.1% SSVR and less than 50% likelihood of electing the Latino-preferred candidate, illegally diluting Latino voting strength by 'packing' Latino voters into surrounding Latino majority districts. In El Paso County, the State created HD78 with a 47.1% SSVR and less than 50% likelihood of electing the Latino-preferred candidate, illegally diluting Latino voting strength by 'packing' Latino voters into surrounding Latino majority districts. *See Voinovich v.*

Quilter, 507 U.S. 146, 153-54 (1993); *Gingles*, 478 U.S. at 46, n. 11. ("Dilution of racial minority group voting strength may be caused by the dispersal of blacks into districts in which they constitute an ineffective minority of voters or from the concentration of blacks into districts where they constitute an excessive majority."); *see also LULAC v. Perry*, 548 U.S. 399, 428 (2006) (recognizing that "it may be possible for a citizen voting-age majority to lack real electoral opportunity").

4. The Latino community is also compact in areas where new Latino opportunity districts can be created. *See LULAC v. Perry*, 548 U.S. at 433 (the compactness inquiry under § 2 examines the compactness of the minority community, not the compactness of the contested district). Because in Texas new Latino opportunity districts are most easily created where there is significant Latino population, new Latino opportunity districts "take into account traditional districting principles such as maintaining communities of interest and traditional boundaries." *Id.* (internal quotations omitted).

5. Although the State claims that the Texas Constitution's whole county provision requires Nueces County to contain only two House districts with no spillover, this rule must yield to section 2 of the Voting Rights Act. See Bartlett v. Strickland, 556 U.S. 1, 7 (2009) ("It is common ground that state election-law requirements like the Whole County Provision may be superseded by federal law—for instance, the one-person, one-vote principle of the Equal Protection Clause of the United States Constitution."); see also Larios v. Cox, 314 F. Supp. 2d 1357, 1360 (N.D. Ga. 2004) (when court crafted interim remedial plan, "[p]lainly, the requirements of the Constitution and the Voting Rights Act took precedence over any traditional redistricting principles."); Colleton Cnty. Council v.

McConnell, 201 F. Supp. 2d 618, 648-49 (D.S.C. 2002), opinion clarified (Apr. 18, 2002) ("[T]principle of preserving county lines occupies a subordinate role to the federal directives embodied in the United States Constitution and the Voting Rights Act"); Cousin v. McWherter, 845 F. Supp. 525, 528 (E.D. Tenn. 1994) ("The Tennessee Constitution also prohibits splitting counties to create seats in the Legislature in Art. II, Section 5, but this has also been done to prevent a constitutional and/or Voting Rights violation. The Tennessee Constitution does not preempt the Voting Rights Act."); and Georgia State Conference of NAACP v. Fayette Cnty. Bd. of Comm'rs, 996 F. Supp. 2d 1353, 1363 (N.D. Ga. 2014) ("consideration of a traditional redistricting principle like incumbent protection is subordinate to the goal of remedying" a § 2 violation and the requirements of the Constitution).

B. *Gingles* Prong 2 and 3: Racial Bloc Voting

6. Latino voters are politically cohesive with each other, including in the areas of Texas in which additional Latino majority districts can be drawn. *Gingles*, 478 U.S. at 50-51. Non-Latino voters votes sufficiently as a bloc to enable them, in the absence of special circumstances usually to defeat the Latino preferred candidate." *Gingles*, 478 U.S. at 50-51.

7. The State concedes that voting is racially polarized in Texas (with the caveat that the State is not prepared to concede that there is racially polarized voting in Nueces and Kleberg counties). (July 2014 Tr. 2168:22-2169:7). However, the State did not contest at trial Task Force Plaintiffs evidence that voting is racially polarized in Nueces County as well as in an area of South Texas including Kleberg County.

8. The degree of Latino cohesion and non-Latino bloc voting in Texas rises to the level of racial polarization. *See LULAC v. Perry*, 548 U.S. at 427 (*citing Session v. Perry*, 298 F. Supp. 2d 451, 496-497 (E.D. Tex. 2004)).

9. Racially polarized voting in Texas impedes the election of Latino-preferred candidates and satisfies the second and third prongs under *Gingles*. *See Gingles*, 478 U.S. at 50.

C. Totality of the Circumstances

10. Under the totality of circumstances, based on a "practical evaluation of the 'past and present reality' and on a 'functional' view of the political process" (*Gingles*, 478 U.S. at 45, *quoting* S. Rep. at 30 n. 120), H283 dilutes Latino voting strength in violation of section 2.

1. Senate Factors

11. The Senate Factors support a finding that the State's House redistricting plan violates section 2. In *LULAC v. Perry*, the Supreme Court noted that the "'the long history of discrimination against Latinos and Blacks in Texas' . . . may well 'hinder their ability to participate effectively in the political process'" and concluded the totality of the circumstances demonstrated a section 2 violation. *LULAC v. Perry*, 548 U.S. 399, 439-40, 442 (quoting *Session*, 298 F.Supp.2d, at 473, 492 and *Gingles*, 478 U.S., at 45).

12. Eight years later, the evidence supporting this conclusion has not changed much, including the history of official discrimination in voting, racially polarized voting, the extent to which Latinos in Texas bear the effects of past discrimination in areas such as education, employment, and health, which hinder their ability to participate effectively in the political process, and the extent to which minorities have been elected to public office in the jurisdiction. S. Rep. at 29; *see also Gingles*, 478 U.S. at 48 n.15.

2. Proportionality

13. The number of districts in which Latinos have the opportunity to elect their candidate of choice is well below the proportionality threshold and weighs in favor of a finding, under the totality of circumstances, that H283 violates section 2. *Johnson v. De Grandy*, 512 U.S. 997, 1000 (1994).

14. In cases involving claims of statewide vote dilution, such as this case, proportionality is analyzed on a statewide basis. *LULAC*, 548 U.S. at 436. The Supreme Court in *LULAC* rejected the argument by Texas that proportionality for Latinos in section 2 cases is limited to a specific geographic area and instead concluded that because Latinos "have alleged statewide vote dilution based on a statewide plan . . . Particularly given the presence of racially polarized voting—and the possible submergence of minority votes—throughout Texas, it makes sense to use the entire State in assessing proportionality." *LULAC v. Perry*, 548 U.S. at 437-38.

15. Latinos comprise 25% of the State's Hispanic citizen voting age population. Under this measure, proportionality would require 37 or 38 House districts of 150. H283 provides 31 and is well below the proportionality threshold.

D. Intentional Racial Discrimination in the 2011 House Plan

16. In enacting H283, Texas purposefully discriminated against Latino voters on the basis of race in violation of section 2 of the Voting Rights Act and the Fourteenth Amendment. C*ity of Mobile, Ala. v. Bolden*, 446 U.S. 55, 66 (1980) *superseded in part by statute on other grounds* by 42 U.S.C. § 1973.

17. H283 intentionally dilutes Latino voting strength. The evidence demonstrates that Texas "enacted [H283] as a purposeful device 'to minimize or cancel out the voting potential of

racial or ethnic minorities'" *See Miller v. Johnson*, 515 U.S. 900, 911 (1995); *see also Rogers v. Lodge*, 458 U.S. 613, 617 (1982) (redistricting plan violates the Fourteenth Amendment if "'conceived or operated as purposeful device to further racial discrimination' by minimizing, canceling out or diluting the voting strength of racial elements in the voting population.'") (quoting *Whitcomb v. Chavis*, 403 U.S., 124, 149 (1971)); *Garza v. County of Los Angeles*, 918 F.2d 763 (9th Cir. 1990) (same).

18. H283 also assigns Latino voters to districts on the basis of race in HD 78 and HD117 in violation of the rule against race-based redistricting in *Shaw v. Reno*, 509 U.S. 630 (1993). *See also Miller v. Johnson*, 515 U.S. at 911.

19. In this case, although typically courts defer to legislative redistricting, that deference is overcome by the evidence of race-based decision making by Texas. *Miller v. Johnson*, 515 U.S. 900, 915 (1995) (quoting *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200, 218 (1995)), *Garza v. County of Los Angeles*, 756 F. Supp. 1298, 1349 (C.D. Cal. 1990), *aff'd*, 918 F.2d 763 (9th Cir. 1990).

1. Direct Evidence

20. The State's redistricting provides substantial direct evidence of intentional racial discrimination, including explicit statements of racial intent and race-based redistricting using REDAPPL. By selecting precincts with a majority of Latino registered voters but low turnout relative to other voters, Texas systematically and purposefully exploited the differential in turnout, which itself is a legacy of a long history of voting and other discrimination against Latinos in Texas. The resulting districts, such as HD117, are designed to appear majority-Latino but not to offer Latinos an equal opportunity to elect their candidates of choice.

2. Arlington Heights Factors

21. In *Arlington Heights*, the Supreme Court explained that when determining whether racially discriminatory intent or purpose is a motivating factor behind an official action, a court must make "a sensitive inquiry into such circumstantial and direct evidence as may be available." *Arlington Heights*, 429 U.S. at 266. The *Arlington Heights* factors, including H283's disparate impact, historical background, legislative history, and procedural and substantive deviations, support a finding of intentional discrimination in this case. *Arlington Heights*, 429 U.S. at 264-68.

3. *LULAC v. Perry* Factors

22. In *LULAC v. Perry*, the Supreme Court observed that "the State took away Latinos' opportunity because Latinos were about to exercise it" and that the revision of CD23 "bears the mark of intentional discrimination that could give rise to an equal protection claim." *LULAC*, 548 U.S. at 440. The factors identified by the Supreme Court in *LULAC v. Perry* as indicative of intentional discrimination are present in the revisions to HD78 and HD117 in H283.

23. Latino voters in HD78 and HD117 "were poised to elect their candidate of choice" and "were becoming more politically active." *LULAC*, 548 U.S. at 438. The changes to HD78 and HD117 reduced Latino voters' ability to elect their candidate of choice. *LULAC*, 548 U.S. at 424-25, 427. Finally, redistricters intentionally drew HD78 and HD117 to have nominal majorities for political reasons. *LULAC*, 548 U.S. at 424-25.

4. Improper use of Racial Stereotype as a Justification for Vote Dilution

24. The State created and relied upon generalized stereotypes of Latino voting behavior to support dilution of Latino voting strength on the grounds that doing so furthered redistricters' partisan political goals. These actions violate section 2 and the Fourteenth Amendment.

25. Official acts based on racial stereotyping are unconstitutional. *See Johnson v. California*, 543 U.S. 499, 519 (2005); *Palmore v. Sidoti*, 466 U.S. 429, 433 (1984) ("The Constitution cannot control such prejudices but neither can it tolerate them. Private biases may be outside the reach of the law, but the law cannot, directly or indirectly, give them effect."); *Watson v. Memphis*, 373 U.S. 526, 535-536 (1963) (rejecting claim by city officials that desegregation of city parks had to proceed slowly to "prevent interracial disturbances, violence, riots, and community confusion and turmoil" and concluding that such predictions were no more than "personal speculations or vague disquietudes.").

26. The State's refusal to increase the opportunity for Latinos to elect their candidate of choice, while consistently characterizing Latinos as Democrats and the goals of redistricting as seeking partisan advantage for Republicans, evidences the improper use of racial stereotypes about Latinos and intentional discrimination against Latinos on the basis of race.

II. Vote Dilution in 2011 Congressional Plan

27. Plan C185 dilutes Latino voting strength in violation of section 2 of the Voting Rights Act of 1965, 42 U.S.C. 1973, *et. seq.* *Thornburg v. Gingles*, 478 U.S. 30 (1986).

A. *Gingles* Prong 1: Numerosity and Compactness

28. Latinos are sufficiently numerous and compact to comprise the citizen voting age majority in more districts than contained in the State's congressional plan, C185, including in Dallas Ft. Worth. *See Gingles*, 487 U.S. at 50-51; *Johnson v. DeGrandy*, 512 U.S. 997, 1008 (1994); *see also See Bartlett v. Strickland*, 556 U.S. 1, 12 (2009); *Campos v. City of Houston*, 113 F.3d 544, 548 (5th Cir. 1997); *Valdespino v. Alamo Heights Indep. Sch. Dist.*, 168 F.3d 848 (5th Cir. 1999).

29. In South and West Texas, the State created CD23 with a 54.8% SSVR and a one in ten likelihood of electing the Latino-preferred candidate, illegally diluting Latino voting strength by 'packing' Latino voters into surrounding Latino majority districts. *See Voinovich v. Quilter*, 507 U.S. 146, 153-54 (1993); *Gingles*, 478 U.S. at 46, n. 11. ("Dilution of racial minority group voting strength may be caused by the dispersal of blacks into districts in which they constitute an ineffective minority of voters or from the concentration of blacks into districts where they constitute an excessive majority."); see also *LULAC v. Perry*, 548 U.S. 399, 428 (2006) (recognizing that "it may be possible for a citizen voting-age majority to lack real electoral opportunity").

30. The Latino community is also compact in areas where new Latino opportunity districts can be created. *See LULAC v. Perry*, 548 U.S. at 433 (the compactness inquiry under § 2 examines the compactness of the minority community, not the compactness of the contested district). Because in Texas new Latino opportunity districts are most easily created where there is significant Latino population, new Latino opportunity districts "take into account traditional districting principles such as maintaining communities of interest and traditional boundaries." *Id.* (internal quotations omitted).

B. *Gingles* Prong 2 and 3: Racial Bloc Voting

31. Latino voters are politically cohesive with each other, including in the areas of Texas in which additional Latino majority districts can be drawn. *Gingles*, 478 U.S. at 50-51. Non-Latino voters votes sufficiently as a bloc to enable them, in the absence of special circumstances usually to defeat the Latino preferred candidate." *Gingles*, 478 U.S. at 50-51.

32. The State concedes that voting is racially polarized in Texas (with the caveat that the State is not prepared to concede that there is racially polarized voting in Nueces and Kleberg counties). (July 2014 Tr. 2168:22-2169:7). However, the State did not contest at trial Task Force Plaintiffs evidence that voting is racially polarized in Nueces County as well as in an area of South Texas including Kleberg County.

33. The degree of Latino cohesion and non-Latino bloc voting in Texas rises to the level of racial polarization. *See LULAC v. Perry*, 548 U.S. at 427 (*citing Session v. Perry*, 298 F. Supp. 2d 451, 496-497 (E.D. Tex. 2004)).

34. Racially polarized voting in Texas impedes the election of Latino-preferred candidates and satisfies the second and third prongs under *Gingles*. *See Gingles*, 478 U.S. at 50.

C. Totality of the Circumstances

35. Under the totality of circumstances, based on a "practical evaluation of the 'past and present reality' and on a 'functional' view of the political process" (*Gingles*, 478 U.S. at 45, *quoting* S. Rep. at 30 n. 120), C185 dilutes Latino voting strength in violation of section 2.

1. Senate Factors

36. The Senate Factors support a finding that the State's congressional redistricting plan violates section 2. In *LULAC v. Perry*, the Supreme Court noted that the "'the long history of discrimination against Latinos and Blacks in Texas' . . . may well 'hinder their ability to participate effectively in the political process'" and concluded the totality of the circumstances demonstrated a section 2 violation. *LULAC v. Perry*, 548 U.S. 399, 439-40, 442 (quoting *Session*, 298 F.Supp.2d, at 473, 492 and *Gingles*, 478 U.S., at 45).

37. Eight years later, the evidence supporting this conclusion has not changed much, including the history of official discrimination in voting, racially polarized voting, the extent to which Latinos in Texas bear the effects of past discrimination in areas such as education, employment, and health, which hinder their ability to participate effectively in the political process, and the extent to which minorities have been elected to public office in the jurisdiction. S. Rep. at 29; *see also Gingles*, 478 U.S. at 48 n.15.

2. Proportionality

38. The number of districts in which Latinos have the opportunity to elect their candidate of choice is well below the proportionality threshold and weighs in favor of a finding, under the totality of circumstances, that C185 violates section 2. *Johnson v. De Grandy*, 512 U.S. 997, 1000 (1994).

39. In cases involving claims of statewide vote dilution, such as this case, proportionality is analyzed on a statewide basis. *LULAC*, 548 U.S. at 436. The Supreme Court in *LULAC* rejected the argument by Texas that proportionality for Latinos in section 2 cases is limited to a specific geographic area and instead concluded that because Latinos "have alleged statewide vote dilution based on a statewide plan . . . Particularly given the

presence of racially polarized voting—and the possible submergence of minority votes—throughout Texas, it makes sense to use the entire State in assessing proportionality." *LULAC v. Perry*, 548 U.S. at 437-38.

40. Latinos comprise 25% of the State's Hispanic citizen voting age population. Under this measure, proportionality would require 9 congressional districts out of a total of 36. The State's Plan C185 creates only seven Latino opportunity districts and is well below the proportionality threshold.

C. Intentional Racial Discrimination in 2011 Congressional Plan

41. In enacting C185, Texas purposefully discriminated against Latino voters on the basis of race in violation of section 2 of the Voting Rights Act and the Fourteenth Amendment. C*ity of Mobile, Ala. v. Bolden*, 446 U.S. 55, 66 (1980) *superseded in part by statute on other grounds* by 42 U.S.C. § 1973.

42. C185 intentionally dilutes Latino voting strength. The evidence demonstrates that Texas "enacted [C185] as a purposeful device 'to minimize or cancel out the voting potential of racial or ethnic minorities'" *See Miller v. Johnson*, 515 U.S. 900, 911 (1995); *see also Rogers v. Lodge*, 458 U.S. 613, 617 (1982) (redistricting plan violates the Fourteenth Amendment if "'conceived or operated as purposeful device to further racial discrimination' by minimizing, canceling out or diluting the voting strength of racial elements in the voting population.'") (quoting *Whitcomb v. Chavis*, 403 U.S., 124, 149 (1971)); *Garza v. County of Los Angeles*, 918 F.2d 763 (9th Cir. 1990) (same).

43. C185 also assigns Latino voters to districts on the basis of race in CD23, CD26 and CD6 in violation of the rule against race-based redistricting in *Shaw v. Reno*, 509 U.S. 630 (1993). *See also Miller v. Johnson*, 515 U.S. at 911.

44. In this case, although typically courts defer to legislative redistricting, that deference is overcome by the evidence of race-based decision making by Texas. *Miller v. Johnson*, 515 U.S. 900, 915 (1995) (quoting *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200, 218 (1995)), *Garza v. County of Los Angeles*, 756 F. Supp. 1298, 1349 (C.D. Cal. 1990), *aff'd*, 918 F.2d 763 (9th Cir. 1990).

1. Direct Evidence

45. The State's redistricting provides substantial direct evidence of intentional racial discrimination, including explicit statements of racial intent and race-based redistricting using REDAPPL. By selecting precincts for CD23 with a majority of Latino registered voters but low turnout relative to other voters, Texas systematically and purposefully exploited the differential in turnout, which itself is a legacy of a long history of voting and other discrimination against Latinos in Texas. The resulting district designed to appear majority-Latino but not to offer Latinos an equal opportunity to elect their candidates of choice. Also by removing majority-Latino Nueces County from the South Texas configuration of congressional districts, the State diminished Latino voting strength in the Latino-majority districts.

2. **Arlington Heights Factors**

46. In *Arlington Heights*, the Supreme Court explained that when determining whether racially discriminatory intent or purpose is a motivating factor behind an official action, a court must make "a sensitive inquiry into such circumstantial and direct evidence as may be available." *Arlington Heights*, 429 U.S. at 266. The *Arlington Heights* factors, including C185's disparate impact, historical background, legislative history, and

procedural and substantive deviations, support a finding of intentional discrimination in this case. *Arlington Heights*, 429 U.S. at 264-68.

3. *LULAC v. Perry* Factors

47. In *LULAC v. Perry*, the Supreme Court observed that in CD23 "the State took away Latinos' opportunity because Latinos were about to exercise it" and that the revision of CD23 "bears the mark of intentional discrimination that could give rise to an equal protection claim." *LULAC*, 548 U.S. at 440. The factors identified by the Supreme Court in *LULAC v. Perry* as indicative of intentional discrimination are present in the revisions to CD23 and CD27 in C185.

48. Latino voters in CD23 and CD27 "were poised to elect their candidate of choice" and "were becoming more politically active." *LULAC*, 548 U.S. at 438. The changes to CD23 and CD27 reduced Latino voters' ability to elect their candidate of choice. *LULAC*, 548 U.S. at 424-25, 427. Finally, redistricters intentionally drew CD23 to have a nominal majority for political reasons. *LULAC*, 548 U.S. at 424-25.

4. Improper use of Racial Stereotype as a Justification for Vote Dilution

49. The State created and relied upon generalized stereotypes of Latino voting behavior to support dilution of Latino voting strength on the grounds that doing so furthered redistricters' partisan political goals. These actions violate section 2 and the Fourteenth Amendment.

50. Official acts based on racial stereotyping are unconstitutional. *See Johnson v. California*, 543 U.S. 499, 519 (2005); *Palmore v. Sidoti*, 466 U.S. 429, 433 (1984) ("The Constitution cannot control such prejudices but neither can it tolerate them. Private biases may be outside the reach of the law, but the law cannot, directly or indirectly, give them

effect."); *Watson v. Memphis*, 373 U.S. 526, 535-536 (1963) (rejecting claim by city officials that desegregation of city parks had to proceed slowly to "prevent interracial disturbances, violence, riots, and community confusion and turmoil" and concluding that such predictions were no more than "personal speculations or vague disquietudes.").

51. The State's refusal to increase the opportunity for Latinos to elect their candidate of choice, while consistently characterizing Latinos as Democrats and the goals of redistricting as seeking partisan advantage for Republicans, evidences the improper use of racial stereotypes about Latinos and intentional discrimination against Latinos on the basis of race.

DATED: October 30, 2014

Respectfully submitted,

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Certificate of Service

I hereby certify that on this 30th day of October, 2014, I served a copy of the foregoing Findings of Fact and Conclusions of Law on all counsel who are registered to receive NEFs through this Court's CM/ECF system. All attorneys who are not registered to receive NEFs have been served via email.

/s/ Nina Perales
Nina Perales

Appendix A: Plan Statistics for H100

I. LATINO OPPORTUNITY DISTRICTS IN THE BENCHMARK STATE HOUSE PLAN, H100

a. ELECTION PERFORMANCE IN H100

1. Plan H100 has 32 districts in which Latinos can elect the candidate of their choice: State House Districts 31, 33, 34, 36, 37, 38, 39, 40, 41, 42, 43, 51, 74, 75, 76, 77, 79, 80, 90, 103, 104, 116, 117, 118, 119, 123, 124, 125, 140, 143, 145, and 148. (PL Ex. 201 [Dkt. 387-201, at p. 1]; *see also* Ex. J-61-I, at 143:25-144:3.)

i. HD 31

2. HD 31 in Plan H100 has an HVAP of 95.2%, an HCVAP of 93.6%, and a SSVR of 90.9%. (PL Ex. 201 [Dkt. 387-201, at pp. 1-2].)

3. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 31. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 1].)

4. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 31. (PL Ex. 201 [Dkt. 387-201, at p. 2]; PL Ex. 256 [Dkt. 387-256, at p. 2]; PL Ex. 257 [Dkt. 387-257, at pp. 2, 7]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 1].)

5. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 31. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 15].)

6. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 31. (PL Ex. 201 [Dkt. 387-201, at p. 2]; PLPL Ex. 256 [Dkt. 387-256, at pp. 6, 11]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 15].)

7. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 3 racially contested Republican primary elections in HD 31. (PL Ex. 201 [Dkt. 387-201, at p. 2]; PL Ex. 256 [Dkt. 387-256, at p. 16]; PL Ex. 257 [Dkt. 387-257, at p. 17]; PL Ex. 428 [Dkt. 396-428, at p. 2].)

ii. HD 32

8. HD 32 in Plan H100 has an HVAP of 37.2%, an HCVAP of 35.3%, and a SSVR of 33.2%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 3].)

9. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 0 out of 7 racially contested general elections in HD 32. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

10. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 0 out of 13 racially contested general elections in HD 32. (PL Ex. 201 [Dkt. 387-201, at p. 3]; PL Ex. 256 [Dkt. 387-256, at p. 2]; PL Ex. 257 [Dkt. 387-257, at pp. 2, 7]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

11. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 3 out of 6 racially contested Democratic primary elections in HD 32. (PL Ex. 201 [Dkt.387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 15].)

12. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 4 out of 9

racially contested Democratic primary elections in HD 32. (PL Ex. 201 [Dkt. 387-201, at p. 3]; PL Ex. 256 [Dkt. 387-256, at pp. 6, 11]; PL Ex. 258 [Dkt. 387-258, at p. 1]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 15].)

13. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 32. (PL Ex. 201 [Dkt.387-201, at p. 3]; PL Ex. 256 [Dkt. 387-256, at p. 16]; PL Ex. 257 [Dkt. 387-257, at p. 17]; PL Ex. 428 [Dkt. 396-428, at p. 2].)

iii. HD 33

14. HD 33 in Plan H100 has an HVAP of 61.9%, an HCVAP of 60.4%, and a SSVR of 55.3%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 4].)

15. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 4 out of 7 racially contested general elections in HD 33. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

16. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 13 racially contested general elections in HD 33. (PL Ex. 201 [Dkt. 387-201, at p. 4]; PL Ex. 256 [Dkt. 387-256, at p. 2]; PL Ex. 257 [Dkt. 387-257, at pp. 2, 7]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

17. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 33. (PL Ex. 201 [Dkt.387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

18. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 33. (PL Ex. 201 [Dkt. 387-201, at p. 4]; PL Ex. 256 [Dkt. 387-256, at pp. 6, 11]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

19. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 33. (PL Ex. 201 [Dkt. 387-201, at p. 4]; PL Ex. 256 [Dkt. 387-256, at p. 16]; PL Ex. 257 [Dkt. 387-257, at p. 17]; PL Ex. 428 [Dkt. 396-428, at p. 2].)

iv. HD 34

20. HD 34 in Plan H100 has an HVAP of 61.6%, an HCVAP of 58.2%, and a SSVR of 53.8%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 5].)

21. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 4 out of 7 racially contested general elections in HD 34. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

22. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 13 racially contested general elections in HD 34. (PL Ex. 201 [Dkt. 387-201, at p. 5]; PL Ex. 256 [Dkt. 387-256, at p. 2]; PL Ex. 257 [Dkt. 387-257, at pp. 2, 7]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

23. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 34. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

24. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 34. (PL Ex. 201 [Dkt.387-201, at p. 5]; PL Ex. 256 [Dkt. 387-256, at pp. 6, 11]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

25. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 34. (PL Ex. 201 [Dkt.387-201, at p. 5]; PL Ex. 256 [Dkt. 387-256, at p. 16]; PL Ex. 257 [Dkt. 387-257, at p. 17]; PL Ex. 428 [Dkt. 396-428, at p. 2].)

v. HD 35

26. HD 35 in Plan H100 has an HVAP of 56.4%, an HCVAP of 54.6%, and a SSVR of 55.3%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 6].)

27. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 3 out of 7 racially contested general elections in HD 35. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

28. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 13 racially contested general elections in HD 35. (PL Ex. 201 [Dkt. 387-201, at p. 6]; PL Ex. 256 [Dkt. 387-256, at p. 2]; PL Ex. 257 [Dkt. 387-257, at pp. 2, 7]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

29. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 35. (PL Ex. 201 [Dkt.387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

30. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 35. (PL Ex. 201 [Dkt.387-201, at p. 6]; PL Ex. 256 [Dkt. 387-256, at pp. 6, 11]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

31. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 35. (PL Ex. 201 [Dkt.387-201, at p. 6]; PL Ex. 256 [Dkt. 387-256, at p. 16]; PL Ex. 257 [Dkt. 387-257, at p. 17]; PL Ex. 428 [Dkt. 396-428, at p. 2].)

vi. HD 36

32. HD 36 in Plan H100 has an HVAP of 88.9%, an HCVAP of 83.8%, and a SSVR of 82.3%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 7].)

33. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 36. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

34. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 36. (PL Ex. 201 [Dkt. 387-201, at p. 7]; PL Ex. 256 [Dkt. 387-256, at p. 2]; PL Ex. 257 [Dkt. 387-257, at pp. 2, 7]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

35. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 36. (PL Ex. 201 [Dkt.387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

36. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 36. (PL Ex. 201 [Dkt. 387-201, at p. 7]; PL Ex. 256 [Dkt. 387-256, at pp. 6, 11]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

37. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 36. (PL Ex. 201 [Dkt. 387-201, at p. 7]; PL Ex. 256 [Dkt. 387-256, at p. 16]; PL Ex. 257 [Dkt. 387-257, at p. 17]; PL Ex. 428 [Dkt. 396-428, at p. 2].)

vii. HD 37

38. HD 37 in Plan H100 has an HVAP of 89.3%, an HCVAP of 85.4%, and a SSVR of 80.8%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 8].)

39. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 37. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

40. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 37. (PL Ex. 201 [Dkt. 387-201, at p. 8]; PL Ex. 256 [Dkt. 387-256, at p. 2]; PL Ex. 257 [Dkt. 387-257, at pp. 2, 7]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

41. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 37. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

42. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 37. (PL Ex. 201 [Dkt. 387-201, at p. 8]; PL Ex. 256 [Dkt. 387-256, at pp. 6, 11]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

43. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 37. (PL Ex. 201 [Dkt.387-201, at p. 8]; PL Ex. 256 [Dkt. 387-256, at p. 16]; PL Ex. 257 [Dkt. 387-257, at p. 17]; PL Ex. 428 [Dkt. 396-428, at p. 2].)

viii. HD 38

44. HD 38 in Plan H100 has an HVAP of 86.3%, an HCVAP of 79%, and a SSVR of 76.9%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 9].)

45. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 38. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

46. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 38. (PL Ex. 201 [Dkt. 387-201, at p. 9]; PL Ex. 256 [Dkt. 387-256, at p. 2]; PL Ex. 257 [Dkt. 387-257, at pp. 2, 7]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

47. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 38. (PL Ex. 201 [Dkt.387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

48. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 38. (PL Ex. 201 [Dkt.387-201, at p. 9]; PL Ex. 256 [Dkt. 387-256, at pp. 6, 11]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

49. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 38. (PL Ex. 201 [Dkt.387-201, at p. 9]; PL Ex. 256 [Dkt. 387-256, at p. 16]; PL Ex. 257 [Dkt. 387-257, at p. 17]; PL Ex. 428 [Dkt. 396-428, at p. 2].)

ix. HD 39

50. HD 39 in Plan H100 has an HVAP of 88.1%, an HCVAP of 79.1%, and a SSVR of 82.4%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 10].)

51. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 39. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

52. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 39. (PL Ex. 201 [Dkt. 387-201, at p. 10]; PL Ex. 256 [Dkt. 387-256, at p. 2]; PL Ex. 257 [Dkt. 387-257, at pp. 2, 7]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

53. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 39. (PL Ex. 201 [Dkt.387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

54. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 39. (PL Ex. 201 [Dkt.387-201, at p. 10]; PL Ex. 256 [Dkt. 387-256, at pp. 6, 11]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 5]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

55. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 39. (PL Ex. 201 [Dkt.387-201, at p. 10]; PL Ex. 256 [Dkt. 387-256, at p. 16]; PL Ex. 257 [Dkt. 387-257, at p. 17]; PL Ex. 428 [Dkt. 396-428, at p. 2].)

x. HD 40

56. HD 40 in Plan H100 has an HVAP of 93.5%, an HCVAP of 90.2%, and a SSVR of 86.9%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 11].)

57. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 40. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

58. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 40. (PL Ex. 201 [Dkt. 387-201, at p. 11]; PL Ex. 256 [Dkt. 387-256, at p. 2]; PL Ex. 257 [Dkt. 387-257, at pp. 2, 7]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

59. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 40. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

60. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 40. (PL Ex. 201 [Dkt. 387-201, at p. 11]; PL Ex. 256 [Dkt. 387-256, at pp. 6, 11]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt.387-260, at pp. 6, 16].)

61. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 40. (PL Ex. 201 [Dkt.387-201, at p. 11]; PL Ex. 256 [Dkt. 387-256, at p. 16]; PL Ex. 257 [Dkt. 387-257, at p. 17]; PL Ex. 428 [Dkt. 396-428, at p. 2].)

xi. HD 41

62. HD 41 in Plan H100 has an HVAP of 81.8%, an HCVAP of 77.5%, and a SSVR of 69.2%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 12].)

63. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 5 out of 7 racially contested general elections in HD 41. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

64. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 13 racially contested general elections in HD 41. (PL Ex. 201 [Dkt. 387-201, at p. 12]; PL Ex. 256 [Dkt. 387-256, at p. 2]; PL Ex. 257 [Dkt. 387-257, at pp. 2, 7]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

65. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 41. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

66. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 41. (PL Ex. 201 [Dkt. 387-201, at p. 12]; PL Ex. 256 [Dkt. 387-256, at pp. 6, 11]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

67. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 41. (PL Ex. 201 [Dkt. 387-201, at p. 12]; PL Ex. 256 [Dkt. 387-256, at p. 16]; PL Ex. 257 [Dkt. 387-257, at p. 17]; PL Ex. 428 [Dkt. 396-428, at p. 2].)

xii. HD 42

68. HD 42 in Plan H100 has an HVAP of 94.2%, an HCVAP of 90.1%, and a SSVR of 84.8%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 13].)

69. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 42. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

70. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 42. (PL Ex. 201 [Dkt. 387-201, at p. 13]; PL Ex. 256 [Dkt. 387-256, at p. 2]; PL Ex. 257 [Dkt. 387-257, at pp. 2, 7]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

71. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 42. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

72. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 42. (PL Ex. 201 [Dkt. 387-201, at p. 13]; PL Ex. 256 [Dkt. 387-256, at p. 7, 11]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

73. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 3 racially contested Republican primary elections in HD 42. (PL Ex. 201 [Dkt. 387-201, at p. 13]; PL Ex. 256 [Dkt. 387-256, at p. 16]; PL Ex. 257 [Dkt. 387-257, at p. 17]; PL Ex. 428 [Dkt. 396-428, at p. 2].)

xiii. HD 43

74. HD 43 in Plan H100 has an HVAP of 76.3%, an HCVAP of 71.7%, and a SSVR of 71.8%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 14].)

75. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 43. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

76. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 43. (PL Ex. 201 [Dkt. 387-201, at p. 14]; PL Ex. 256 [Dkt. 387-256, at p. 2]; PL Ex. 257 [Dkt. 387-257, at pp. 2, 7]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

77. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 43. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

78. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 43. (PL Ex. 201 [Dkt. 387-201, at p. 14]; PL Ex. 256 [Dkt. 387-256, at pp. 7, 11]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 5]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

79. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 43. (PL Ex. 201 [Dkt. 387-201, at p. 14]; PL Ex. 256 [Dkt. 387-256, at p. 16]; PL Ex. 257 [Dkt. 387-257, at p. 17]; PL Ex. 428 [Dkt. 396-428, at p. 2].)

xiv. HD 51

80. HD 51 in Plan H100 has an HVAP of 58.3%, an HCVAP of 45.8%, and a SSVR of 40.9%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 15].)

81. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 51. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

82. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 51. (PL Ex. 201 [Dkt. 387-201, at p. 15]; PL Ex. 256 [Dkt. 387-256, at p. 2]; PL Ex. 257 [Dkt. 387-257, at pp. 2, 7]; PL Ex. 258 [Dkt. 387-258, at p. 2]; PL Ex. 259 [Dkt. 387-259, at p. 2]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

83. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 5 out of 6 racially contested Democratic primary elections in HD 51. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at p. 6, 16].)

84. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 7 out of 9

racially contested Democratic primary elections in HD 51. (PL Ex. 201 [Dkt.387-201, at p. 15]; PL Ex. 256 [Dkt. 387-256, at pp. 7, 11]; PL Ex. 258 [Dkt. 387-258, at p. 12]; PL Ex. 259 [Dkt. 387-259, at p. 6]; PL Ex. 260 [Dkt. 387-260, at pp. 6, 16].)

85. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 51. (PL Ex. 201 [Dkt. 387-201, at p. 15]; PL Ex. 256 [Dkt. 387-256, at p. 16]; PL Ex. 257 [Dkt. 387-257, at p. 17]; PL Ex. 428 [Dkt. 396-428, at p. 2].)

xv. HD 74

86. HD 74 in Plan H100 has an HVAP of 65.8%, an HCVAP of 59.7%, and a SSVR of 58.1%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 16].)

87. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 4 out of 7 racially contested general elections in HD 74. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 3]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

88. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 6 out of 13 racially contested general elections in HD 74. (PL Ex. 201 [Dkt. 387-201, at p. 16]; PL Ex. 256 [Dkt. 387-256, at p. 3]; PL Ex. 257 [Dkt. 387-257, at pp. 3, 8]; PL Ex. 258 [Dkt. 387-258, at p. 3]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 2].)

89. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 74. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 13]; PL Ex. 259 [Dkt. 387-259, at p. 7]; PL Ex. 260 [Dkt. 387-260, at pp. 7, 17].)

90. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 74. (PL Ex. 201 [Dkt. 387-201, at p. 16]; PL Ex. 256 [Dkt. 387-256, at pp. 7, 12]; PL Ex. 258 [Dkt. 387-258, at p. 13]; PL Ex. 259 [Dkt. 387-259, at p. 7]; PL Ex. 260 [Dkt. 387-260, at pp. 7, 17].)

91. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 0 out of 3 racially contested Republican primary elections in HD 74. (PL Ex. 201 [Dkt.387-201, at p. 16]; PL Ex. 256 [Dkt. 387-256, at p. 17]; PL Ex. 257 [Dkt. 387-257, at p. 18]; PL Ex. 428 [Dkt. 396-428, at p. 3].)

xvi. HD 75

92. HD 75 in Plan H100 has an HVAP of 87.8%, an HCVAP of 83.1%, and a SSVR of 75.9%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 17].)

93. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 75. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 3]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

94. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 75. (PL Ex. 201 [Dkt. 387-201, at p. 17]; PL Ex. 256 [Dkt. 387-256, at p. 3]; PL Ex. 257 [Dkt. 387-257, at pp. 3, 8]; PL Ex. 258 [Dkt. 387-258, at p. 3]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

95. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 75. (PL Ex. 201 [Dkt.387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 13]; PL Ex. 259 [Dkt. 387-259, at p. 7]; PL Ex. 260 [Dkt. 387-260, at pp. 7, 17].)

96. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 75. (PL Ex. 201 [Dkt.387-201, at p. 17]; PL Ex. 256 [Dkt. 387-256, at pp. 7, 12]; PL Ex. 258 [Dkt. 387-258, at p. 13]; PL Ex. 259 [Dkt. 387-259, at p. 7]; PL Ex. 260 [Dkt. 387-260, at pp. 7, 17].)

97. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 75. (PL Ex. 201 [Dkt.387-201, at p. 17]; PL Ex. 256 [Dkt. 387-256, at p. 17]; PL Ex. 257 [Dkt. 387-257, at p. 18]; PL Ex. 428 [Dkt. 396-428, at p. 3].)

xvii. HD 76

98. HD 76 in Plan H100 has an HVAP of 92.4%, an HCVAP of 89.4%, and a SSVR of 84.4%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 18].)

99. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 76. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 3]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

100. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 76. (PL Ex. 201 [Dkt. 387-201, at p. 18]; PL Ex. 256 [Dkt. 387-256, at p. 3]; PL Ex. 257 [Dkt. 387-257, at pp. 3, 8]; PL Ex. 258 [Dkt. 387-258, at p. 3]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

101. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 76. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 13]; PL Ex. 259 [Dkt. 387-259, at p. 7]; PL Ex. 260 [Dkt. 387-260, at pp. 7, 17].)

102. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 76. (PL Ex. 201 [Dkt. 387-201, at p. 18]; PL Ex. 256 [Dkt. 387-256, at pp. 7, 12]; PL Ex. 258 [Dkt. 387-258, at p. 13]; PL Ex. 259 [Dkt. 387-259, at p. 7]; PL Ex. 260 [Dkt. 387-260, at pp. 7, 17].)

103. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 3 racially contested Republican primary elections in HD 76. (PL Ex. 201 [Dkt. 387-201, at p. 18]; PL Ex. 256 [Dkt. 387-256, at p. 17]; PL Ex. 257 [Dkt. 387-257, at p. 18]; PL Ex. 428 [Dkt. 396-428, at p. 3].)

xviii. HD 77

104. HD 77 in Plan H100 has an HVAP of 83.2%, an HCVAP of 78.6%, and a SSVR of 73.1%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 19].)

105. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 77. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 3]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

106. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 77. (PL Ex. 201 [Dkt. 387-201, at p. 19]; PL Ex. 256 [Dkt. 387-256, at p. 3]; PL Ex. 257 [Dkt. 387-257, at pp. 3, 8]; PL Ex. 258 [Dkt. 387-258, at p. 3]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

107. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 77. (PL Ex. 201 [Dkt.387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 13]; PL Ex. 259 [Dkt. 387-259, at p. 7]; PL Ex. 260 [Dkt. 387-260, at pp. 7, 17].)

108. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 77. (PL Ex. 201 [Dkt.387-201, at p. 19]; PL Ex. 256 [Dkt. 387-256, at pp. 7, 12]; PL Ex. 258 [Dkt. 387-258, at p. 13]; PL Ex. 259 [Dkt. 387-259, at p. 7]; PL Ex. 260 [Dkt. 387-260, at pp. 7, 17].)

109. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 77. (PL Ex. 201 [Dkt.387-201, at p. 19]; PL Ex. 256 [Dkt. 387-256, at p. 17]; PL Ex. 257 [Dkt. 387-257, at p. 18]; PL Ex. 428 [Dkt. 396-428, at p. 3].)

xix. HD 78

110. HD 78 in Plan H100 has an HVAP of 62.8%, an HCVAP of 56.2%, and a SSVRof 47.5%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 20].)

111. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 3 out of 7 racially contested general elections in HD 78. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 3]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

112. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 13 racially contested general elections in HD 78. (PL Ex. 201 [Dkt. 387-201, at p. 20]; PL Ex. 256 [Dkt. 387-256, at p. 3]; PL Ex. 257 [Dkt. 387-257, at pp. 3, 8]; PL Ex. 258 [Dkt. 387-258, at p. 3]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

113. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 78. (PL Ex. 201 [Dkt.387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 13]; PL Ex. 259 [Dkt. 387-259, at p. 7]; PL Ex. 260 [Dkt. 387-260, at pp. 7, 17].)

114. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 6 out of 9

racially contested Democratic primary elections in HD 78. (PL Ex. 201 [Dkt. 387-201, at p. 20]; PL Ex. 256 [Dkt. 387-256, at pp. 7, 12]; PL Ex. 258 [Dkt. 387-258, at p. 13]; PL Ex. 259 [Dkt. 387-259, at p. 7]; PL Ex. 260 [Dkt. 387-260, at pp. 7, 17].)

115. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 78. (PL Ex. 201 [Dkt. 387-201, at p. 20]; PL Ex. 256 [Dkt. 387-256, at p. 17]; PL Ex. 257 [Dkt. 387-257, at p. 18]; PL Ex. 428 [Dkt. 396-428, at p. 3].)

xx. HD 79

116. HD 79 in Plan H100 has an HVAP of 73.6%, an HCVAP of 70.0%, and a SSVR of 65.2%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 21].)

117. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 79. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 3]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

118. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 79. (PL Ex. 201 [Dkt. 387-201, at p. 21]; PL Ex. 256 [Dkt. 387-256, at p. 3]; PL Ex. 257 [Dkt. 387-257, at pp. 3, 8]; PL Ex. 258 [Dkt. 387-258, at p. 3]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

119. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 79. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 13]; PL Ex. 259 [Dkt. 387-259, at p. 7]; PL Ex. 260 [Dkt. 387-260, at pp. 7, 17].)

120. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 79. (PL Ex. 201 [Dkt. 387-201, at p. 21]; PL Ex. 256 [Dkt. 387-256, at pp. 7, 12]; PL Ex. 258 [Dkt. 387-258, at p. 13]; PL Ex. 259 [Dkt. 387-259, at p. 7]; PL Ex. 260 [Dkt. 387-260, at pp. 7, 17].)

121. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 79. (PL Ex. 201 [Dkt. 387-201, at p. 21]; PL Ex. 256 [Dkt. 387-256, at p. 17]; PL Ex. 257 [Dkt. 387-257, at p. 18]; PL Ex. 428 [Dkt. 396-428, at p. 3].)

xxi. HD 80

122. HD 80 in Plan H100 has an HVAP of 74.3%, an HCVAP of 67.2%, and a SSVRof 69.7%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 22].)

123. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 80. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 3]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

124. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 80. (PL Ex. 201 [Dkt. 387-201, at p. 22]; PL Ex. 256 [Dkt. 387-256, at pp. 7, 12]; PL Ex. 257 [Dkt. 387-257]; PL Ex. 258 [Dkt. 387-258, at p. 3]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

125. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 80. (PL Ex. 201 [Dkt.387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 13]; PL Ex. 259 [Dkt. 387-259, at p. 7]; PL Ex. 260 [Dkt. 387-260, at pp. 7, 17].)

126. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 80. (PL Ex. 201 [Dkt. 387-201, at p. 22]; PL Ex. 256 [Dkt. 387-256, at pp. 7, 12]; PL Ex. 258 [Dkt. 387-258, at p. 13]; PL Ex. 259 [Dkt. 387-259, at p. 7]; PL Ex. 260 [Dkt. 387-260, at pp. 7, 17].)

127. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 0 out of 3 racially contested Republican primary elections in HD 80. (PL Ex. 201 [Dkt. 387-201, at p. 22]; PL Ex. 256 [Dkt. 387-256, at p. 17]; PL Ex. 257 [Dkt. 387-257, at p. 18]; PL Ex. 428 [Dkt. 396-428, at p. 3].)

xxii. HD 90

128. HD 90 in Plan H100 has an HVAP of 64.9%, an HCVAP of 47.9%, and a SSVR of 47.2%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 23].)

129. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 90. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 3]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

130. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 90. (PL Ex. 201 [Dkt. 387-201, at p. 23]; PL Ex. 256 [Dkt. 387-256, at p. 3]; PL Ex. 257 [Dkt. 387-257, at pp. 3, 8]; PL Ex. 258 [Dkt. 387-258, at p. 3]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

131. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 5 out of 6 racially contested Democratic primary elections in HD 90. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 13]; PL Ex. 259 [Dkt. 387-259, at p. 7]; PL Ex. 260 [Dkt. 387-260, at pp. 7, 17].)

132. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 7 out of 9

racially contested Democratic primary elections in HD 90. (PL Ex. 201 [Dkt. 387-201, at p. 23]; PL Ex. 256 [Dkt. 387-256, at pp. 7, 12]; PL Ex. 258 [Dkt. 387-258, at p. 13]; PL Ex. 259 [Dkt. 387-259, at p. 7]; PL Ex. 260 [Dkt. 387-260, at pp. 7, 17].)

133. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 90. (PL Ex. 201 [Dkt. 387-201, at p. 23]; PL Ex. 256 [Dkt. 387-256, at p. 17]; PL Ex. 257 [Dkt. 387-257, at p. 18]; PL Ex. 428 [Dkt. 396-428, at p. 3].)

xxiii. HD 103

134. HD 103 in Plan H100 has an HVAP of 69.3%, an HCVAP of 46.5%, and a SSVR of 39.3%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 24].)

135. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 103. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

136. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 103. (PL Ex. 201 [Dkt. 387-201, at p. 24]; PL Ex. 256 [Dkt. 387-256, at p. 4]; PL Ex. 257 [Dkt. 387-257, at pp. 4, 9]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

137. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 5 out of 6 racially contested Democratic primary elections in HD 103. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

138. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 6 out of 9

racially contested Democratic primary elections in HD 103. (PL Ex. 201[Dkt. 387-201, at p. 24]; PL Ex. 256 [Dkt. 387-256, at pp. 8, 13]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

139. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 103. (PL Ex. 201 [Dkt. 387-201, at p. 24]; PL Ex. 256 [Dkt. 387-256, at p. 18]; PL Ex. 257 [Dkt. 387-257, at p. 19]; PL Ex. 428 [Dkt. 396-428, at p. 4].)

xxiv. HD 104

140. HD 104 in Plan H100 has an HVAP of 77.2%, an HCVAP of 60.8%, and a SSVR of 58.3%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 25].)

141. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 104. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

142. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 104. (PL Ex. 201 [Dkt. 387-201, at p. 25]; PL Ex. 256 [Dkt. 387-256, at p. 4]; PL Ex. 257 [Dkt. 387-257, at pp. 4, 9]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 3]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

143. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 104. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

144. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 104. (PL Ex. 201[Dkt. 387-201, at p. 25]; PL Ex. 256 [Dkt. 387-256, at pp. 8, 13]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

145. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 104. (PL Ex. 201 [Dkt. 387-201, at p. 25]; PL Ex. 256 [Dkt. 387-256, at p. 18]; PL Ex. 257 [Dkt. 387-257, at p. 19]; PL Ex. 428 [Dkt. 396-428, at p. 4].)

xxv. HD 116

146. HD 116 in Plan H100 has an HVAP of 65.5%, an HCVAP of 61.6%, and a SSVR of 57%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 26].)

147. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 116. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

148. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 116. (PL Ex. 201 [Dkt. 387-201, at p. 26]; PL Ex. 256 [Dkt. 387-256, at p. 4]; PL Ex. 257 [Dkt. 387-257, at pp. 4, 9]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

149. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 116. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

150. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 116. (PL Ex. 201[Dkt. 387-201, at p. 26]; PL Ex. 256 [Dkt. 387-256, at pp. 8, 13]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

151. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 116. (PL Ex. 201 [Dkt. 387-201, at p. 26]; PL Ex. 256 [Dkt. 387-256, at p. 18]; PL Ex. 257 [Dkt. 387-257, at p. 19]; PL Ex. 428 [Dkt. 396-428, at p. 4].)

xxvi. HD. 117

152. HD 117 in Plan H100 has an HVAP of 58.7%, an HCVAP of 58.8%, and a SSVR of 50.8%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 27].)

153. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 4 out of 7 racially contested general elections in HD 117. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

154. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 13 racially contested general elections in HD 117. (PL Ex. 201 [Dkt. 387-201, at p. 27]; PL Ex. 256 [Dkt. 387-256, at p. 4]; PL Ex. 257 [Dkt. 387-257, at pp. 4, 9]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 3].)

155. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 117. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

156. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 117. (PL Ex. 201[Dkt. 387-201, at p. 27]; PL Ex. 256 [Dkt. 387-256, at pp. 8, 13]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

157. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 117. (PL Ex. 201 [Dkt. 387-201, at p. 27]; PL Ex. 256 [Dkt. 387-256, at p. 18]; PL Ex. 257 [Dkt. 387-257, at p. 19]; PL Ex. 428 [Dkt. 396-428, at p. 4].)

xxvii. HD 118

158. HD 118 in Plan H100 has an HVAP of 64.7%, an HCVAP of 61.9%, and a SSVR of 55.2%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 28].)

159. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 5 out of 7 racially contested general elections in HD 118. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

160. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 10 out of 13 racially contested general elections in HD 118. (PL Ex. 201 [Dkt. 387-201, at p. 28]; PL Ex. 256 [Dkt. 387-256, at p. 4]; PL Ex. 257 [Dkt. 387-257, at pp. 4, 9]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

161. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 118. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

162. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 118. (PL Ex. 201 [Dkt. 387-201, at p. 28]; PL Ex. 256 [Dkt. 387-256, at pp. 8, 13]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

163. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 118. (PL Ex. 201 [Dkt. 387-201, at p. 28]; PL Ex. 256 [Dkt. 387-256, at p. 18]; PL Ex. 257 [Dkt. 387-257, at p. 19]; PL Ex. 428 [Dkt. 396-428, at p. 4].)

xxviii. HD 119

164. HD 119 in Plan H100 has an HVAP of 67.8%, an HCVAP of 65%, and a SSVR of 56.6%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 29].)

165. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 119. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

166. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 119. (PL Ex. 201 [Dkt. 387-201, at p. 29]; PL Ex. 256 [Dkt. 387-256, at p. 4]; PL Ex. 257 [Dkt. 387-257, at pp. 4, 9]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

167. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 119. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

168. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 9

racially contested Democratic primary elections in HD 119. (PL Ex. 201 [Dkt. 387-201, at p. 29]; PL Ex. 256 [Dkt. 387-256, at pp. 8, 13]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

169. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 0 out of 3 racially contested Republican primary elections in HD 119. (PL Ex. 201 [Dkt. 387-201, at p. 29]; PL Ex. 256 [Dkt. 387-256, at p. 18]; PL Ex. 257 [Dkt. 387-257, at p. 19]; PL Ex. 428 [Dkt. 396-428, at p. 4].)

xxix. HD 123

170. HD 123 in Plan H100 has an HVAP of 70.3%, an HCVAP of 67.3%, and a SSVR of 57.9%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 30].)

171. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 123. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

172. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 123. (PL Ex. 201 [Dkt. 387-201, at p. 30]; PL Ex. 256 [Dkt. 387-256, at p. 4]; PL Ex. 257 [Dkt. 387-257, at pp. 4, 9]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

173. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 123. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

174. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 123. (PL Ex. 201[Dkt. 387-201, at p. 30]; PL Ex. 256 [Dkt. 387-256, at pp. 8, 13]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

175. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 123. (PL Ex. 201 [Dkt. 387-201, at p. 30]; PL Ex. 256 [Dkt. 387-256, at p. 18]; PL Ex. 257 [Dkt. 387-257, at p. 19]; PL Ex. 428 [Dkt. 396-428, at p. 4].)

xxx. HD 124

176. HD 124 in Plan H100 has an HVAP of 66.6%, an HCVAP of 64.2%, and a SSVR of 56.1%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 31].)

177. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 124. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

178. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 124. (PL Ex. 201 [Dkt. 387-201, at p. 31]; PL Ex. 256 [Dkt. 387-256, at p. 4]; PL Ex. 257 [Dkt. 387-257, at pp. 4, 9]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

179. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 124. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

180. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 124. (PL Ex. 201 [Dkt. 387-201, at p. 31]; PL Ex. 256 [Dkt. 387-256, at pp. 8, 13]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

181. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 124. (PL Ex. 201 [Dkt. 387-201, at p. 31]; PL Ex. 256 [Dkt. 387-256, at p. 18]; PL Ex. 257 [Dkt. 387-257, at p. 19]; PL Ex. 428 [Dkt. 396-428, at p. 4].)

xxxi. HD 125

182. HD 125 in Plan H100 has an HVAP of 65.3%, an HCVAP of 60.5%, and a SSVR of 56.1%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 32].)

183. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 7 racially contested general elections in HD 125. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

184. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 11 out of 13 racially contested general elections in HD 125. (PL Ex. 201 [Dkt. 387-201, at p. 32]; PL Ex. 256 [Dkt. 387-256, at p. 4]; PL Ex. 257 [Dkt. 387-257, at pp. 4, 9]; PL Ex. 258 [Dkt. 387-258, at p. 4]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

185. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 125. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

186. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 125. (PL Ex. 201[Dkt. 387-201, at p. 32]; PL Ex. 256 [Dkt. 387-256, at pp. 8, 13]; PL Ex. 258 [Dkt. 387-258, at p. 14]; PL Ex. 259 [Dkt. 387-259, at p. 8]; PL Ex. 260 [Dkt. 387-260, at pp. 8, 18].)

187. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 125. (PL Ex. 201 [Dkt. 387-201, at p. 32]; PL Ex. 256 [Dkt. 387-256, at p. 18]; PL Ex. 257 [Dkt. 387-257, at p. 19]; PL Ex. 428 [Dkt. 396-428, at p. 4].)

xxxii. HD 137

188. HD 137 in Plan H100 has an HVAP of 59.8%, an HCVAP of 25.6%, and a SSVR of 22%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 33].)

189. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 7 racially contested general elections in HD 137. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 5]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

190. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 10 out of 13 racially contested general elections in HD 137. (PL Ex. 201 [Dkt. 387-201, at p. 33]; PL Ex. 256 [Dkt. 387-256, at p. 5]; PL Ex. 257 [Dkt. 387-257, at pp. 5, 10]; PL Ex. 258 [Dkt. 387-258, at p. 5]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

191. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 2 out of 6 racially contested Democratic primary elections in HD 137. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 15]; PL Ex. 259 [Dkt.387-259, at p. 9]; PL Ex. 260 [Dkt. 387-260, at pp. 9, 19].)

192. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 9

racially contested Democratic primary elections in HD 137. (PL Ex. 201 [Dkt. 387-201, at p. 33]; PL Ex. 256 [Dkt. 387-256, at pp. 8, 14]; PL Ex. 258 [Dkt. 387-258, at p. 15]; PL Ex. 259 [Dkt. 387-259, at p. 9]; PL Ex. 260 [Dkt. 387-260, at pp. 9, 19].)

193. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 3 racially contested Republican primary elections in HD 137. (PL Ex. 201 [Dkt. 387-201, at p. 33]; PL Ex. 256 [Dkt. 387-256, at p. 19]; PL Ex. 257 [Dkt. 387-257, at p. 20]; PL Ex. 428 [Dkt. 396-428, at p. 5].)

xxxiii. HD 140

194. HD 140 in Plan H100 has an HVAP of 80.7%, an HCVAP of 66.1%, and a SSVR of 59.3%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 34].)

195. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 140. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 5]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

196. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 140. (PL Ex. 201 [Dkt. 387-201, at p. 34]; PL Ex. 256 [Dkt. 387-256, at p. 5]; PL Ex. 257 [Dkt. 387-257, at pp. 5, 10]; PL Ex. 258 [Dkt. 387-258, at p. 5]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

197. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 4 out of 6 racially contested Democratic primary elections in HD 140. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 15]; PL Ex. 259 [Dkt. 387-259, at p. 9]; PL Ex. 260 [Dkt. 387-260, at pp. 9, 19].)

198. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 6 out of 9

racially contested Democratic primary elections in HD 140. (PL Ex. 201[Dkt. 387-201, at p. 34]; PL Ex. 256 [Dkt. 387-256, at pp. 8, 14]; PL Ex. 258 [Dkt. 387-258, at p. 15]; PL Ex. 259 [Dkt. 387-259, at p. 9]; PL Ex. 260 [Dkt. 387-260, at pp. 9, 19].)

199. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 140. (PL Ex. 201 [Dkt. 387-201, at p. 34]; PL Ex. 256 [Dkt. 387-256, at p. 19]; PL Ex. 257 [Dkt. 387-257, at p. 20]; PL Ex. 428 [Dkt. 396-428, at p. 5].)

xxxiv. HD 143

200. HD 143 in Plan H100 has an HVAP of 82.3%, an HCVAP of 64.7%, and a SSVR of 66%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 35].)

201. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 143. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 5]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

202. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 143. (PL Ex. 201 [Dkt. 387-201, at p. 35]; PL Ex. 256 [Dkt. 387-256, at p. 5]; PL Ex. 257 [Dkt. 387-257, at pp. 5, 10]; PL Ex. 258 [Dkt. 387-258, at p. 5]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

203. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 143. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 15]; PL Ex. 259 [Dkt. 387-259, at p. 9]; PL Ex. 260 [Dkt. 387-260, at pp. 9, 19].)

204. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 143. (PL Ex. 201 [Dkt. 387-201, at p. 35]; PL Ex. 256 [Dkt. 387-256, at pp. 8, 14]; PL Ex. 258 [Dkt. 387-258, at p. 15]; PL Ex. 259 [Dkt. 387-259, at p. 9]; PL Ex. 260 [Dkt. 387-260, at pp. 9, 19].)

205. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 143. (PL Ex. 201 [Dkt. 387-201, at p. 35]; PL Ex. 256 [Dkt. 387-256, at p. 19]; PL Ex. 257 [Dkt. 387-257, at p. 20]; PL Ex. 428 [Dkt. 396-428, at p. 5].)

xxxv. HD 144

206. HD 144 in Plan H100 has an HVAP of 50.3%, an HCVAP of 34.8%, and a SSVR of 31.5%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 36].)

207. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 0 out of 7 racially contested general elections in HD 144. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 5]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

208. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 0 out of 13 racially contested general elections in HD 144. (PL Ex. 201 [Dkt. 387-201, at p. 36]; PL Ex. 256 [Dkt. 387-256, at p. 5]; PL Ex. 257 [Dkt. 387-257, at pp. 5, 10]; PL Ex. 258 [Dkt. 387-258, at p. 5]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

209. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 3 out of 6 racially contested Democratic primary elections in HD 144. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 15]; PL Ex. 259 [Dkt. 387-259, at p. 9]; PL Ex. 260 [Dkt. 387-260, at pp. 9, 19].)

210. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 9

racially contested Democratic primary elections in HD 144. (PL Ex. 201 [Dkt. 387-201, at p. 36]; PL Ex. 256 [Dkt. 387-256, at pp. 8, 14]; PL Ex. 258 [Dkt. 387-258, at p. 15]; PL Ex. 259 [Dkt. 387-259, at p. 9]; PL Ex. 260 [Dkt. 387-260, at pp. 9, 19].)

211. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 144. (PL Ex. 201 [Dkt. 387-201, at p. 36]; PL Ex. 256 [Dkt. 387-256, at p. 19]; PL Ex. 257 [Dkt. 387-257, at p. 20]; PL Ex. 428 [Dkt. 396-428, at p. 5].)

212. HD 145 in Plan H100 has an HVAP of 82.8%, an HCVAP of 68.9%, and a SSVR of 66.2%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 37].)

213. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 145. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 5]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

214. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 145. (PL Ex. 201 [Dkt. 387-201, at p. 37]; PL Ex. 256 [Dkt. 387-256, at p. 5]; PL Ex. 257 [Dkt. 387-257, at pp. 5, 10]; PL Ex. 258 [Dkt. 387-258, at p. 5]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

215. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 5 out of 6 racially contested Democratic primary elections in HD 145. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 15]; PL Ex. 259 [Dkt. 387-259, at p. 9]; PL Ex. 260 [Dkt. 387-260, at pp. 9, 19].)

216. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 9 racially contested Democratic primary elections in HD 145. (PL Ex. 201 [Dkt. 387-201,

at p. 37]; PL Ex. 256 [Dkt. 387-256, at pp. 8, 14]; PL Ex. 258 [Dkt. 387-258, at p. 15]; PL Ex. 259 [Dkt. 387-259, at p. 9]; PL Ex. 260 [Dkt. 387-260, at pp. 9, 19].)

217. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 3 racially contested Republican primary elections in HD 145. (PL Ex. 201 [Dkt. 387-201, at p. 37]; PL Ex. 256 [Dkt. 387-256, at p. 19]; PL Ex. 257 [Dkt. 387-257, at p. 20]; PL Ex. 428 [Dkt. 396-428, at p. 5].)

xxxvi. HD 148

218. HD 148 in Plan H100 has an HVAP of 53.7%, an HCVAP of 42.1%, and a SSVR of 40%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 38].)

219. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 148. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 5]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

220. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 148. (PL Ex. 201 [Dkt. 387-201, at p. 38]; PL Ex. 256 [Dkt. 387-256, at p. 5]; PL Ex. 257 [Dkt. 387-257, at pp. 5, 10]; PL Ex. 258 [Dkt. 387-258, at p. 5]; PL Ex. 259 [Dkt. 387-259, at p. 4]; PL Ex. 260 [Dkt. 387-260, at p. 4].)

221. In Plan H100, from 2006 to 2010, the candidate of choice of Latinos won in 5 out of 6 racially contested Democratic primary elections in HD 148. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 258 [Dkt. 387-258, at p. 15]; PL Ex. 259 [Dkt. 387-259, at p. 9]; PL Ex. 260 [Dkt. 387-260, at pp. 9, 19].)

222. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 9 racially contested Democratic primary elections in HD 148. (PL Ex. 201 [Dkt. 387-201,

at p. 38]; PL Ex. 256 [Dkt. 387-256, at pp. 8, 14]; PL Ex. 258 [Dkt. 387-258, at p. 15]; PL Ex. 259 [Dkt. 387-259, at p. 9]; PL Ex. 260 [Dkt. 387-260, at pp. 9, 19].)

223. In Plan H100, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 3 racially contested Republican primary elections in HD 148. (PL Ex. 201 [Dkt. 387-201, at p. 38]; PL Ex. 256 [Dkt. 387-256, at p. 19]; PL Ex. 257 [Dkt. 387-257, at p. 20]; PL Ex. 428 [Dkt. 396-428, at p. 5].)

II. STATEWIDE

224. Among the Latino opportunity districts in the benchmark plan are HD 33 and HD 78, even though these districts failed to elect the Latino candidate of choice in the 2010 Texas House of Representatives election. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 25.)

III. NUECES COUNTY

225. In plan H100, Nueces County contains two Hispanic Citizen Voting-Age Population majority state house districts. (PL Ex. 324 [Dkt. 325-4, at p. 2].)

226. In plan H100, Nueces County contains two whole state house districts with a third crossing the county line. (PL Ex. 324 [Dkt. 325-4, at p. 2].)

227. House District 33 historically had been located in the heart of Corpus Christi, Texas, and was a majority SSVR district. (Flores Report, Ex. E-8 [Dkt. 191-1], at p. 9.)

228. Nueces County had House Districts 33 and 34 and part of House District 32 in the benchmark plan, H100. All were Latino majority districts in the benchmark. (Tr. 461:3-11; Ex. J-21.)

229. Both candidates for State Representative in HD 33 in the 2010 Republican Primary were Latinos. (PL Ex. 309 [Dkt. 323-1, at p. 20].)

230. In 2010, HD 33 Latinos supported their candidate of choice, Solomon Ortiz, Jr., with about 92.3% of their votes, as compared to just 11.0% of votes cast by non- Latinos. Butonly 45.08% of voters who cast ballots were Latinos, and Ortiz, Jr., received 47.49% of the total vote. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 25-26.)

IV. SOUTH TEXAS CONFIGURATION

231. In plan H100, the northern border of the South Texas configuration of Hispanic Citizen Voting-Age Population majority state house districts extends east from El Paso County, then southeast from Loving County to Bexar County and on to Nueces County including Karnes and Goliad Counties. (PL Ex. 346 [Dkt. 326-2, at p. 2].)

232. In plan H100, all state house districts in Hidalgo County are overpopulated relative to the 2010 ideal district population; House District 36 is overpopulated by 33,540, House District 39 by 4,651, House District 40 by 47,775, and House District 41 by 18,255. (PL Ex. 337 [Dkt. 325-4, at p. 15, 16].)

V. EL PASO COUNTY

233. In 2010, HD 78 Latinos supported their candidate of choice with about 79.6% of their votes, as compared to just 28.4% of votes cast by non-Latinos. But only34.88% of voters who cast ballots were Latinos, and the Latino incumbent received 47.59% of the total vote. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 25-26.)

234. In the benchmark plan, Latinos in HD 78 were on the verge of consistently electing their candidate of choice. (Ex. 414 ¶ 10 [Dkt. 330-5, at p. 77].)

VI. HARRIS COUNTY

235. In plan H100, there are three Hispanic Citizen Voting-Age Population majority districts in Harris County. (PL Ex. 346 [Dkt. 326-2, at p. 2].)

236. House District 148 was a performing Latino opportunity district in the benchmark. (Tr. 80:20-22.)

Appendix B: Plan Statistics for H283

I. LATINO OPPORTUNITY DISTRICTS IN THE STATE'S ENACTED STATE HOUSE PLAN, H283

a. ELECTION PERFORMANCE IN H283

1. H283 has only thirty Latino opportunity districts: 31, 34, 36, 37, 38, 39, 40, 41, 42, 43, 51, 74, 75, 76, 77, 79, 80, 90, 103, 104, 116, 118, 119, 123, 124, 125, 140, 143, 145, and 148. (2011 Tr. 516:14-20; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28.)

i. HD 31

2. HD 31 in Plan H283 has an HVAP of 94%, an HCVAP of 88.9%, and a SSVR of 91.3%. (PL Ex. 201 [Dkt. 387-201, at pp. 1-2].)

3. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 31. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 1].)

4. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 31. (PL Ex. 201 [Dkt. 387-201, at p. 2]; PL Ex. 261 [Dkt. 387-261, at p. 2]; PL Ex. 262 [Dkt, 387-262, at pp. 2, 7]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 1].)

5. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 31. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 15].)

6. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 31. (PL Ex. 201 [Dkt. 387-201, at

p. 2]; PL Ex. 261 [Dkt. 387-261, at pp. 6, 10]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 15].)

7. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 0 out of 3 racially contested Republican primary elections in HD 31. (PL Ex. 201 [Dkt. 387-201, at p. 2]; PL Ex. 261 [Dkt. 387-261, at p. 15]; PL Ex. 262 [Dkt. 387-262, at p. 12]; PL Ex. 429 [Dkt. 396-429, at p. 2].)

ii. HD 32

8. HD 32 in Plan H283 has an HVAP of 45.9%, an HCVAP of 44.2%, and a SSVR of 37.3%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 3].)

9. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 0 out of 7 racially contested general elections in HD 32. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

10. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 0 out of 13 racially contested general elections in HD 32. (PL Ex. 201 [Dkt. 387-201, at p. 3]; PL Ex. 261 [Dkt. 387-261, at p. 2]; PL Ex. 262 [Dkt, 387-262, at pp. 2, 7]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2_].)

11. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 32. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 15].)

12. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 7 out of 9

racially contested Democratic primary elections in HD 32. (PL Ex. 201 [Dkt. 387-201, at p. 3]; PL Ex. 261 [Dkt. 387-261, at pp. 6, 10]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 15].)

13. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 32. (PL Ex. 201 [Dkt. 387-201, at p. 3]; PL Ex. 261 [Dkt. 387-261, at p. 15]; PL Ex. 262 [Dkt. 387-262, at p. 12]; PL Ex. 429 [Dkt. 396-429, at p. 2].)

iii. HD 33

14. HD 33 in Plan H283 has an HVAP of 13.5%, an HCVAP of 8.5%, and a SSVR of 6.5%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 4].)

15. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 0 out of 7 racially contested general elections in HD 33. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

16. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 0 out of 13 racially contested general elections in HD 33. (PL Ex. 201 [Dkt. 387-201, at p. 4]; PL Ex. 261 [Dkt. 387-261, at p. 2]; PL Ex. 262 [Dkt, 387-262, at pp. 2, 7]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

17. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 0 out of 6 racially contested Democratic primary elections in HD 33. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

18. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 0 out of 9

racially contested Democratic primary elections in HD 33. (PL Ex. 201 [Dkt. 387-201, at p. 4]; PL Ex. 261 [Dkt. 387-261, at pp. 6, 10]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

19. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 33. (PL Ex. 201 [Dkt. 387-201, at p. 4]; PL Ex. 261 [Dkt. 387-261, at p. 15]; PL Ex. 262 [Dkt. 387-262, at p. 12]; PL Ex. 429 [Dkt. 396-429, at p. 2].)

iv. HD 34

20. HD 34 in Plan H283 has an HVAP of 67.7%, an HCVAP of 64.6%, and a SSVR of 60.8%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 5].)

21. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 5 out of 7 racially contested general elections in HD 34. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

22. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 11 out of 13 racially contested general elections in HD 34. (PL Ex. 201 [Dkt. 387-201, at p. 5]; PL Ex. 261 [Dkt. 387-261, at p. 2]; PL Ex. 262 [Dkt, 387-262, at pp. 2, 7]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

23. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 34. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

24. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 34. (PL Ex. 201 [Dkt. 387-201, at p. 5]; PL Ex. 261 [Dkt. 387-261, at pp. 6, 10]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

25. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 34. (PL Ex. 201 [Dkt. 387-201, at p. 5]; PL Ex. 261 [Dkt. 387-261, at p. 15]; PL Ex. 262 [Dkt. 387-262, at p. 12]; PL Ex. 429 [Dkt. 396-429, at p. 2].)

v. HD 35

26. HD 35 in Plan H283 has an HVAP of 54.9%, an HCVAP of 52.5%, and a SSVR of 53.4%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 6].)

27. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 3 out of 7 racially contested general elections in HD 35. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

28. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 7 out of 13 racially contested general elections in HD 35. (PL Ex. 201 [Dkt. 387-201, at p. 6]; PL Ex. 261 [Dkt. 387-261, at p. 2]; PL Ex. 262 [Dkt, 387-262, at pp. 2, 7]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

29. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 35. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

30. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 35. (PL Ex. 201 [Dkt. 387-201, at p. 6]; PL Ex. 261 [Dkt. 387-261, at pp. 6, 10]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

31. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 35. (PL Ex. 201 [Dkt. 387-201, at p. 6]; PL Ex. 261 [Dkt. 387-261, at p. 15]; PL Ex. 262 [Dkt. 387-262, at p. 12]; PL Ex. 429 [Dkt. 396-429, at p. 2].)

vi. HD 36

32. HD 36 in Plan H283 has an HVAP of 92.2%, an HCVAP of 88.7%, and a SSVR of 85.8%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 7].)

33. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 36. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

34. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 36. (PL Ex. 201 [Dkt. 387-201, at p. 7]; PL Ex. 261 [Dkt. 387-261, at p. 2]; PL Ex. 262 [Dkt, 387-262, at pp. 2, 7]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

35. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 36. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

36. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 36. (PL Ex. 201 [Dkt. 387-201, at p. 7]; PL Ex. 261 [Dkt. 387-261, at pp. 6, 10]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

37. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 36. (PL Ex. 201 [Dkt. 387-201, at p. 7]; PL Ex. 261 [Dkt. 387-261, at p. 15]; PL Ex. 262 [Dkt. 387-262, at p. 12]; PL Ex. 429 [Dkt. 396-429, at p. 2].)

vii. HD 37

38. HD 37 in Plan H283 has an HVAP of 86.6%, an HCVAP of 82.3%, and a SSVR of 78%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 8].)

39. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 37. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

40. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 37. (PL Ex. 201 [Dkt. 387-201, at p. 8]; PL Ex. 261 [Dkt. 387-261, at p. 2]; PL Ex. 262 [Dkt, 387-262, at pp. 2, 7]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

41. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 37. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

42. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 37. (PL Ex. 201 [Dkt. 387-201, at p. 8]; PL Ex. 261 [Dkt. 387-261, at pp. 6, 10]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

43. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 37. (PL Ex. 201 [Dkt. 387-201, at p. 8]; PL Ex. 261 [Dkt. 387-261, at p. 15]; PL Ex. 262 [Dkt. 387-262, at p. 12]; PL Ex. 429 [Dkt. 396-429, at p. 2].)

viii. HD 38

44. HD 38 in Plan H283 has an HVAP of 87.3%, an HCVAP of 80.6%, and a SSVR of 77.9%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 9].)

45. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 38. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

46. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 38. (PL Ex. 201 [Dkt. 387-201, at p. 9]; PL Ex. 261 [Dkt. 387-261, at p. 2]; PL Ex. 262 [Dkt, 387-262, at pp. 2, 7]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

47. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 38. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

48. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 38. (PL Ex. 201 [Dkt. 387-201, at p. 9]; PL Ex. 261 [Dkt. 387-261, at pp. 6, 10]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

49. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 38. (PL Ex. 201 [Dkt. 387-201, at p. 9]; PL Ex. 261 [Dkt. 387-261, at p. 15]; PL Ex. 262 [Dkt. 387-262, at p. 12]; PL Ex. 429 [Dkt. 396-429, at p. 2].)

ix. HD 39

50. HD 39 in Plan H283 has an HVAP of 88.5%, an HCVAP of 82.4%, and a SSVR of 83.1%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 10].)

51. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 39. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

52. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 39. (PL Ex. 201 [Dkt. 387-201, at p. 10]; PL Ex. 261 [Dkt. 387-261, at p. 2]; PL Ex. 262 [Dkt, 387-262, at pp. 2, 7]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

53. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 39. (PL Ex. 201 [Dkt.387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

54. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 39. (PL Ex. 201 [Dkt. 387-201, at p. 10]; PL Ex. 261 [Dkt. 387-261, at pp. 6, 10]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

55. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 39. (PL Ex. 201 [Dkt. 387-201, at p. 10]; PL Ex. 261 [Dkt. 387-261, at p. 15]; PL Ex. 262 [Dkt. 387-262, at p. 12]; PL Ex. 429 [Dkt. 396-429, at p. 2].)

x. HD 40

56. HD 40 in Plan H283 has an HVAP of 93.3%, an HCVAP of 89%, and a SSVR of 86.4%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 11].)

57. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 40. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

58. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 40. (PL Ex. 201 [Dkt. 387-201, at p. 11]; PL Ex. 261 [Dkt. 387-261, at p. 2]; PL Ex. 262 [Dkt, 387-262, at pp. 2, 7]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

59. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 40. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

60. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 40. (PL Ex. 201 [Dkt. 387-201, at p. 11]; PL Ex. 261 [Dkt. 387-261, at pp. 6, 10]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

61. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 40. (PL Ex. 201 [Dkt. 387-201, at p. 11]; PL Ex. 261 [Dkt. 387-261, at p. 15]; PL Ex. 262 [Dkt. 387-262, at p. 12]; PL Ex. 429 [Dkt. 396-429, at p. 2].)

xi. HD 41

62. HD 41 in Plan H283 has an HVAP of 76.2%, an HCVAP of 72.1%, and a SSVR of 64.6%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 12].)

63. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 4 out of 7 racially contested general elections in HD 41. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

64. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 13 racially contested general elections in HD 41. (PL Ex. 201 [Dkt. 387-201, at p. 12]; PL Ex. 261 [Dkt. 387-261, at p. 2]; PL Ex. 262 [Dkt, 387-262, at pp. 2, 7]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

65. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 41. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

66. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 41. (PL Ex. 201 [Dkt. 387-201, at p. 12]; PL Ex. 261 [Dkt. 387-261, at pp. 6, 10]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp.6, 16].)

67. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 41. (PL Ex. 201 [Dkt. 387-201, at p. 12]; PL Ex. 261 [Dkt. 387-261, at p. 15]; PL Ex. 262 [Dkt. 387-262, at p. 12]; PL Ex. 429 [Dkt. 396-429, at p. 2].)

xii. HD 42

68. HD 42 in Plan H283 has an HVAP of 95.1%, an HCVAP of 91.1%, and a SSVR of 86%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 13].)

69. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 42. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PLEx. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

70. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 42. (PL Ex. 201 [Dkt. 387-201, at p. 13]; PL Ex. 261 [Dkt. 387-261, at p. 2]; PL Ex. 262 [Dkt, 387-262, at pp. 2, 7]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

71. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 42. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

72. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 42. (PL Ex. 201 [Dkt.387-201, at p. 13]; PL Ex. 261 [Dkt. 387-261, at pp. 6, 10]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

73. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 3 racially contested Republican primary elections in HD 42. (PL Ex. 201 [Dkt. 387-201, at p. 13]; PL Ex. 261 [Dkt. 387-261, at p. 15]; PL Ex. 262 [Dkt. 387-262, at p. 12]; PL Ex. 429 [Dkt. 396-429, at p. 2].)

xiii. HD 43

74. HD 43 in Plan H283 has an HVAP of 76.5%, an HCVAP of 71.7%, and a SSVR of 72.4%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 14].)

75. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 43. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

76. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 43. (PL Ex. 201 [Dkt. 387-201, at p. 14]; PL Ex. 261 [Dkt. 387-261, at p. 2]; PL Ex. 262 [Dkt, 387-262, at pp. 2, 7]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

77. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 43. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

78. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 43. (PL Ex. 201 [Dkt. 387-201, at p. 14]; PL Ex. 261 [Dkt. 387-261, at pp. 6, 10]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

79. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 43. (PL Ex. 201 [Dkt. 387-201, at p. 14]; PL Ex. 261 [Dkt. 387-261, at p. 15]; PL Ex. 262 [Dkt. 387-262, at p. 12]; PL Ex. 429 [Dkt. 396-429, at p. 2].)

xiv. HD 51

80. HD 51 in Plan H283 has an HVAP of 56.2%, an HCVAP of 44%, and a SSVR of 38.2%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 15].)

81. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 51. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

82. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 51. (PL Ex. 201 [Dkt. 387-201, at p. 15]; PL Ex. 261 [Dkt. 387-261, at p. 2]; PL Ex. 262 [Dkt, 387-262, at pp. 2, 7]; PL Ex. 263 [Dkt. 387-263, at p. 2]; PL Ex. 264 [Dkt. 387-264, at p. 7]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

83. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 5 out of 6 racially contested Democratic primary elections in HD 51. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

84. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 7 out of 9

racially contested Democratic primary elections in HD 51. (PL Ex. 201 [Dkt.387-201, at p. 15]; PL Ex. 261 [Dkt. 387-261, at pp. 7, 10]; PL Ex. 263 [Dkt. 387-263, at p. 7]; PL Ex. 264 [Dkt. 387-264, at p. 2]; PL Ex. 265 [Dkt. 387-265, at pp. 6, 16].)

85. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 51. (PL Ex. 201 [Dkt. 387-201, at p. 15]; PL Ex. 261 [Dkt. 387-261, at p. 15]; PL Ex. 262 [Dkt. 387-262, at p. 12]; PL Ex. 429 [Dkt. 396-429, at p. 2].)

xv. HD 74

86. HD 74 in Plan H283 has an HVAP of 76.6%, an HCVAP of 69.4%, and a SSVR of 69.6%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 16].)

87. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 74. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 3]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

88. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 74. (PL Ex. 201 [Dkt. 387-201, at p. 16]; PL Ex. 261 [Dkt. 387-261, at p. 3]; PL Ex. 262 [Dkt, 387-262, at pp. 3, 8]; PL Ex. 263 [Dkt. 387-263, at p. 3]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 2].)

89. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 74. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 8]; PL Ex. 264 [Dkt. 387-264, at p. 3]; PL Ex. 265 [Dkt. 387-265, at pp. 7, 17].)

90. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 74. (PL Ex. 201 [Dkt. 387-201, at p. 16]; PL Ex. 261 [Dkt. 387-261, at pp. 7, 11]; PL Ex. 263 [Dkt. 387-263, at p. 8]; PL Ex. 264 [Dkt. 387-264, at p. 3]; PL Ex. 265 [Dkt. 387-265, at pp.7, 17].)

91. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 0 out of 3 racially contested Republican primary elections in HD 74. (PL Ex. 201 [Dkt. 387-201, at p. 16]; PL Ex. 261 [Dkt. 387-261, at p. 16]; PL Ex. 262 [Dkt. 387-262, at p. 13]; PL Ex. 429 [Dkt. 396-429, at p. 3].)

xvi. HD 75

92. HD 75 in Plan H283 has an HVAP of 91.8%, an HCVAP of 89%, and a SSVR of 81.2%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 17].)

93. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 75. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 3]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

94. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 75. (PL Ex. 201 [Dkt. 387-201, at p. 17]; PL Ex. 261 [Dkt. 387-261, at p. 3]; PL Ex. 262 [Dkt, 387-262, at pp. 3, 8]; PL Ex. 263 [Dkt. 387-263, at p. 3]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

95. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 75. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 8]; PL Ex. 264 [Dkt. 387-264, at p. 3]; PL Ex. 265 [Dkt. 387-265, at pp. 7, 17].)

96. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 75. (PL Ex. 201 [Dkt. 387-201, at p. 17]; PL Ex. 261 [Dkt. 387-261, at pp. 7, 11]; PL Ex. 263 [Dkt. 387-263, at p. 8]; PL Ex. 264 [Dkt. 387-264, at p. 3]; PL Ex. 265 [Dkt. 387-265, at pp. 7, 17].)

97. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 75. (PL Ex. 201 [Dkt. 387-201, at p. 17]; PL Ex. 261 [Dkt. 387-261, at p. 16]; PL Ex. 262 [Dkt. 387-262, at p. 13]; PL Ex. 429 [Dkt. 396-429, at p. 3].)

xvii. HD 76

98. HD 76 in Plan H283 has an HVAP of 87.3%, an HCVAP of 83.5%, and a SSVR of 81.3%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 18].)

99. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 76. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 3]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

100. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 76. (PL Ex. 201 [Dkt. 387-201, at p. 18]; PL Ex. 261 [Dkt. 387-261, at p. 3]; PL Ex. 262 [Dkt, 387-262, at pp. 3, 8]; PL Ex. 263 [Dkt. 387-263, at p. 3]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

101. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 76. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 8]; PL Ex. 264 [Dkt. 387-264, at p. 3]; PL Ex. 265 [Dkt. 387-265, at pp. 7, 17].)

102. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 76. (PL Ex. 201 [Dkt. 387-201, at p. 18]; PL Ex. 261 [Dkt. 387-261, at pp. 7, 11]; PL Ex. 263 [Dkt. 387-263, at p. 8]; PL Ex. 264 [Dkt. 387-264, at p. 3]; PL Ex. 265 [Dkt. 387-265, at pp. 7, 17].)

103. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 76. (PL Ex. 201 [Dkt. 387-201, at p. 18]; PL Ex. 261 [Dkt. 387-261, at p. 16]; PL Ex. 262 [Dkt. 387-262, at p. 13]; PL Ex. 429 [Dkt. 396-429, at p. 3].)

xviii. HD 77

104. HD 77 in Plan H283 has an HVAP of 78.4%, an HCVAP of 73.4%, and a SSVR of 66.4%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 19].)

105. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 77. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 3]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

106. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 77. (PL Ex. 201 [Dkt. 387-201, at p. 19]; PL Ex. 261 [Dkt. 387-261, at p. 3]; PL Ex. 262 [Dkt, 387-262, at pp. 3, 8]; PL Ex. 263 [Dkt. 387-263, at p. 3]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

107. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 77. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 8]; PL Ex. 264 [Dkt. 387-264, at p. 3]; PL Ex. 265 [Dkt. 387-265, at pp. 7, 17].)

108. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 77. (PL Ex. 201 [Dkt. 387-201, at p. 19]; PL Ex. 261 [Dkt. 387-261, at pp. 7, 11]; PL Ex. 263 [Dkt. 387-263, at p. 8]; PL Ex. 264 [Dkt. 387-264, at p. 3]; PL Ex. 265 [Dkt. 387-265, at pp. 7, 17].)

109. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 77. (PL Ex. 201 [Dkt. 387-201, at p. 19]; PL Ex. 261 [Dkt. 387-261, at p. 16]; PL Ex. 262 [Dkt. 387-262, at p. 13]; PL Ex. 429 [Dkt. 396-429, at p. 3].)

xix. HD 78

110. HD 78 in Plan H283 has an HVAP of 62.6%, an HCVAP of 55.2%, and a SSVR of 47.1%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 20].)

111. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 3 out of 7 racially contested general elections in HD 78. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 3]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

112. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 13 racially contested general elections in HD 78. (PL Ex. 201 [Dkt. 387-201, at p. 20]; PL Ex. 261 [Dkt. 387-261, at p. 3]; PL Ex. 262 [Dkt, 387-262, at pp. 3, 8]; PL Ex. 263 [Dkt. 387-263, at p. 3]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

113. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 78. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 8]; PL Ex. 264 [Dkt. 387-264, at p. 3]; PL Ex. 265 [Dkt. 387-265, at pp. 7, 17].)

114. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 6 out of 9

racially contested Democratic primary elections in HD 78. (PL Ex. 201 [Dkt. 387-201, at p. 20]; PL Ex. 261 [Dkt. 387-261, at pp. 7, 11]; PL Ex. 263 [Dkt. 387-263, at p. 8]; PL Ex. 264 [Dkt. 387-264, at p. 3]; PL Ex. 265 [Dkt. 387-265, at pp. 7, 17].)

115. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 78. (PL Ex. 201 [Dkt. 387-201, at p. 20]; PL Ex. 261 [Dkt. 387-261, at p. 16]; PL Ex. 262 [Dkt. 387-262, at p. 13]; PL Ex. 429 [Dkt. 396-429, at p. 3].)

xx. HD 79

116. HD 79 in Plan H283 has an HVAP of 79.9%, an HCVAP of 76.7%, and a SSVR of 69.3%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 21].)

117. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 79. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 3]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

118. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 79. (PL Ex. 201 [Dkt. 387-201, at p. 21]; PL Ex. 261 [Dkt. 387-261, at p. 3]; PL Ex. 262 [Dkt, 387-262, at pp. 3, 8]; PL Ex. 263 [Dkt. 387-263, at p. 3]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

119. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 79. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 8]; PL Ex. 264 [Dkt. 387-264, at p. 3]; PL Ex. 265 [Dkt. 387-265, at pp. 7, 17].)

120. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 79. (PL Ex. 201 [Dkt. 387-201, at p. 21]; PL Ex. 261 [Dkt. 387-261, at pp. 7, 11]; PL Ex. 263 [Dkt. 387-263, at p. 8]; PL Ex. 264 [Dkt. 387-264, at p. 3]; PL Ex. 265 [Dkt. 387-265, at pp. 7, 17].)

121. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 79. (PL Ex. 201 [Dkt. 387-201, at p. 21]; PL Ex. 261 [Dkt. 387-261, at p. 16]; PL Ex. 262 [Dkt. 387-262, at p. 13]; PL Ex. 429 [Dkt. 396-429, at p. 3].)

xxi. HD 80

122. HD 80 in Plan H283 has an HVAP of 86.1%, an HCVAP of 79.7%, and a SSVR of 79%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 22].)

123. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 80. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 3]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

124. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 80. (PL Ex. 201 [Dkt. 387-201, at p. 22]; PL Ex. 261 [Dkt. 387-261, at p. 3]; PL Ex. 262 [Dkt, 387-262, at pp. 3, 8]; PL Ex. 263 [Dkt. 387-263, at p. 3]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

125. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 80. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 8]; PL Ex. 264 [Dkt. 387-264, at p. 3]; PL Ex. 265 [Dkt. 387-265, at pp. 7, 17].)

126. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 80. (PL Ex. 201 [Dkt. 387-201, at p. 22]; PL Ex. 261 [Dkt. 387-261, at pp. 7, 11]; PL Ex. 263 [Dkt. 387-263, at p. 8]; PL Ex. 264 [Dkt. 387-264, at p. 3]; PL Ex. 265 [Dkt. 387-265, at pp. 7, 17].)

127. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 80. (PL Ex. 201 [Dkt.387-201, at p. 22]; PL Ex. 261 [Dkt. 387-261, at p. 16]; PL Ex. 262 [Dkt. 387-262, at p. 13]; PL Ex. 429 [Dkt. 396-429, at p. 3].)

xxii. HD 90

128. HD 90 in Plan H283 has an HVAP of 71%, an HCVAP of 49.7%, and a SSVR of 50.1%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 23].)

129. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 90. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 3]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

130. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 90. (PL Ex. 201 [Dkt. 387-201, at p. 23]; PL Ex. 261 [Dkt. 387-261, at p. 3]; PL Ex. 262 [Dkt, 387-262, at pp. 3, 8]; PL Ex. 263 [Dkt. 387-263, at p. 3]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

131. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 90. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 8]; PL Ex. 264 [Dkt. 387-264, at p. 3]; PL Ex. 265 [Dkt. 387-265, at pp. 7, 17].)

132. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 9

racially contested Democratic primary elections in HD 90. (PL Ex. 201 [Dkt. 387-201, at p. 23]; PL Ex. 261 [Dkt. 387-261, at pp. 7, 11]; PL Ex. 263 [Dkt. 387-263, at p. 8]; PL Ex. 264 [Dkt. 387-264, at p. 3]; PL Ex. 265 [Dkt. 387-265, at pp. 7, 17].)

133. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 90. (PL Ex. 201 [Dkt. 387-201, at p. 23]; PL Ex. 261 [Dkt. 387-261, at p. 16]; PL Ex. 262 [Dkt. 387-262, at p. 13]; PL Ex. 429 [Dkt. 396-429, at p. 3].)

xxiii. HD 103

134. HD 103 in Plan H283 has an HVAP of 67.7%, an HCVAP of 44.6%, and a SSVR of 38.1%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 24].)

135. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 103. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

136. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 103. (PL Ex. 201 [Dkt. 387-201, at p. 24]; PL Ex. 261 [Dkt. 387-261, at p. 4]; PL Ex. 262 [Dkt, 387-262, at pp. 4, 9]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

137. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 4 out of 6 racially contested Democratic primary elections in HD 103. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 9]; PL Ex. 264 [Dkt. 387-264, at p. 4]; PL Ex. 265 [Dkt. 387-265, at pp. 8, 18].)

138. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 5 out of 9

racially contested Democratic primary elections in HD 103. (PL Ex. 201 [Dkt. 387-201, at p. 24]; PL Ex. 261 [Dkt. 387-261, at pp. 7, 12]; PL Ex. 263 [Dkt. 387-263, at p. 9]; PL Ex. 264 [Dkt. 387-264, at p. 4]; PL Ex. 265 [Dkt. 387-265, at pp. 8, 18].)

139. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 103. (PL Ex. 201 [Dkt. 387-201, at p. 24]; PL Ex. 261 [Dkt. 387-261, at p. 16]; PL Ex. 262 [Dkt. 387-262, at p. 14]; PL Ex. 429 [Dkt. 396-429, at p. 4].)

xxiv. HD 104

140. HD 104 in Plan H283 has an HVAP of 69.2%, an HCVAP of 51.7%, and a SSVR of 50.1%. (PL Ex. 201 [Dkt. 387-201, at p. 1].)

141. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 104. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

142. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 104. (PL Ex. 201 [Dkt. 387-201, at p. 25]; PL Ex. 261 [Dkt. 387-261, at p. 4]; PL Ex. 262 [Dkt, 387-262, at pp. 4, 9]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 8]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

143. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 104. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 9]; PL Ex. 264 [Dkt. 387-264, at p. 4]; PL Ex. 265 [Dkt. 387-265, at pp. 8, 18].)

144. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 9

racially contested Democratic primary elections in HD 104. (PL Ex. 201 [Dkt. 387-201, at p. 25]; PL Ex. 261 [Dkt. 387-261, at pp. 8, 12]; PL Ex. 263 [Dkt. 387-263, at p. 9]; PL Ex. 264 [Dkt. 387-264, at p. 4]; PL Ex. 265 [Dkt. 387-265, at pp. 8, 18].)

145. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 104. (PL Ex. 201 [Dkt. 387-201, at p. 25]; PL Ex. 261 [Dkt. 387-261, at p. 16]; PL Ex. 262 [Dkt. 387-262, at p. 14]; PL Ex. 429 [Dkt. 396-429, at p. 4].)

xxv. HD 116

146. HD 116 in Plan H283 has an HVAP of 59.9%, an HCVAP of 57.1%, and a SSVR of 51.6%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 26].)

147. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 116. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

148. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 116. (PL Ex. 201 [Dkt. 387-201, at p. 26]; PL Ex. 261 [Dkt. 387-261, at p. 4]; PL Ex. 262 [Dkt, 387-262, at pp. 4, 9]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

149. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 116. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 9]; PL Ex. 264 [Dkt. 387-264, at p. 4]; PL Ex. 265 [Dkt. 387-265, at pp. 8, 18].)

150. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 116. (PL Ex. 201 [Dkt. 387-201, at p. 26]; PL Ex. 261 [Dkt. 387-261, at pp. 8, 12]; PL Ex. 263 [Dkt. 387-263, at p. 9]; PL Ex. 264 [Dkt. 387-264, at p. 4]; PL Ex. 265 [Dkt. 387-265, at pp. 8, 18].)

151. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 116. (PL Ex. 201 [Dkt. 387-201, at p. 26]; PL Ex. 261 [Dkt. 387-261, at p. 17]; PL Ex. 262 [Dkt. 387-262, at p. 14]; PL Ex. 429 [Dkt. 396-429, at p. 4].)

xxvi. HD117

152. HD 117 in Plan H283 has an HVAP of 62.7%, an HCVAP of 63.8%, and a SSVRof 50.1%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 27].)

153. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 3 out of 7 racially contested general elections in HD 117. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

154. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 4 out of 13 racially contested general elections in HD 117. (PL Ex. 201 [Dkt. 387-201, at p. 27]; PL Ex. 261 [Dkt. 387-261, at p. 4]; PL Ex. 262 [Dkt, 387-262, at pp. 4, 9]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 3].)

155. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 117. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 9]; PL Ex. 264 [Dkt. 387-264, at p. 4]; PL Ex. 265 [Dkt. 387-265, at pp. 8, 18].)

156. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 117. (PL Ex. 201 [Dkt. 387-201, at p. 27]; PL Ex. 261 [Dkt. 387-261, at pp. 8, 12]; PL Ex. 263 [Dkt. 387-263, at p. 9]; PL Ex. 264 [Dkt. 387-264, at p. 4]; PL Ex. 265 [Dkt. 387-265, at pp. 8, 18].)

157. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 117. (PL Ex. 201 [Dkt. 387-201, at p. 27]; PL Ex. 261 [Dkt. 387-261, at p. 17]; PL Ex. 262 [Dkt. 387-262, at p. 14]; PL Ex. 429 [Dkt. 396-429, at p. 4].)

xxvii. HD 118

158. HD 118 in Plan H283 has an HVAP of 64.8%, an HCVAP of 64.7%, and a SSVR of 60.3%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 28].)

159. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 118. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

160. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 118. (PL Ex. 201 [Dkt. 387-201, at p. 28]; PL Ex. 261 [Dkt. 387-261, at p. 4]; PL Ex. 262 [Dkt, 387-262, at pp. 4, 9]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

161. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 118. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 9]; PL Ex. 264 [Dkt. 387-264, at p. 4]; PL Ex. 265 [Dkt. 387-265, at pp. 8, 18].)

162. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 118. (PL Ex. 201 [Dkt. 387-201, at p. 28]; PL Ex. 261 [Dkt. 387-261, at pp. 8, 12]; PL Ex. 263 [Dkt. 387-263, at p. 9]; PL Ex. 264 [Dkt. 387-264, at p. 4]; PL Ex. 265 [Dkt. 387-265, at pp. 8, 18].)

163. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 118. (PL Ex. 201 [Dkt. 387-201, at p. 28]; PL Ex. 261 [Dkt. 387-261, at p. 17]; PL Ex. 262 [Dkt. 387-262, at p. 14]; PL Ex. 429 [Dkt. 396-429, at p. 4].)

xxviii. HD 119

164. HD 119 in Plan H283 has an HVAP of 62.7%, an HCVAP of 58.3%, and a SSVR of 51.4%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 29].)

165. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 119. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)'

166. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 119. (PL Ex. 201 [Dkt. 387-201, at p. 29]; PL Ex. 261 [Dkt. 387-261, at p. 4]; PL Ex. 262 [Dkt, 387-262, at pp. 4, 9]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

167. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 119. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 9]; PL Ex. 264 [Dkt. 387-264, at p. 4]; PL Ex. 265 [Dkt. 387-265, at pp. 8, 18].)

168. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 9

racially contested Democratic primary elections in HD 119. (PL Ex. 201 [Dkt. 387-201, at p. 29]; PL Ex. 261 [Dkt. 387-261, at pp. 8, 12]; PL Ex. 263 [Dkt. 387-263, at p. 9]; PL Ex. 264 [Dkt. 387-264, at p. 4]; PL Ex. 265 [Dkt. 387-265, at pp. 8, 18].)

169. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 119. (PL Ex. 201 [Dkt. 387-201, at p. 29]; PL Ex. 261 [Dkt. 387-261, at p. 17]; PL Ex. 262 [Dkt. 387-262, at p. 14]; PL Ex. 429 [Dkt. 396-429, at p. 4].)

xxix. HD 123

170. HD 123 in Plan H283 has an HVAP of 66.5%, an HCVAP of 62.3%, and a SSVR of 54.3%. (PL Ex. 201 [Dkt. 387-201, at p. 1].)

171. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 123. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

172. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 123. (PL Ex. 201 [Dkt. 387-201, at p. 30]; PL Ex. 261 [Dkt. 387-261, at p. 4]; PL Ex. 262 [Dkt, 387-262, at pp. 4, 9]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

173. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 123. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 9]; PL Ex. 264 [Dkt. 387-264, at p. 4]; PL Ex. 265 [Dkt. 387-265, at pp. 8, 18].)

174. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 123. (PL Ex. 201 [Dkt. 387-201, at p. 30]; PL Ex. 261 [Dkt. 387-261, at pp. 8, 12]; PL Ex. 263 [Dkt. 387-263, at p. 9]; PL Ex. 264 [Dkt. 387-264, at p. 4]; PL Ex. 265 [Dkt. 387-265, at pp. 8, 18].)

175. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 123. (PL Ex. 201 [Dkt. 387-201, at p. 30]; PL Ex. 261 [Dkt. 387-261, at p. 17]; PL Ex. 262 [Dkt. 387-262, at p. 14]; PL Ex. 429 [Dkt. 396-429, at p. 4].)

xxx. HD124

176. HD 124 in Plan H283 has an HVAP of 66%, an HCVAP of 62.4%, and a SSVR of 54.6%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 31].)

177. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 124. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

178. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 124. (PL Ex. 201 [Dkt. 387-201, at p. 31]; PL Ex. 261 [Dkt. 387-261, at p. 4]; PL Ex. 262 [Dkt, 387-262, at pp. 4, 9]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

179. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 124. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at pp. 4].)

180. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 9

racially contested Democratic primary elections in HD 124. (PL Ex. 201 [Dkt. 387-201, at p. 31]; PL Ex. 261 [Dkt. 387-261, at pp. 8, 12]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at pp. 4].)

181. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 124. (PL Ex. 201 [Dkt. 387-201, at p. 31]; PL Ex. 261 [Dkt. 387-261, at p. 17]; PL Ex. 262 [Dkt. 387-262, at p. 14]; PL Ex. 429 [Dkt. 396-429, at p. 4].)

xxxi. HD 125

182. HD 125 in Plan H283 has an HVAP of 69.1%, an HCVAP of 64.3%, and a SSVR of 59.1%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 32].)

183. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 125. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

184. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 125. (PL Ex. 201 [Dkt. 387-201, at p. 32]; PL Ex. 261 [Dkt. 387-261, at p. 4]; PL Ex. 262 [Dkt, 387-262, at pp. 4, 9]; PL Ex. 263 [Dkt. 387-263, at p. 4]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

185. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 125. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 9]; PL Ex. 264 [Dkt. 387-264, at p. 4]; PL Ex. 265 [Dkt. 387-265, at pp. 8, 18].)

186. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9

racially contested Democratic primary elections in HD 125. (PL Ex. 201 [Dkt. 387-201, at p. 32]; PL Ex. 261 [Dkt. 387-261, at pp. 8, 12]; PL Ex. 263 [Dkt. 387-263, at p. 9]; PL Ex. 264 [Dkt. 387-264, at p. 4]; PL Ex. 265 [Dkt. 387-265, at pp. 8, 18].)

187. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 125. (PL Ex. 201 [Dkt. 387-201, at p. 32]; PL Ex. 261 [Dkt. 387-261, at p. 17]; PL Ex. 262 [Dkt. 387-262, at p. 14]; PL Ex. 429 [Dkt. 396-429, at p. 4].)

xxxii. HD 137

188. HD 137 in Plan H283 has an HVAP of 55.3%, an HCVAP of 26.3%, and a SSVR of 24.3%. (PL Ex. 201 [Dkt. 387-201, at p. 1].)

189. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 137. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 5]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

190. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 137. (PL Ex. 201 [Dkt. 387-201, at p. 33]; PL Ex. 261 [Dkt. 387-261, at p. 5]; PL Ex. 262 [Dkt, 387-262, at pp. 5, 10]; PL Ex. 263 [Dkt. 387-263, at p. 5]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

191. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 2 out of 6 racially contested Democratic primary elections in HD 137. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 10]; PL Ex. 264 [Dkt. 387-264, at p. 5]; PL Ex. 265 [Dkt. 387-265, at pp. 9, 19].)

192. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 9 racially contested Democratic primary elections in HD 137. (PL Ex. 201 [Dkt. 387-201, at p. 33]; PL Ex. 261 [Dkt. 387-261, at pp. 8, 13]; PL Ex. 263 [Dkt. 387-263, at p.10]; PL Ex. 264 [Dkt. 387-264, at p. 5]; PL Ex. 265 [Dkt. 387-265, at pp. 9, 19].)

193. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 137. (PL Ex. 201 [Dkt. 387-201, at p. 33]; PL Ex. 261 [Dkt. 387-261, at p. 17]; PL Ex. 262 [Dkt. 387-262, at p. 15]; PL Ex. 429 [Dkt. 396-429, at p. 5].)

xxxiii. HD 140

194. HD 140 in Plan H283 has an HVAP of 75.8%, an HCVAP of 58.5%, and a SSVR of 52.2%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 34].)

195. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 140. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 5]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

196. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 140. (PL Ex. 201 [Dkt. 387-201, at p. 34]; PL Ex. 261 [Dkt. 387-261, at p. 5]; PL Ex. 262 [Dkt, 387-262, at pp. 5, 10]; PL Ex. 263 [Dkt. 387-263, at p. 5]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

197. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 4 out of 6 racially contested Democratic primary elections in HD 140. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 10]; PL Ex. 264 [Dkt. 387-264, at p. 5]; PL Ex.

265 [Dkt. 387-265, at pp. 9, 19].)

198. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 6 out of 9 racially contested Democratic primary elections in HD 140. (PL Ex. 201 [Dkt. 387-201, at p. 34]; PL Ex. 261 [Dkt. 387-261, at pp. 8, 13]; PL Ex. 263 [Dkt. 387-263, at p. 10]; PL Ex. 264 [Dkt. 387-264, at p. 5]; PL Ex. 265 [Dkt. 387-265, at pp. 9, 19].)

199. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 140. (PL Ex. 201 [Dkt. 387-201, at p. 34]; PL Ex. 261 [Dkt. 387-261, at p. 17]; PL Ex. 262 [Dkt. 387-262, at p. 15]; PL Ex. 429 [Dkt. 396-429, at p. 5].)

xxxiv. HD 143

200. HD 143 in Plan H283 has an HVAP of 73.3%, an HCVAP of 57%, and a SSVR of 53.1%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 35].)

201. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 143. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 5]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

202. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 143. (PL Ex. 201 [Dkt. 387-201, at p. 35]; PL Ex. 261 [Dkt. 387-261, at p. 5]; PL Ex. 262 [Dkt, 387-262, at pp. 5, 10]; PL Ex. 263 [Dkt. 387-263, at p. 5]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

203. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 4 out of 6 racially contested Democratic primary elections in HD 143. (PL Ex. 201 [Dkt. 387-201,

at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 10]; PL Ex. 264 [Dkt. 387-264, at p. 5]; PL Ex. 265 [Dkt. 387-265, at pp. 9, 19].)

204. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 7 out of 9 racially contested Democratic primary elections in HD 143. (PL Ex. 201[Dkt. 387-201, at p. 35]; PL Ex. 261 [Dkt. 387-261, at pp. 8, 13]; PL Ex. 263 [Dkt. 387-263, at p. 10]; PL Ex. 264 [Dkt. 387-264, at p. 5]; PL Ex. 265 [Dkt. 387-265, at pp. 9, 19].)

205. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 143. (PL Ex. 201 [Dkt. 387-201, at p. 35]; PL Ex. 261 [Dkt. 387-261, at p. 17]; PL Ex. 262 [Dkt. 387-262, at p. 15]; PL Ex. 429 [Dkt. 396-429, at p. 5].)

xxxv. HD 144

206. HD 144 in Plan H283 has an HVAP of 48.5%, an HCVAP of 31.2%, and a SSVR of 28.5%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 36].)

207. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 0 out of 7 racially contested general elections in HD 144. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 5]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

208. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 0 out of 13 racially contested general elections in HD 144. (PL Ex. 201 [Dkt. 387-201, at p. 36]; PL Ex. 261 [Dkt. 387-261, at p. 5]; PL Ex. 262 [Dkt, 387-262, at pp. 5, 10]; PL Ex. 263 [Dkt. 387-263, at p. 5]; PL Ex. 264 [Dkt. 387-264, at p. 9]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

209. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 3 out of 6

racially contested Democratic primary elections in HD 144. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 10]; PL Ex. 264 [Dkt. 387-264, at p. 5]; PL Ex. 265 [Dkt. 387-265, at pp. 9, 19].)

210. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 9 racially contested Democratic primary elections in HD 144. (PL Ex. 201 [Dkt. 387-201, at p. 36]; PL Ex. 261 [Dkt. 387-261, at pp. 8, 13]; PL Ex. 263 [Dkt. 387-263, at p. 10]; PL Ex. 264 [Dkt. 387-264, at p. 5]; PL Ex. 265 [Dkt. 387-265, at pp. 9, 19].)

211. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 144. (PL Ex. 201 [Dkt. 387-201, at p. 36]; PL Ex. 261 [Dkt. 387-261, at p. 17]; PL Ex. 262 [Dkt. 387-262, at p. 15]; PL Ex. 429 [Dkt. 396-429, at p. 5].)

xxxvi. HD 145

212. HD 145 in Plan H283 has an HVAP of 69.9%, an HCVAP of 56.2%, and a SSVR of 51.6%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 37].)

213. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 145. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 5]; PL Ex. 264 [Dkt. 387-264, at p. 10]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

214. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 145. (PL Ex. 201 [Dkt. 387-201, at p. 37]; PL Ex. 261 [Dkt. 387-261, at p. 5]; PL Ex. 262 [Dkt, 387-262, at pp. 5, 10]; PL Ex. 263 [Dkt. 387-263, at p. 5]; PL Ex. 264 [Dkt. 387-264, at p. 10]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

215. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 4 out of 6 racially contested Democratic primary elections in HD 145. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 10]; PL Ex. 264 [Dkt. 387-264, at p. 5]; PL Ex. 265 [Dkt. 387-265, at pp. 9, 19].)

216. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 7 out of 9 racially contested Democratic primary elections in HD 145. (PL Ex. 201 [Dkt. 387-201, at p. 37]; PL Ex. 261 [Dkt. 387-261, at pp. 8, 13]; PL Ex. 263 [Dkt. 387-263, at p. 10]; PL Ex. 264 [Dkt. 387-264, at p. 5]; PL Ex. 265 [Dkt. 387-265, at pp. 9, 19].)

217. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 3 racially contested Republican primary elections in HD 145. (PL Ex. 201 [Dkt. 387-201, at p. 37]; PL Ex. 261 [Dkt. 387-261, at p. 17]; PL Ex. 262 [Dkt. 387-262, at p. 15]; PL Ex. 429 [Dkt. 396-429, at p. 5].)

xxxvii. HD 148

218. HD 148 in Plan H283 has an HVAP of 68.9%, an HCVAP of 51.4%, and a SSVR of 50%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 38].)

219. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 148. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 5]; PL Ex. 264 [Dkt. 387-264, at p. 10]; PL Ex. 265 [Dkt. 387-265, at p. 4].)

220. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 148. (PL Ex. 201 [Dkt. 387-201, at p. 38]; PL Ex. 261 [Dkt. 387-261, at p. 5]; PL Ex. 262 [Dkt, 387-262, at pp. 5, 10]; PL Ex. 263 [Dkt. 387-263, at p. 5]; PL Ex. 264 [Dkt. 387-264, at p. 10]; PL Ex. 265 [Dkt. 387-265, at

p. 4].)

221. In Plan H283, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 148. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 263 [Dkt. 387-263, at p. 10]; PL Ex. 264 [Dkt. 387-264, at p. 5]; PL Ex. 265 [Dkt. 387-265, at pp. 9, 19].)

222. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 148. (PL Ex. 201 [Dkt. 387-201, at p. 38]; PL Ex. 261 [Dkt. 387-261, at pp. 8, 13]; PL Ex. 263 [Dkt. 387-263, at p. 10]; PL Ex. 264 [Dkt. 387-264, at p. 5]; PL Ex. 265 [Dkt. 387-265, at pp. 9, 19].)

223. In Plan H283, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 3 racially contested Republican primary elections in HD 148. (PL Ex. 201 [Dkt. 387-201, at p. 38]; PL Ex. 261 [Dkt. 387-261, at p. 17]; PL Ex. 262 [Dkt. 387-262, at p. 15]; PL Ex. 429 [Dkt. 396-429, at p. 5].)

Appendix C: Plan Statistics for H292

VII. LATINO OPPORTUNITY DISTRICTS IN THE LATINO TASK FORCE PLAINTIFFS' DEMONSTRATIVE STATE HOUSE PLAN, H292

A. ELECTION PERFORMANCE IN PLAN H292

224. The demonstrative redistricting plan offered by the Texas Latino Redistricting Task Force, H292, created thirty-four Latino opportunity districts: 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 51, 74, 75, 76, 77, 78, 79, 90, 103, 104, 116, 117, 118, 119, 123, 124, 125, 140, 143, 145, and 148. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28; Tr. 515:10-18.)

a. **HD 31**

225. HD 31 in Plan H292 has an HVAP of 95.8%, an HCVAP of 94.8%, and a SSVR of 91.1%. (PL Ex. 201 [Dkt. 387-201, at pp. 1-2].)

226. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 31. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 1].)

227. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 31. (PL Ex. 201 [Dkt. 387-201, at p. 2]; PL Ex. 266 [Dkt. 387-266, at p. 2]; PL Ex. 267 [Dkt. 387-267, at pp.2, 7]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 1].)

228. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 31. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 6]; PL Ex. 270 [Dkt. 387-270, at pp. 10, 16].)

229. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 31. (PL Ex. 201 [Dkt. 387-201, at p. 2]; PL Ex. 266 [Dkt. 387-266, at pp. 10, 6]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 6]; PL Ex. 270 [Dkt. 387-270, at pp. 10, 16].)

230. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 3 racially contested Republican primary elections in HD 31. (PL Ex. 201 [Dkt. 387-201, at p. 2]; PL Ex. 266 [Dkt. 387-266, at p. 15]; PL Ex. 267 [Dkt. 387- 267, at p. 12]; PL Ex. 270 [Dkt. 387-270, at p. 21].)

ii. HD 32

231. HD 32 in Plan H292 has an HVAP of 91.6%, an HCVAP of 85.6%, and a SSVR of 82.7%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 3].)

232. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 32. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

233. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 32. (PL Ex. 201 [Dkt. 387-201, at p. 3]; PL Ex. 266 [Dkt. 387-266, at p. 2]; PL Ex. 267 [Dkt. 387-267, at pp.2, 7]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

234. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 32. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp. 10, 16].)

235. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 32. (PL Ex. 201 [Dkt. 387-201, at p. 3]; PL Ex. 266 [Dkt. 387-266, at pp. 10, 6]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp. 10, 16].)

236. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 32. (PL Ex. 201 [Dkt. 387-201, at p. 3]; PL Ex. 266 [Dkt. 387-266, at p. 15]; PL Ex. 267 [Dkt. 387- 267, at p. 12]; PL Ex. 270 [Dkt. 387-270, at p. 21].)

iii. HD 33

237. HD 33 in Plan H292 has an HVAP of 58.7%, an HCVAP of 57.4%, and a SSVR of 50.9%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 4].)

238. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 4 out of 7 racially contested general elections in HD 33. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

239. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 13 racially contested general elections in HD 33. (PL Ex. 201 [Dkt. 387-201, at p. 4]; PL Ex. 266 [Dkt. 387-266, at p. 2]; PL Ex. 267 [Dkt. 387-267, at pp.2, 7]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

240. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 33. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp. 11, 16].)

241. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 33. (PL Ex. 201 [Dkt. 387-201, at p. 4]; PL Ex. 266 [Dkt. 387-266, at pp. 10, 6]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp. 11, 16].)

242. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 33. (PL Ex. 201 [Dkt. 387-201, at p. 4]; PL Ex. 266 [Dkt. 387-266, at p. 15]; PL Ex. 267 [Dkt. 387- 267, at p. 12]; PL Ex. 270 [Dkt. 387-270, at p. 21].)

iv. HD 34

243. HD 34 in Plan H292 has an HVAP of 60.1%, an HCVAP of 57.1%, and a SSVR of 53.5%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 5].)

244. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 4 out of 7 racially contested general elections in HD 34. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

245. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 13 racially contested general elections in HD 34. (PL Ex. 201 [Dkt. 387-201, at p. 5]; PL Ex. 266 [Dkt. 387-266, at p. 2]; PL Ex. 267 [Dkt. 387-267, at pp. 2, 7]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

246. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 34. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp. 11, 16].)

247. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 34. (PL Ex. 201 [Dkt. 387-201, at p. 5]; PL Ex. 266 [Dkt. 387-266, at pp. 10, 6]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp.11, 16].)

248. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 34. (PL Ex. 201 [Dkt. 387-201, at p. 5]; PL Ex. 266 [Dkt. 387-266, at p. 15]; PL Ex. 267 [Dkt. 387- 267, at p. 12]; PL Ex. 270 [Dkt. 387-270, at p. 21].)

v. HD 35

249. HD 35 in Plan H292 has an HVAP of 59.3%, an HCVAP of 56.6%, and a SSVR of 58.3%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 6].)

250. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 5 out of 7 racially contested general elections in HD 35. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at p. 11, 16].)

251. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 10 out of 13 racially contested general elections in HD 35. (PL Ex. 201 [Dkt. 387-201, at p. 6]; PL Ex. 266 [Dkt. 387-266, at p. 2]; PL Ex. 267 [Dkt. 387-267, at pp. 2, 7]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at p. 11, 16].)

252. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 35. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270

[Dkt. 387-270, at pp. 11, 16].)

253. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 35. (PL Ex. 201 [Dkt. 387-201, at p. 6]; PL Ex. 266 [Dkt. 387-266, at pp. 10, 6]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp. 11, 16].)

254. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 0 out of 3 racially contested Republican primary elections in HD 35. (PL Ex. 201 [Dkt. 387-201, at p. 6]; PL Ex. 266 [Dkt. 387-266, at p. 15]; PL Ex. 267 [Dkt. 387- 267, at p. 12]; PL Ex. 270 [Dkt. 387-270, at p. 21].)

vi. HD 36

255. HD 36 in Plan H292 has an HVAP of 90.3%, an HCVAP of 85.8%, and a SSVR of 81.9%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 7].)

256. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 36. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

257. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 36. (PL Ex. 201 [Dkt. 387-201, at p. 7]; PL Ex. 266 [Dkt. 387-266, at p. 2]; PL Ex. 267 [Dkt. 387-267, at pp. 2, 7]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

258. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 36. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270

[Dkt. 387-270, at pp. 11, 16].)

259. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 36. (PL Ex. 201 [Dkt. 387-201, at p. 7]; PL Ex. 266 [Dkt. 387-266, at pp. 10, 6]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp.11, 16].)

260. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 36. (PL Ex. 201 [Dkt. 387-201, at p. 7]; PL Ex. 266 [Dkt. 387-266, at p. 15]; PL Ex. 267 [Dkt. 387- 267, at p. 12]; PL Ex. 270 [Dkt. 387-270, at p. 21].)

vii. HD 37

261. HD 37 in Plan H292 has an HVAP of 87.3%, an HCVAP of 82.4%, and a SSVR of 78.7%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 8].)

262. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 37. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

263. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 37. (PL Ex. 201 [Dkt. 387-201, at p. 8]; PL Ex. 266 [Dkt. 387-266, at p. 2]; PL Ex. 267 [Dkt. 387-267, at pp. 2, 7]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

264. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 37. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270

[Dkt. 387-270, at pp. 11, 16].)

265. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 37. (PL Ex. 201 [Dkt. 387-201, at p. 8]; PL Ex. 266 [Dkt. 387-266, at pp. 10, 6]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp. 11, 16].)

266. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 37. (PL Ex. 201 [Dkt. 387-201, at p. 8]; PL Ex. 266 [Dkt. 387-266, at p. 15]; PL Ex. 267 [Dkt. 387- 267, at p. 12]; PL Ex. 270 [Dkt. 387-270, at p. 21].)

viii. HD 38

267. HD 38 in Plan H292 has an HVAP of 84.1%, an HCVAP of 77.4%, and a SSVR of 74.2%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 9].)

268. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 38. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

269. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 38. (PL Ex. 201 [Dkt. 387-201, at p. 9]; PL Ex. 266 [Dkt. 387-266, at p. 2]; PL Ex. 267 [Dkt. 387-267, at pp.2, 7]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

270. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 38. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270

[Dkt. 387-270, at pp. 11, 16].)

271. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 38. (PL Ex. 201 [Dkt. 387-201, at p. 9]; PL Ex. 266 [Dkt. 387-266, at pp. 10, 6]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp. 11, 16].)

272. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 38. (PL Ex. 201 [Dkt. 387-201, at p. 9]; PL Ex. 266 [Dkt. 387-266, at p. 15]; PL Ex. 267 [Dkt. 387- 267, at p. 12]; PL Ex. 270 [Dkt. 387-270, at p. 21].)

ix. HD 39

273. HD 39 in Plan H292 has an HVAP of 87.7%, an HCVAP of 78.9%, and a SSVR of 82.3%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 10].)

274. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 39. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

275. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 39. (PL Ex. 201 [Dkt. 387-201, at p. 10]; PL Ex. 266 [Dkt. 387-266, at p. 2]; PL Ex. 267 [Dkt. 387-267, at pp. 2, 7]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

276. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 39. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270

[Dkt. 387-270, at pp. 11, 16].)

277. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 39. (PL Ex. 201 [Dkt. 387-201, at p. 10]; PL Ex. 266 [Dkt. 387-266, at pp. 10, 6]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp. 11, 16].)\

278. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 39. (PL Ex. 201 [Dkt. 387-201, at p. 10]; PL Ex. 266 [Dkt. 387-266, at p. 15]; PL Ex. 267 [Dkt. 387-267, at p. 12]; PL Ex. 270 [Dkt. 387-270, at p. 21].)

x. HD 40

279. HD 40 in Plan H292 has an HVAP of 88%, an HCVAP of 85.1%, and a SSVR of 81.2%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 11].)

280. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 40. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

281. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 40. (PL Ex. 201 [Dkt. 387-201, at p. 11]; PL Ex. 266 [Dkt. 387-266, at p. 2]; PL Ex. 267 [Dkt. 387-267, at pp. 2, 7]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

282. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 40. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270

[Dkt. 387-270, at pp. 11, 16].)

283. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 40. (PL Ex. 201 [Dkt. 387-201, at p. 11]; PL Ex. 266 [Dkt. 387-266, at pp. 10, 6]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp. 11, 16].)

284. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 40. (PL Ex. 201 [Dkt. 387-201, at p. 11]; PL Ex. 266 [Dkt. 387-266, at p. 15]; PL Ex. 267 [Dkt. 387-267, at p. 12]; PL Ex. 270 [Dkt. 387-270, at p. 21].)

xi. HD 41

285. HD 41 in Plan H292 has an HVAP of 81.8%, an HCVAP of 76.1%, and a SSVR of 71.6%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 12].)

286. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 41. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

287. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 111 out of 13 racially contested general elections in HD 41. (PL Ex. 201 [Dkt. 387-201, at p. 12]; PL Ex. 266 [Dkt. 387-266, at p. 2]; PL Ex. 267 [Dkt. 387-267, at pp. 2, 7]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

288. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 41. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270

[Dkt. 387-270, at pp. 11, 16].)

289. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 41. (PL Ex. 201 [Dkt. 387-201, at p. 12]; PL Ex. 266 [Dkt. 387-266, at pp. 10, 6]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp. 11, 16].)

290. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 41. (PL Ex. 201 [Dkt. 387-201, at p. 12]; PL Ex. 266 [Dkt. 387-266, at p. 15]; PL Ex. 267 [Dkt. 387-267, at p. 12]; PL Ex. 270 [Dkt. 387-270, at p. 21].)

xii. HD 42

291. HD 42 in Plan H292 has an HVAP of 94.3%, an HCVAP of 90%, and a SSVR of 85%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 13].)

292. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 42. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

293. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 42. (PL Ex. 201 [Dkt. 387-201, at p. 13]; PL Ex. 266 [Dkt. 387-266, at p. 2]; PL Ex. 267 [Dkt. 387-267, at pp. 2, 7]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

294. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 42. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270

[Dkt. 387-270, at pp. 11, 16].)

295. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 42. (PL Ex. 201 [Dkt. 387-201, at p. 13]; PL Ex. 266 [Dkt. 387-266, at pp. 10, 6]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp. 11, 16].)

296. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 3 racially contested Republican primary elections in HD 42. (PL Ex. 201 [Dkt. 387-201, at p. 13]; PL Ex. 266 [Dkt. 387-266, at p. 15]; PL Ex. 267 [Dkt. 387-267, at p. 12]; PL Ex. 270 [Dkt. 387-270, at p. 21].)

xiii. HD 43

297. HD 43 in Plan H292 has an HVAP of 59.7%, an HCVAP of 56%, and a SSVR of 56.4%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 14].)

298. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 4 out of 7 racially contested general elections in HD 43. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

299. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 13 racially contested general elections in HD 43. (PL Ex. 201 [Dkt. 387-201, at p. 14]; PL Ex. 266 [Dkt. 387-266, at p. 2]; PL Ex. 267 [Dkt. 387-267, at pp. 2, 7]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

300. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 43. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270

[Dkt. 387-270, at pp. 11, 16].)

301. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 43. (PL Ex. 201 [Dkt. 387-201, at p. 14]; PL Ex. 266 [Dkt. 387-266, at pp. 10, 6]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp. 11, 16].)

302. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 43. (PL Ex. 201 [Dkt. 387-201, at p. 14]; PL Ex. 266 [Dkt. 387-266, at p. 15]; PL Ex. 267 [Dkt. 387-267, at p. 12]; PL Ex. 270 [Dkt. 387-270, at p. 21].)

xiv. HD 51

303. HD 51 in Plan H292 has an HVAP of 55.8%, an HCVAP of 43.7%, and a SSVR of 36.9%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 15].)

304. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 51. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

305. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 51. (PL Ex. 201 [Dkt. 387-201, at p. 15]; PL Ex. 266 [Dkt. 387-266, at p. 2]; PL Ex. 267 [Dkt. 387-267, at pp.2, 7]; PL Ex. 268 [Dkt. 387-268, at p. 2]; PL Ex. 269 [Dkt. 387-269, at p. 2]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

306. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 5 out of 6 racially contested Democratic primary elections in HD 51. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270

[Dkt. 387-270, at pp. 11, 16].)

307. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 7 out of 9 racially contested Democratic primary elections in HD 51. (PL Ex. 201 [Dkt. 387-201, at p. 15]; PL Ex. 266 [Dkt. 387-266, at pp. 10, 7]; PL Ex. 268 [Dkt. 387-268, at p. 7]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp. 11, 16].)

308. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 51. (PL Ex. 201 [Dkt. 387-201, at p. 15]; PL Ex. 266 [Dkt. 387-266, at p. 15]; PL Ex. 267 [Dkt. 387-267, at p. 12]; PL Ex. 270 [Dkt. 387-270, at p. 21].)

xv. HD 74

309. HD 74 in Plan H292 has an HVAP of 74.2%, an HCVAP of 66.5%, and a SSVR of 66.7%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 16].)

310. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 74. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 3]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

311. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 12 out of 13 racially contested general elections in HD 74. (PL Ex. 201 [Dkt. 387-201, at p. 16]; PL Ex. 266 [Dkt. 387-266, at p. 3]; PL Ex. 267 [Dkt. 387-267, at pp. 3, 8]; PL Ex. 268 [Dkt. 387-268, at p. 3]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 2].)

312. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 74. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 8]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270

[Dkt. 387-270, at pp. 12, 17].)

313. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 74. (PL Ex. 201 [Dkt. 387-201, at p. 16]; PL Ex. 266 [Dkt. 387-266, at pp. 11, 7]; PL Ex. 268 [Dkt. 387-268, at p. 8]; PL Ex. 269 [Dkt. 387-269, at p. 7]; PL Ex. 270 [Dkt. 387-270, at pp. 12, 17].)

314. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 0 out of 3 racially contested Republican primary elections in HD 74. (PL Ex. 201 [Dkt. 387-201, at p. 16]; PL Ex. 266 [Dkt. 387-266, at p. 16]; PL Ex. 267 [Dkt. 387-267, at p. 13]; PL Ex. 270 [Dkt. 387-270, at p. 22].)

xvi. HD 75

315. HD 75 in Plan H292 has an HVAP of 91.3%, an HCVAP of 88.1%, and a SSVR of 81%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 17].)

316. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 75. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 3]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

317. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 75. (PL Ex. 201 [Dkt. 387-201, at p. 17]; PL Ex. 266 [Dkt. 387-266, at p. 3]; PL Ex. 267 [Dkt. 387-267, at pp. 3, 8]; PL Ex. 268 [Dkt. 387-268, at p. 3]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

318. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 75. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 8]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270

[Dkt. 387-270, at pp. 12, 17].)

319. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 75. (PL Ex. 201 [Dkt. 387-201, at p. 17]; PL Ex. 266 [Dkt. 387-266, at pp. 11, 7]; PL Ex. 268 [Dkt. 387-268, at p. 8]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270 [Dkt. 387-270, at pp. 12, 17].)

320. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 75. (PL Ex. 201 [Dkt. 387-201, at p. 17]; PL Ex. 266 [Dkt. 387-266, at p. 16]; PL Ex. 267 [Dkt. 387-267, at p. 13]; PL Ex. 270 [Dkt. 387-270, at p. 22].)

xvii. HD 76

321. HD 76 in Plan H292 has an HVAP of 92.6%, an HCVAP of 90.2%, and a SSVR of 84%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 18].)

322. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 76. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 3]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

323. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 76. (PL Ex. 201 [Dkt. 387-201, at p. 18]; PL Ex. 266 [Dkt. 387-266, at p. 3]; PL Ex. 267 [Dkt. 387-267, at pp. 3, 8]; PL Ex. 268 [Dkt. 387-268, at p. 3]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

324. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 76. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 8]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270

[Dkt. 387-270, at pp. 12, 17].)

325. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 76. (PL Ex. 201 [Dkt. 387-201, at p. 18]; PL Ex. 266 [Dkt. 387-266, at pp. 11, 7]; PL Ex. 268 [Dkt. 387-268, at p. 8]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270 [Dkt. 387-270, at pp. 12, 17].)

326. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 3 racially contested Republican primary elections in HD 76. (PL Ex. 201 [Dkt. 387-201, at p. 18]; PL Ex. 266 [Dkt. 387-266, at p. 16]; PL Ex. 267 [Dkt. 387-267, at p. 13]; PL Ex. 270 [Dkt. 387-270, at p. 22].)

xviii. HD 77

327. HD 77 in Plan H292 has an HVAP of 70.8%, an HCVAP of 66.6%, and a SSVR of 61.1%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 19].)

328. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 77. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 3]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

329. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 77. (PL Ex. 201 [Dkt. 387-201, at p. 19]; PL Ex. 266 [Dkt. 387-266, at p. 3]; PL Ex. 267 [Dkt. 387-267, at pp. 3, 8]; PL Ex. 268 [Dkt. 387-268, at p. 3]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

330. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 77. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 8]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270

[Dkt. 387-270, at pp. 12, 17].)

331. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 77. (PL Ex. 201 [Dkt. 387-201, at p. 19]; PL Ex. 266 [Dkt. 387-266, at pp. 11, 7]; PL Ex. 268 [Dkt. 387-268, at p. 8]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270 [Dkt. 387-270, at pp. 12, 17].)

332. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 77. (PL Ex. 201 [Dkt. 387-201, at p. 19]; PL Ex. 266 [Dkt. 387-266, at p. 16]; PL Ex. 267 [Dkt. 387-267, at p. 13]; PL Ex. 270 [Dkt. 387-270, at p. 22].)

xix. HD 78

333. HD 78 in Plan H292 has an HVAP of 74.7%, an HCVAP of 68.1%, and a SSVR of 59%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 20].)

334. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 78. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 3]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

335. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 78. (PL Ex. 201 [Dkt. 387-201, at p. 20]; PL Ex. 266 [Dkt. 387-266, at p. 3]; PL Ex. 267 [Dkt. 387-267, at pp. 3, 8]; PL Ex. 268 [Dkt. 387-268, at p. 3]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

336. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 78. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 8]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270

[Dkt. 387-270, at pp. 12, 17].)

337. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 78. (PL Ex. 201 [Dkt. 387-201, at p. 20]; PL Ex. 266 [Dkt. 387-266, at pp. 11, 7]; PL Ex. 268 [Dkt. 387-268, at p. 8]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270 [Dkt. 387-270, at pp. 12, 17].)

338. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 78. (PL Ex. 201 [Dkt. 387-201, at p. 20]; PL Ex. 266 [Dkt. 387-266, at p. 16]; PL Ex. 267 [Dkt. 387-267, at p. 13]; PL Ex. 270 [Dkt. 387-270, at p. 22].)

xx. HD 79

339. HD 79 in Plan H292 has an HVAP of 70.9%, an HCVAP of 65%, and a SSVR of 58.8%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 21].)

340. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 79. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 3]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

341. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 79. (PL Ex. 201 [Dkt. 387-201, at p. 21]; PL Ex. 266 [Dkt. 387-266, at p. 3]; PL Ex. 267 [Dkt. 387-267, at pp. 3, 8]; PL Ex. 268 [Dkt. 387-268, at p. 3]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

342. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 79. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 8]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270

[Dkt. 387-270, at pp. 12, 17].)

343. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 7 out of 9 racially contested Democratic primary elections in HD 79. (PL Ex. 201 [Dkt. 387-201, at p. 21]; PL Ex. 266 [Dkt. 387-266, at pp. 11, 7]; PL Ex. 268 [Dkt. 387-268, at p. 8]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270 [Dkt. 387-270, at pp. 12, 17].)

344. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 0 out of 3 racially contested Republican primary elections in HD 79. (PL Ex. 201 [Dkt.387-201, at p. 21]; PL Ex. 266 [Dkt. 387-266, at p. 16]; PL Ex. 267 [Dkt. 387-267, at p. 13]; PL Ex. 270 [Dkt. 387-270, at p. 22].)

xxi. HD 80

345. HD 80 in Plan H292 has an HVAP of 59.9%, an HCVAP of 55.9%, and a SSVR of 56%. (PL Ex. 201 [Dkt. 387-201, at p. 1].)

346. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 3 out of 7 racially contested general elections in HD 80. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 3]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

347. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 6 out of 13 racially contested general elections in HD 80. (PL Ex. 201 [Dkt. 387-201, at p. 22]; PL Ex. 266 [Dkt. 387-266, at p. 3]; PL Ex. 267 [Dkt. 387-267, at pp. 3, 8]; PL Ex. 268 [Dkt. 387-268, at p. 3]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

348. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 80. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 8]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270

[Dkt. 387-270, at pp. 12, 17].)

349. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 9 racially contested Democratic primary elections in HD 80. (PL Ex. 201 [Dkt. 387-201, at p. 22]; PL Ex. 266 [Dkt. 387-266, at pp. 11, 7]; PL Ex. 268 [Dkt. 387-268, at p. 8]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270 [Dkt. 387-270, at pp. 12, 17].)

350. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 80. (PL Ex. 201 [Dkt. 387-201, at p. 22]; PL Ex. 266 [Dkt. 387-266, at p. 16]; PL Ex. 267 [Dkt. 387-267, at p. 13]; PL Ex. 270 [Dkt. 387-270, at p. 22].)

xxii. HD 90

351. HD 90 in Plan H292 has an HVAP of 71%, an HCVAP of 49.7%, and a SSVR of 50.1%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 23].)

352. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 90. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 3]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

353. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 90. (PL Ex. 201 [Dkt. 387-201, at p. 23]; PL Ex. 266 [Dkt. 387-266, at p. 3]; PL Ex. 267 [Dkt. 387-267, at pp. 3, 8]; PL Ex. 268 [Dkt. 387-268, at p. 3]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

354. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 90. (PL Ex. 201 [Dkt.387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 8]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270

[Dkt. 387-270, at pp. 12, 17].)

355. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 9 racially contested Democratic primary elections in HD 90. (PL Ex. 201 [Dkt. 387-201, at p. 23]; PL Ex. 266 [Dkt. 387-266, at pp. 11]; PL Ex. 268 [Dkt. 387-268, at p. 8]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270 [Dkt. 387-270, at pp. 12, 17].)

356. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 90. (PL Ex. 201 [Dkt.387-201, at p. 23]; PL Ex. 266 [Dkt. 387-266, at p. 16]; PL Ex. 267 [Dkt. 387-267, at p. 13]; PL Ex. 270 [Dkt. 387-270, at p. 22].)

xxiii. HD 103

357. HD 103 in Plan H292 has an HVAP of 67.7%, an HCVAP of 44.6%, and a SSVR of 38.1%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 24].)

358. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 103. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

359. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 103. (PL Ex. 201 [Dkt. 387-201, at p. 24]; PL Ex. 266 [Dkt. 387-266, at p. 4]; PL Ex. 267 [Dkt. 387-267, at pp. 4, 9]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

360. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 4 out of 6 racially contested Democratic primary elections in HD 103. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex.

270 [Dkt. 387-270, at pp. 13, 18].)

361. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 5 out of 9 racially contested Democratic primary elections in HD 103. (PL Ex. 201 [Dkt. 387-201, at p. 24]; PL Ex. 266 [Dkt. 387-266, at pp. 12, 7]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270 [Dkt. 387-270, at pp. 13, 18].)

362. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 103. (PL Ex. 201 [Dkt. 387-201, at p. 24]; PL Ex. 266 [Dkt. 387-266, at p. 17]; PL Ex. 267 [Dkt. 387- 267, at p. 14]; PL Ex. 270 [Dkt. 387-270, at p. 23].)

xxiv. HD 104

363. HD 104 in Plan H292 has an HVAP of 69.2%, an HCVAP of 51.7%, and a SSVR of 50.1%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 25].)

364. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 104. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

365. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 104. (PL Ex. 201 [Dkt. 387-201, at p. 25]; PL Ex. 266 [Dkt. 387-266, at p. 4]; PL Ex. 267 [Dkt. 387-267, at pp. 4, 9]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 3]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

366. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 104. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex.

270 [Dkt. 387-270, at pp. 13, 18].)

367. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 9 racially contested Democratic primary elections in HD 104. (PL Ex. 201 [Dkt. 387-201, at p. 25]; PL Ex. 266 [Dkt. 387-266, at pp. 12, 8]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270 [Dkt. 387-270, at pp. 13, 18].)

368. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 104. (PL Ex. 201 [Dkt. 387-201, at p. 25]; PL Ex. 266 [Dkt. 387-266, at p. 17]; PL Ex. 267 [Dkt. 387- 267, at p. 14]; PL Ex. 270 [Dkt. 387-270, at p. 23].)

xxv. HD 116

369. HD 116 in Plan H292 has an HVAP of 62%, an HCVAP of 59.3%, and a SSVR of 53.9%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 26].)

370. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 116. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

371. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 116. (PL Ex. 201 [Dkt. 387-201, at p. 26]; PL Ex. 266 [Dkt. 387-266, at p. 4]; PL Ex. 267 [Dkt. 387-267, at pp. 4, 9]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

372. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 116. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex.

270 [Dkt. 387-270, at pp. 13, 18].)

373. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 116. (PL Ex. 201 [Dkt. 387-201, at p. 26]; PL Ex. 266 [Dkt. 387-266, at pp. 12, 8]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270 [Dkt. 387-270, at pp. 13, 18].)

374. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 116. (PL Ex. 201 [Dkt. 387-201, at p. 26]; PL Ex. 266 [Dkt. 387-266, at p. 17]; PL Ex. 267 [Dkt. 387- 267, at p. 14]; PL Ex. 270 [Dkt. 387-270, at p. 23].)

xxvi. HD 117

375. HD 117 in Plan H292 has an HVAP of 65.6%, an HCVAP of 64.4%, and a SSVR of 53.6%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 27].)

376. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 7 racially contested general elections in HD 117. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

377. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 12 out of 13 racially contested general elections in HD 117. (PL Ex. 201 [Dkt. 387-201, at p. 27]; PL Ex. 266 [Dkt. 387-266, at p. 4]; PL Ex. 267 [Dkt. 387-267, at pp. 4, 9]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 3].)

378. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 117. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex.

270 [Dkt. 387-270, at pp. 13, 18].)

379. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 117. (PL Ex. 201 [Dkt. 387-201, at p. 27]; PL Ex. 266 [Dkt. 387-266, at pp. 12, 8]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 8]; PL Ex. 270 [Dkt. 387-270, at pp. 13, 18].)

380. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 117. (PL Ex. 201 [Dkt. 387-201, at p. 27]; PL Ex. 266 [Dkt. 387-266, at p. 17]; PL Ex. 267 [Dkt. 387- 267, at p. 14]; PL Ex. 270 [Dkt. 387-270, at p. 23].)

xxvii. HD 118

381. HD 118 in Plan H292 has an HVAP of 64.8%, an HCVAP of 63.1%, and a SSVR of 54.9%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 28].)

382. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 5 out of 7 racially contested general elections in HD 118. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

383. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 13 racially contested general elections in HD 118. (PL Ex. 201 [Dkt. 387-201, at p. 28]; PL Ex. 266 [Dkt. 387-266, at p. 4]; PL Ex. 267 [Dkt. 387-267, at pp. 4, 9]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

384. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 118. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex.

270 [Dkt. 387-270, at pp. 13, 18].)

385. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 118. (PL Ex. 201 [Dkt. 387-201, at p. 28]; PL Ex. 266 [Dkt. 387-266, at pp. 12, 8]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex. 270 [Dkt. 387-270, at pp. 13, 18].)

386. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 118. (PL Ex. 201 [Dkt. 387-201, at p. 28]; PL Ex. 266 [Dkt. 387-266, at p. 17]; PL Ex. 267 [Dkt. 387- 267, at p. 14]; PL Ex. 270 [Dkt. 387-270, at p. 23].)

xxviii. HD 119

387. HD 119 in Plan H292 has an HVAP of 64.1%, an HCVAP of 61.4%, and a SSVR of 52.6%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 29].)

388. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 119. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

389. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 119. (PL Ex. 201 [Dkt. 387-201, at p. 29]; PL Ex. 266 [Dkt. 387-266, at p. 4]; PL Ex. 267 [Dkt. 387-267, at pp. 4, 9]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

390. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 119. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex.

270 [Dkt. 387-270, at pp. 13, 18].)

391. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 9 racially contested Democratic primary elections in HD 119. (PL Ex. 201 [Dkt. 387-201, at p. 29]; PL Ex. 266 [Dkt. 387-266, at pp. 12, 8]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex. 270 [Dkt. 387-270, at pp. 13, 18].)

392. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 119. (PL Ex. 201 [Dkt. 387-201, at p. 29]; PL Ex. 266 [Dkt. 387-266, at p. 17]; PL Ex. 267 [Dkt. 387- 267, at p. 14]; PL Ex. 270 [Dkt. 387-270, at p. 23].)

xxix. HD 123

393. HD 123 in Plan H292 has an HVAP of 67.1%, an HCVAP of 62%, and a SSVR of 53.7%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 30].)

394. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 123. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

395. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 123. (PL Ex. 201 [Dkt. 387-201, at p. 30]; PL Ex. 266 [Dkt. 387-266, at p. 4]; PL Ex. 267 [Dkt. 387-267, at pp. 4, 9]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

396. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 123. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex.

270 [Dkt. 387-270, at pp. 13, 18].)

397. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 123. (PL Ex. 201 [Dkt. 387-201, at p. 30]; PL Ex. 266 [Dkt. 387-266, at pp. 12, 8]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex. 270 [Dkt. 387-270, at pp. 13, 18].)

398. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 123. (PL Ex. 201 [Dkt. 387-201, at p. 30]; PL Ex. 266 [Dkt. 387-266, at p. 17]; PL Ex. 267 [Dkt. 387- 267, at p. 14]; PL Ex. 270 [Dkt. 387-270, at p. 23].)

xxx. HD 124

399. HD 124 in Plan H292 has an HVAP of 60.3%, an HCVAP of 59.4%, and a SSVR of 53.6%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 31].)

400. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 124. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

401. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 124. (PL Ex. 201 [Dkt. 387-201, at p. 31]; PL Ex. 266 [Dkt. 387-266, at p. 4]; PL Ex. 267 [Dkt. 387-267, at pp. 4, 9]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

402. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 124. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex.

270 [Dkt. 387-270, at pp. 13, 18].)

403. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 124. (PL Ex. 201 [Dkt. 387-201, at p. 31]; PL Ex. 266 [Dkt. 387-266, at pp. 12, 8]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex. 270 [Dkt. 387-270, at pp. 13, 18].)

404. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 124. (PL Ex. 201 [Dkt. 387-201, at p. 31]; PL Ex. 266 [Dkt. 387-266, at p. 17]; PL Ex. 267 [Dkt. 387- 267, at p. 14]; PL Ex. 270 [Dkt. 387-270, at p. 23].)

xxxi. HD 125

405. HD 125 in Plan H292 has an HVAP of 63.1%, an HCVAP of 58.2%, and a SSVR of 54.4%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 32].)

406. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 7 racially contested general elections in HD 125. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

407. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 11 out of 13 racially contested general elections in HD 125. (PL Ex. 201 [Dkt. 387-201, at p. 32]; PL Ex. 266 [Dkt. 387-266, at p. 4]; PL Ex. 267 [Dkt. 387-267, at pp.4, 9]; PL Ex. 268 [Dkt. 387-268, at p. 4]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

408. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 125. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex.

270 [Dkt. 387-270, at pp. 13, 18].)

409. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 125. (PL Ex. 201 [Dkt. 387-201, at p. 32]; PL Ex. 266 [Dkt. 387-266, at pp. 12, 8]; PL Ex. 268 [Dkt. 387-268, at p. 9]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex. 270 [Dkt. 387-270, at pp. 13, 18].)

410. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in HD 125. (PL Ex. 201 [Dkt. 387-201, at p. 32]; PL Ex. 266 [Dkt. 387-266, at p. 17]; PL Ex. 267 [Dkt. 387- 267, at p. 14]; PL Ex. 270 [Dkt. 387-270, at p. 23].)

xxxii. HD 137

411. HD 137 in Plan H292 has an HVAP of 60.5%, an HCVAP of 25.7%, and a SSVR of 21.4%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 33].)

412. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 137. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 5]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

413. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 137. (PL Ex. 201 [Dkt. 387-201, at p. 33]; PL Ex. 266 [Dkt. 387-266, at p. 5]; PL Ex. 267 [Dkt. 387-267, at pp. 5, 10]; PL Ex. 268 [Dkt. 387-268, at p. 5]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

414. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 2 out of 6 racially contested Democratic primary elections in HD 137. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 10]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex.

270 [Dkt. 387-270, at pp. 14, 19].)

415. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 9 racially contested Democratic primary elections in HD 137. (PL Ex. 201 [Dkt. 387-201, at p. 33]; PL Ex. 266 [Dkt. 387-266, at pp. 13, 8]; PL Ex. 268 [Dkt. 387-268, at p. 10]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex. 270 [Dkt. 387-270, at pp. 14, 19].)

416. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 3 racially contested Republican primary elections in HD 137. (PL Ex. 201 [Dkt. 387-201, at p. 33]; PL Ex. 266 [Dkt. 387-266, at p. 18]; PL Ex. 267 [Dkt. 387- 267, at p. 15]; PL Ex. 270 [Dkt. 387-270, at p. 24].)

xxxiii. HD 140

417. HD 140 in Plan H292 has an HVAP of 76.6%, an HCVAP of 57.3%, and a SSVR of 52.6%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 34].)

418. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 140. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 5]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

419. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 140. (PL Ex. 201 [Dkt. 387-201, at p. 34]; PL Ex. 266 [Dkt. 387-266, at p. 5]; PL Ex. 267 [Dkt. 387-267, at pp. 5, 10]; PL Ex. 268 [Dkt. 387-268, at p. 5]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

420. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 4 out of 6 racially contested Democratic primary elections in HD 140. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 10]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex.

270 [Dkt. 387-270, at pp. 14, 19].)

421. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 6 out of 9 racially contested Democratic primary elections in HD 140. (PL Ex. 201 [Dkt. 387-201, at p. 34]; PL Ex. 266 [Dkt. 387-266, at pp. 13, 8]; PL Ex. 268 [Dkt. 387-268, at p. 10]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex. 270 [Dkt. 387-270, at pp. 14, 19].)

422. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 140. (PL Ex. 201 [Dkt. 387-201, at p. 34]; PL Ex. 266 [Dkt. 387-266, at p. 18]; PL Ex. 267 [Dkt. 387- 267, at p. 15]; PL Ex. 270 [Dkt. 387-270, at p. 24].)

xxxiv. HD 143

423. HD 143 in Plan H292 has an HVAP of 79.2%, an HCVAP of 62.6%, and a SSVR of 61.7%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 35].)

424. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 143. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 5]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

425. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 143. (PL Ex. 201 [Dkt. 387-201, at p. 35]; PL Ex. 266 [Dkt. 387-266, at p. 5]; PL Ex. 267 [Dkt. 387-267, at pp. 5, 10]; PL Ex. 268 [Dkt. 387-268, at p. 5]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

426. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 5 out of 6 racially contested Democratic primary elections in HD 143. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 10]; PL Ex. 269 [Dkt.387-269, at p. 9]; PL Ex.

270 [Dkt. 387-270, at pp. 14, 19].)

427. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 9 racially contested Democratic primary elections in HD 143. (PL Ex. 201 [Dkt. 387-201, at p. 35]; PL Ex. 266 [Dkt. 387-266, at pp. 13, 8]; PL Ex. 268 [Dkt. 387-268, at p. 10]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex. 270 [Dkt. 387-270, at pp. 14, 19].)

428. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 143. (PL Ex. 201 [Dkt. 387-201, at p. 35]; PL Ex. 266 [Dkt. 387-266, at p. 18]; PL Ex. 267 [Dkt. 387- 267, at p. 15]; PL Ex. 270 [Dkt. 387-270, at p. 24].)

xxxv. HD 144

429. HD 144 in Plan H292 has an HVAP of 37.5%, an HCVAP of 26.1%, and a SSVR of 22.2%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 36].)

430. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 0 out of 7 racially contested general elections in HD 144. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 5]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

431. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 0 out of 13 racially contested general elections in HD 144. (PL Ex. 201 [Dkt. 387-201, at p. 36]; PL Ex. 266 [Dkt. 387-266, at p. 5]; PL Ex. 267 [Dkt. 387-267, at pp. 5, 10]; PL Ex. 268 [Dkt. 387-268, at p. 5]; PL Ex. 269 [Dkt. 387-269, at p. 4]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

432. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 3 out of 6 racially contested Democratic primary elections in HD 144. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 10]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex.

270 [Dkt. 387-270, at pp. 14, 19].)

433. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 9 racially contested Democratic primary elections in HD 144. (PL Ex. 201 [Dkt. 387-201, at p. 36]; PL Ex. 266 [Dkt. 387-266, at pp. 13, 8]; PL Ex. 268 [Dkt. 387-268, at p. 10]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex. 270 [Dkt. 387-270, at pp. 14, 19].)

434. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in HD 144. (PL Ex. 201 [Dkt. 387-201, at p. 36]; PL Ex. 266 [Dkt. 387-266, at p. 18]; PL Ex. 267 [Dkt. 387- 267, at p. 15]; PL Ex. 270 [Dkt. 387-270, at p. 24].)

xxxvi. HD 145

435. HD 145 in Plan H292 has an HVAP of 79.5%, an HCVAP of 65.4%, and a SSVR of 61.9%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 37].)

436. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 145. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 5]; PL Ex. 269 [Dkt. 387-269, at p. 5]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

437. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 145. (PL Ex. 201 [Dkt. 387-201, at p. 37]; PL Ex. 266 [Dkt. 387-266, at p. 5]; PL Ex. 267 [Dkt. 387-267, at pp. 5, 10]; PL Ex. 268 [Dkt. 387-268, at p. 5]; PL Ex. 269 [Dkt. 387-269, at p. 5]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

438. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 5 out of 6 racially contested Democratic primary elections in HD 145. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 10]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex.

270 [Dkt. 387-270, at pp. 14, 19].)

439. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 8 out of 9 racially contested Democratic primary elections in HD 145. (PL Ex. 201 [Dkt. 387-201, at p. 37]; PL Ex. 266 [Dkt. 387-266, at pp. 13, 8]; PL Ex. 268 [Dkt. 387-268, at p. 10]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex. 270 [Dkt. 387-270, at pp. 14, 19].)

440. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 3 racially contested Republican primary elections in HD 145. (PL Ex. 201 [Dkt. 387-201, at p. 37]; PL Ex. 266 [Dkt. 387-266, at p. 18]; PL Ex. 267 [Dkt. 387- 267, at p. 15]; PL Ex. 270 [Dkt. 387-270, at p. 24].)

xxxvii. HD 148

441. HD 148 in Plan H292 has an HVAP of 66%, an HCVAP of 55.4%, and a SSVR of 52.6%. (PL Ex. 201 [Dkt. 387-201, at pp. 1, 38].)

442. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in HD 148. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 5]; PL Ex. 269 [Dkt. 387-269, at p. 5]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

443. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 13 out of 13 racially contested general elections in HD 148. (PL Ex. 201 [Dkt. 387-201, at p. 38]; PL Ex. 266 [Dkt. 387-266, at p. 5]; PL Ex. 267 [Dkt. 387-267, at pp.5, 10]; PL Ex. 268 [Dkt. 387-268, at p. 5]; PL Ex. 269 [Dkt. 387-269, at p. 5]; PL Ex. 270 [Dkt. 387-270, at p. 4].)

444. In Plan H292, from 2006 to 2010, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in HD 148. (PL Ex. 201 [Dkt. 387-201, at p. 1]; PL Ex. 268 [Dkt. 387-268, at p. 10]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex.

270 [Dkt. 387-270, at pp. 14, 19].)

445. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in HD 148. (PL Ex. 201 [Dkt. 387-201, at p. 38]; PL Ex. 266 [Dkt. 387-266, at pp. 13, 8]; PL Ex. 268 [Dkt. 387-268, at p. 10]; PL Ex. 269 [Dkt. 387-269, at p. 9]; PL Ex. 270 [Dkt. 387-270, at pp. 14, 19].)

446. In Plan H292, from 2002 to 2010, the candidate of choice of Latinos won in 3 out of 3 racially contested Republican primary elections in HD 148. (PL Ex. 201 [Dkt. 387-201, at p. 38]; PL Ex. 266 [Dkt. 387-266, at p. 18]; PL Ex. 267 [Dkt. 387- 267, at p. 15]; PL Ex. 270 [Dkt. 387-270, at p. 24].)

Appendix D: Plan Statistics for C100

LATINO OPPORTUNITY DISTRICTS IN THE BENCHMARK CONGRESSIONAL PLAN, C100, BY REGION AND DISTRICT

I. DALLAS-FORT WORTH METROPLEX

447. There is not a Latino opportunity district in the Dallas-Fort Worth Metroplex in the benchmark. (Ex. J-1; Tr. 512:24-513:6.)

448. CD 32 in Plan C100 has a HVAP of 36.7%, a HCVAP of 20.7%, and a SSVR of 16.2% and is the most Hispanic district in the Dallas-Fort Worth Metroplex and thus appropriately compared with CD 6 in Plan C190. (PL Ex. 200 [Dkt. 320-1, at pp. 10].)

449. From 2006 to 2010, in C100, the candidate of choice of Latinos won in 0 of 7 racially contested general elections in CD 32. From 2002 to 2010, in C100, the candidate of choice of Latinos won in 0 of 13 racially contested general elections CD 32. (PL Ex. 200 [Dkt. 320-1, at p. 10]; PL Ex. 237 [Dkt. 387-237, at p. 2]; PL Ex. 238 [Dkt. 387-238, at pp. 2, 4]; PL Ex. 239 [Dkt. 387-239, at p. 2]: PL Ex. 240 [Dkt. 387-240, at p. 1]; PL Ex. 241 [Dkt. 387-241, at p. 1].)

450. From 2006 to 2010, in C100, the candidate of choice of Latinos won in 3 of 6 racially contested Democratic primary elections in CD 32. From 2002 to 2010, in C100, the candidate of choice of Latinos won in 3 out of 9 racially contested Democratic primary elections in CD 32. (PL Ex. 200 [Dkt. 320-1, at p. 10]; PL Ex. 237 [Dkt. 387-237, at p. 3]; PL Ex. 239 [Dkt. 387-239, at p. 4]: PL Ex. 240 [Dkt. 387-240, at p. 3]; PL Ex. 241 [Dkt. 387-241, at p. 3, 6].)

451. From 2002 to 2010, in C100, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in CD 32. (PL Ex. 200 [Dkt. 320-1, at p. 10]; PL Ex. 237 [Dkt. 387-237, at p. 5]; PL Ex. 238 [Dkt. 387-238, at p. 6]; PL Ex. 241

[Dkt. 387-241, at p. 8].)

II. South and West Texas

452. In plan C100, the northern border of the South Texas configuration of Hispanic Citizen Voting-Age Population majority congressional districts extends east from El Paso County, then southeast from Reeves County to Bexar County and then to the Gulf of Mexico and Nueces County. (PL Ex. 343 [Dkt. 326-1, at p. 1].)

III. CD 15

453. CD 15 is a Latino opportunity district in the benchmark. (Tr. 512:24-513:6.)

454. In plan C100, the incumbent of Congressional District 15 is Ruben Hinojosa. (PL Ex. 329 [Dkt. 325-4, at p. 7].)

455. CD 15 in Plan C100 has a HVAP of 78.7%, a CVAP of 71.9%, and a SSVR of 71.2%. (PL Ex. 200 [Dkt. 320-1, at p. 2].)

456. From 2006 to 2010, in C100, the candidate of choice of Latinos won in 7 of 7 racially contested general elections in CD 15. From 2002 to 2010, in C100, the candidate of choice of Latinos won in 13 of 13 racially contested general elections in CD 15. (PL Ex. 200 [Dkt. 320-1, at p. 2]; PL Ex. 237 [Dkt. 387-237, at p. 1]; PL Ex. 238 [Dkt. 387-238, at pp. 1, 3]; PL Ex. 239 [Dkt. 387-239, at p. 1]: PL Ex. 240 [Dkt. 387-240, at p. 1]; PL Ex. 241 [Dkt. 387-241, at p. 1].)

457. From 2002 to 2010, in C100, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in CD 15. From 2002 to 2010, in C100, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in CD 15. (PL Ex. 200 [Dkt. 320-1, at p. 2]; PL Ex. 237 [Dkt. 387-237, at p. 3]; PL Ex. 239 [Dkt. 387-239, at p. 3]: PL Ex. 240 [Dkt. 387-240, at p. 2]; PL Ex. 241 [Dkt.

387-241, at pp. 2, 6].)

458. From 2002 to 2010, in C100, the candidate of choice of Latinos won in 0 out of 3 racially contested Republican primary elections in CD 15. (PL Ex. 200 [Dkt. 320-1, at p. 2]; PL Ex. 237 [Dkt. 387-237, at p. 4]; PL Ex. 238 [Dkt. 387-238, at p. 5]; PL Ex. 241 [Dkt. 387-241, at p. 7].)

IV. CD 16

459. CD 16 is a Latino opportunity district in the benchmark. (Tr. 512:24-513:6.)

460. In plan C100, the incumbent of Congressional District 16 is Silvestre Reyes. (PL Ex. 329 [Dkt. 325-4, at p. 7].)

461. CD 16 in Plan C100 has a HVAP of 79.1%, a CVAP of 74.5%, and a SSVR of 68.1%. (PL Ex. 200 [Dkt. 320-1, at p. 3].)

462. From 2006 to 2010, the candidate of choice of Latinos won in 7 of 7 racially contested general elections in CD 16. From 2002 to 2010, the candidate of choice of Latinos won in 13 of 13 racially contested general elections in CD 16. (PL Ex. 200 [Dkt. 320-1, at p. 3]; PL Ex. 237 [Dkt. 387-237, at p. 1]; PL Ex. 238 [Dkt. 387-238, at pp. 1, 3]; PL Ex. 239 [Dkt. 387-239, at p. 1]: PL Ex. 240 [Dkt. 387-240, at p. 1]; PL Ex. 241 [Dkt. 387-241, at p. 1].)

463. From 2006 to 2010, in C100, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in CD 16. From 2002 to 2010, in C100, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in CD 16. (PL Ex. 200 [Dkt. 320-1, at p. 3]; PL Ex. 237 [Dkt. 387-237, at p. 3]; PL Ex. 239 [Dkt. 387-239, at p. 3]: PL Ex. 240 [Dkt. 387-240, at p. 2]; PL Ex. 241 [Dkt. 387-241, at pp. 2, 6].)

464. From 2002 to 2010, in C100, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in CD 16. (PL Ex. 200 [Dkt. 320-1, at p. 3]; PL Ex. 237 [Dkt. 387-237, at p. 4]; PL Ex. 238 [Dkt. 387-238, at p. 5]; PL Ex. 241 [Dkt. 387-241, at p. 7].)

V. CD 20

465. CD 20 is a Latino opportunity district in the benchmark. (Tr. 512:24-513:6.)

466. In plan C100, the incumbent of Congressional District 20 is Charles Gonzalez. (PL Ex. 329 [Dkt. 325-4, at p. 7].)

467. CD 20 in Plan C100 has a HVAP of 68%, a CVAP of 63.8%, and a SSVR of 59.2%. (PL Ex. 200 [Dkt. 320-1, at p. 4].)

468. From 2006 to 2010, in C100, the candidate of choice of Latinos won 7 of 7 racially contested general elections in CD 20. From 2002 to 2010, in C100, the candidate of choice of Latinos won 13 of 13 racially contested general elections in CD 20. (PL Ex. 200 [Dkt. 320-1, at p. 4]; PL Ex. 237 [Dkt. 387-237, at p. 1]; PL Ex. 238 [Dkt. 387-238, at pp. 1, 3]; PL Ex. 239 [Dkt. 387-239, at p. 1]: PL Ex. 240 [Dkt. 387-240, at p. 1]; PL Ex. 241 [Dkt. 387-241, at p. 1].)

469. From 2006 to 2010, in C100, the candidate of choice of Latinos won 6 out of 6 racially contested Democratic primary elections in CD 20. From 2002 to 2010, in C100, the candidate of choice of Latinos won 9 out of 9 racially contested Democratic primary elections in CD 20. (PL Ex. 200 [Dkt. 320-1, at p. 4] ; PL Ex. 237 [Dkt. 387-237, at p. 3]; PL Ex. 239 [Dkt. 387-239, at p. 3]: PL Ex. 240 [Dkt. 387-240, at p. 2]; PL Ex. 241 [Dkt. 387-241, at pp. 2, 6].)

470. From 2002 to 2010, in C100, the candidate of choice of Latinos won in 2 out of 3 racially

contested Republican primary elections in CD 20. (PL Ex. 200 [Dkt. 320-1, at p. 4]; PL Ex. 237 [Dkt. 387-237, at p. 4]; PL Ex. 238 [Dkt. 387-238, at p. 5]; PL Ex. 241 [Dkt. 387-241, at p. 7].)

VI. CD 23

471. CD 23 is a Latino opportunity district in the benchmark. (Tr. 512:24-513:6.)

472. In plan C100, the incumbent of Congressional District 23 is Francisco Canseco. (PL Ex. 329 [Dkt. 325-4, at p. 7].)

473. CD 23 in Plan C100 has a HVAP of 62.8%, a CVAP of 58.4%, and a SSVR of 52.6%. (PL Ex. 200 [Dkt. 320-1, at p. 4].)

474. From 2006 to 2010, the candidate of choice of Latinos won 3 of 7 racially contested general elections in CD 23 in the benchmark. From 2002 to 2010, the candidate of choice of Latinos won 6 of 13 racially contested general elections in CD 23 in the benchmark. (PL Ex. 200 [Dkt. 320-1, at p. 5]; PL Ex. 237 [Dkt. 387-237, at p. 1]; PL Ex. 238 [Dkt. 387-238, at pp. 1, 3]; PL Ex. 239 [Dkt. 387-239, at p. 1]: PL Ex. 240 [Dkt. 387-240, at p. 1]; PL Ex. 241 [Dkt. 387-241, at p. 1].)

475. From 2002 to 2010, the candidate of choice of Latinos won in 0 out of 3 racially contested Republican primary elections in CD 23. (PL Ex. 200 [Dkt. 320-1, at p. 5]; PL Ex. 237 [Dkt. 387-237, at p. 4]; PL Ex. 238 [Dkt. 387-238, at p. 5]; PL Ex. 241 [Dkt. 387-241, at p. 7].)

476. Because the candidate of choice of Latinos won two out of three endogenous elections between 2006 and 2010, Congressional District 23 in plan C100 provided Latino voters with a reasonable opportunity to elect representatives of their choice. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 27.)

477. In 2006, the Court had to redraw Congressional District 23 to comply with the Voting Rights Act and allow Latinos the opportunity to elect candidates of their choice. (Flores Report, Ex. E-8 [Dkt. 191-1], at p. 6; see also Tr. 470:2-4.)

478. In Congressional District 23, Latinos have an opportunity to elect a candidate of their choice under the benchmark plan. (Flores Report, Ex. E-8 [Dkt. 191-1], at p. 10.)

479. The decennial census showed that CD 23 in the benchmark was overpopulated by about 149,000 people. (Tr. 450:4-11; PL Ex. 236 [Dkt. 396-236].)

480. Latinos in CD 23 were able to defeat an incumbent in 2006 and reelect their candidate of choice in 2008. (Tr. 513:24-514:6.)

481. Specifically, in 2010, CD 23 Latinos supported their candidate of choice, Ciro D. Rodriguez, with about 84.7% of their votes, as compared to just 18.1% of the votes of non-Latinos. In CD 23 about 62.8% of the population is Latino voters, but only 40.77% of the voters who turned-out were Latinos. Ciro Rodriguez garnered 44.44% of the vote. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 25-27.)

482. Dr. Flores concluded that even though in 2010, Latinos in CD 23 and CD 27 failed to elect the candidates of their choice, the districts remain Latino opportunity districts. (Tr. 513:16-23.) In that particular election, Republicans had an exceptional election year throughout the country, and in CD 23 specifically, Latino voters turned out at lower rates than the registration percentage. (Tr. 513:20-514:12.)

483. Dr. Engstrom's analysis also showed that Congressional District 23 in the benchmark is a Latino opportunity district despite the fact that the Latino- preferred candidate was defeated in the 2010 General Election. CD23 has a strong majority of Latino population, was created by the district court in *LULAC v. Perry* as an opportunity district, and elected

the Latino preferred candidate in the 2006 and 2008 General Election. (Engstrom at Tr. 513:7-515:5)

484. The State's expert witness, Dr. Alford, testified that since CD 23 was created in2006, it elected the Latino-preferred candidate in 2006 and 2008. (Alford Deposition Tr. at 121:6-9.)

485. Dr. Alford agreed that with respect to the CD23 special election runoff in 2006, which was held on an irregular election date in December, the drop in turnout for special elections "is typically larger for minority voters." (Tr. 1883:5-10.)

486. The State's expert witness, Dr. Alford, testified that, with respect to CDs 23 and 27: "These are two districts that are not electing candidates of choice in the most recent election and so maybe, maybe that is fine. Maybe you leave them alone. Maybe you make them weaker. Maybe you make them stronger. All I am saying is that helps us look to districts that might or might not be problematic." (Tr.1872:25-1873:11.)

487. Voting in the General Election in 2010 in CD23 for congress was racially polarized. In CD 23 the incumbent Ciro D. Rodriguez received an estimated 84.7 percent of the votes cast by Latinos, and just 18.1 percent of those cast by non- Latinos. (Engstrom Corr. Rebuttal report at 25.)

488. The percentage of those turning out who were Latino was 40.77 in the 2010 election in CD 23. (Engstrom Corr. Rebuttal report at 25-26.) The incumbent in CD23, who was Latino-preferred, received 44.44% of the votes cast in the election. (Engstrom Corr. Rebuttal report at 26.)

489. Dr. Alford examined the same data analyzed by Dr. Engstrom regarding voter turnout in the 2010 election and Dr. Alford came up with the same results. (Tr. 1865:19-25.)

490. The State's expert witness, Dr. Alford, conceded that he did not conduct any analysis of voter turnout over time and he did not compare the percent of Latinos who turned out to vote in 2010 to prior years in CD 23. (Tr. 1856:18-22.)

491. The State's expert witness, Dr. Alford, did not analyze the degree to which Latinos were electing their preferred candidate to congress in CD23. (Tr. at 1864:8-25.)

492. Instead, Dr. Alford conceded that he examined a series of re-aggregated elections to see instead whether Democratic candidates were winning or losing in the district. Dr. Alford conceded that when he offered the opinion that CD23 was "trending Republican," he performed no analysis to determine the Latino candidate of choice in the races on which he relied. Dr. Alford testified that he assumed that the failure of the Democratic candidate in any of those re-aggregated elections meant that Latinos failed to elect their candidate of choice and he conducted no analysis of congressional elections in CD23 or 27 to determine whether Latinos were electing their preferred candidate to congress. (Tr. 1864:8-25.)

493. Dr. Alford further conceded that he: did not analyze which specific geographic areas of the district might have been shifting Republican; didn't analyze whether there were any changes in the willingness of either Latinos or Anglos to vote Republican; and didn't analyze factors that might affect Latino voter turnout in Congressional 23, other than simply the increase in the Hispanic population over the decade. (Tr. 1857:17-1858:5.)

494. Dr. Alford testified repeatedly that he assumed, without any analysis of the elections on which he relied, that the election of a Democratic candidate was equivalent to the election of the Latino preferred candidate. Dr. Alford testified that he would "look at Democratic results independent of whether the candidates are minorities or not, and then

you can assess the degree to which the district is likely to elect a minority candidate of choice." (Tr. 1866:1-9.)

495. Dr. Alford further testified that his definition of a district's "performance" for Latino voters "is based on the proportion Democratic vote across a variety of races how likely is the district to elect Democrats." (Tr. 1866:10-18.)

496. Dr. Alford conceded that when he measured a district's performance in re- aggregated elections, for example Bill White for Governor, he assumed that Mr. White was the preferred candidate of Latinos and further did not examine whether a district's level of support for Mr. White would be same for Latino candidates such as Linda Chavez Thompson or Hector Uribe. (Tr. 1867:1-1868:3.)

VII. CD 25

497. CD 25 is a not Latino opportunity district in the benchmark. The geography of CD 25 in the benchmark overlaps most with the geography of CD 35 in Plans C185 and C190. (Tr. 512:24-513:6; *compare* Ex. J-1 *with* Ex. J-8 *and* Ex. J-11.)

498. CD 25 in Plan C100 has a HVAP of 33.8%, a CVAP of 25.3%, and a SSVR of 20.4%. (PL Ex. 200 [Dkt. 320-1, at p. 6].)

499. From 2002 to 2010, in C100, the candidate of choice of Latinos won 10 of 13 racially contested general elections in CD 25. (PL Ex. 200 [Dkt. 320-1, at p. 6]; PL Ex. 237 [Dkt. 387-237, at p. 2]; PL Ex. 238 [Dkt. 387-238, at pp. 2, 4]; PL Ex. 239 [Dkt. 387-239, at p. 2]: PL Ex. 240 [Dkt. 387-240, at p. 1]; PL Ex. 241 [Dkt. 387-241, at p. 1].)

500. From 2006 to 2010, in C100, the candidate of choice of Latinos won 3 out of 6 racially contested Democratic primary elections in CD 25. From 2002 to 2010, in C100, the candidate of choice of Latinos won 3 out of 9 racially contested Democratic primary

elections in CD 25. (PL Ex. 200 [Dkt. 320-1, at p. 6]; PL Ex. 237 [Dkt. 387-237, at p. 3]; PL Ex. 239 [Dkt. 387-239, at p. 4]: PL Ex. 240 [Dkt. 387-240, at p. 3]; PL Ex. 241 [Dkt. 387-241, at pp. 3, 6].)

501. From 2002 to 2010, in C100, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in CD 25. (PL Ex. 200 [Dkt. 320-1, at p. 6]; PL Ex. 237 [Dkt. 387-237, at p. 5]; PL Ex. 238 [Dkt. 387-238, at p. 6]; PL Ex. 241 [Dkt. 387-241, at p. 8].)

VIII. CD 27

502. Latinos had the opportunity to elect their candidate of choice in the benchmark CD 27. (Tr. 459:1-2; Flores Report, Ex. E-8 [Dkt. 191-1], at p. 11.)

503. CD 27 in Plan C100 has a HVAP of 69.2%, a CVAP of 63.8%, and a SSVR of 61.1%. (PL Ex. 200 [Dkt. 320-1, at p. 7].)

504. From 2006 to 2010, in C100, the candidate of choice of Latinos won 4 of 7 racially contested general elections in CD 27. From 2002 to 2010, in C100, the candidate of choice of Latinos won 9 of 13 racially contested general elections in CD 27. (PL Ex. 200 [Dkt. 320-1, at p. 7]; PL Ex. 237 [Dkt. 387-237, at p. 2]; PL Ex. 238 [Dkt. 387-238, at pp. 2, 4]; PL Ex. 239 [Dkt. 387-239, at p. 2]: PL Ex. 240 [Dkt. 387-240, at p. 1]; PL Ex. 241 [Dkt. 387-241, at p. 1].)

505. From 2006 to 2010, in C100, the candidate of choice of Latinos won 6 out of 6 racially contested Democratic primary elections in CD 27. From 2002 to 2010, in C100, the candidate of choice of Latinos won 9 out of 9 racially contested Democratic primary elections in CD 27. (PL Ex. 200 [Dkt. 320-1, at p. 7]; PL Ex. 237 [Dkt. 387-237, at p. 3]; PL Ex. 239 [Dkt. 387-239, at p. 4]: PL Ex. 240 [Dkt. 387-240, at p. 3]; PL Ex. 241 [Dkt.

387-241, at pp. 3, 6].)

506. From 2002 to 2010, in C100, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in CD 27. (PL Ex. 200 [Dkt. 320-1, at p. 7]; PL Ex. 237 [Dkt. 387-237, at p. 5]; PL Ex. 238 [Dkt. 387-238, at p. 6]; PL Ex. 241 [Dkt. 387-241, at p. 8].)

507. Because the candidate of choice of Latinos won two out of three endogenous elections between 2006 and 2010, Congressional District 27 in plan C100 provided Latino voters with a reasonable opportunity to elect representatives of their choice. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 27.)

508. In the benchmark, C100, CD 27 was anchored at the top by Nueces County and ran down the coast to the tip of Texas in Cameron County. (Tr. 458:8-10; Ex. J-21.)

509. Nueces County is majority Latino. (Tr. 458:22-23.)

510. Nueces County was an important part of CD 27 in that it was a significant part of the Latino opportunity district. (Tr. 459:2-4.)

511. In the benchmark, Nueces County is combined with counties to the south. (Ex. J-62-II, at 50:7-9.)

512. In the benchmark, Nueces County voters make up over 50% of the total registered voters of CD 27. (Tr. 971:23-972:2; Ex. J-62-II, at 51:6-11.)

513. In 2010, CD 27 Latinos supported their candidate of choice, Solomon P. Ortiz, with about 86.6% of their votes, as compared to just 15.9% of votes cast by non- Latinos. In CD 27, about 69.2% of the population is Latino voters, but only 45.08% of voters who cast ballots were Latinos. Ortiz received 47.11% of the total vote. (Engstrom Rebuttal Report, Ex. E- 8 [Dkt. 307-1], at p. 25-27.)

514. The fact that Latinos did not elect the candidate of their choice in the 2010 election in these districts does not mean that the districts no longer provide them with a reasonable opportunity to do so, only that the opportunity wasn't seized. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 27.)

515. For the entire decade leading up to 2010, Latino voters were able to elect the Latino incumbent, who is their candidate of choice—that is, in four out of five elections, the Latino candidate of choice won the election. (Tr. 514:15-25.)

516. In the benchmark, CD27 elected the Latino candidate of choice throughout the history of the district since the early 1980's when it was created. (Tr. 1828:16-1829:5.)

517. Voting in the General Election in 2010 in CD27 for congress was racially polarized. In CD 27 the incumbent Solomon P. Ortiz received an estimated 86.6 percent of the votes cast by Latinos and only 15.9 percent of those cast by non- Latinos. (Engstrom Corr. Rebuttal report at 25.)

518. The percentage of those turning out who were Latino was 46.72 percent in the 2010 election in CD 27. (Engstrom Corr. Rebuttal report at 25-26.)

519. The incumbent in CD27, who was Latino-preferred, fell 775 votes behind his challenger and lost the race.

520. The State's expert witness, Dr. Alford, conceded that he did not conduct any analysis of voter turnout over time and he did not compare the percent of Latinos who turned out to vote in 2010 to prior years, in CD27. (Tr. 1856:18-22.)

521. The State's expert witness, Dr. Alford, conceded that he performed no independent analysis to identify the Latino preferred candidate in CD27. (2011 Tr. 1856:23-1857:16).

522. He further conceded that he did not analyze the degree to which Latinos were electing

their preferred candidate to congress in CD23. (2011 Tr. 1864:8-25.)

523. The State's expert witness, Dr. Alford, conceded that in his first report he based his opinion that CD27 "showed Republican tendencies" on the fact that Mr. Farenthold won the election in 2010, and the district went Republican in three statewide races in 2010. Alford 1870:10-15. Dr. Alford agreed that CD27 had "performed" from the time of its creation for close to 30 years until the 2010 election. (2011 Tr. 1870:16-1871:4.)

IX. CD 28

524. CD 28 is a Latino opportunity district in the benchmark. (Tr. 512:24-513:6.)

525. CD 28 in Plan C100 has a HVAP of 75.7%, a HCVAP of 68.3%, and a SSVR of66%. (PL Ex. 200 [Dkt. 320-1, at p. 8].)

526. From 2006 to 2010, in C100, the candidate of choice of Latinos won 6 of 7 racially contested general elections in CD 28. From 2002 to 2010, in C100, the candidate of choice of Latinos won 12 of 13 racially contested general elections in CD 28. (PL Ex. 200 [Dkt. 320-1, at p. 8]; PL Ex. 237 [Dkt. 387-237, at p. 2]; PL Ex. 238 [Dkt. 387-238, at pp. 2, 4]; PL Ex. 239 [Dkt. 387-239, at p. 2]: PL Ex. 240 Dkt. 387-240, at p. 1]; PL Ex. 241 [Dkt. 387-241, at p. 1].)

527. From 2006 to 2010, in C100, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in CD 28. From 2002 to 2010, in C100, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in CD 28. (PL Ex. 200 [Dkt. 320-1, at p. 8]; PL Ex. 237 [Dkt. 387-237, at p. 3]; PL Ex. 239 [Dkt. 387-239, at p. 4]: PL Ex. 240 [Dkt. 387-240, at p. 3]; PL Ex. 241 [Dkt. 387-241, at pp. 3, 6].)

528. From 2002 to 2010, in C100, the candidate of choice of Latinos won in 0 out of 3 racially

contested Republican primary elections in CD 28. (PL Ex. 200 [Dkt. 320-1, at p. 8]; PL Ex. 237 [Dkt. 387-237, at p. 5]; PL Ex. 238 [Dkt. 387-238, at p. 6]; PL Ex. 241 [Dkt. 387-241, at p. 8].)

X. HARRIS COUNTY—CD 29

529. In plan C100, there is a Hispanic Citizen Voting-Age Population majority congressional district in Harris County, CD 29. (PL Ex. 343 [Dkt. 326-1, at p. 1].)

530. CD 29 is a Latino opportunity district in the benchmark. (Tr. 512:24-513:6.)

531. CD 29 in Plan C100 has a HVAP of 72.3%, a CVAP of 56%, and a SSVR of 52.6%. (PL Ex. 200 [Dkt. 320-1, at p. 9].)

532. From 2006 to 2010, in C100, the candidate of choice of Latinos won 7 of 7 racially contested general elections in CD 29. From 2002 to 2010, in C100, the candidate of choice of Latinos won 13 of 13 racially contested general elections in CD 29. (PL Ex. 200 [Dkt. 320-1, at p. 9]; PL Ex. 237 [Dkt. 387-237, at p. 2]; PL Ex. 238 [Dkt. 387-238, at pp. 2, 4]; PL Ex. 239 [Dkt. 387-239, at p. 2]: PL Ex. 240 [Dkt. 387-240, at p. 1]; PL Ex. 241 [Dkt. 387-241, at p. 1].)

533. From 2006 to 2010, in C100, the candidate of choice of Latinos won in 5 out of 6 racially contested Democratic primary elections in CD 29. From 2002 to 2010, in C100, the candidate of choice of Latinos won in 8 out of 9 racially contested Democratic primary elections in CD 29. (PL Ex. 200 [Dkt. 320-1, at p. 9]; PL Ex. 237 [Dkt. 387-237, at p. 3]; PL Ex. 239 [Dkt. 387-239, at p. 4]: PL Ex. 240 [Dkt. 387-240, at p. 3]; PL Ex. 241 [Dkt. 387-241, at pp. 3, 6].)

534. From 2002 to 2010, in C100, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in CD 29. (PL Ex. 200 [Dkt. 320-1, at p. 9]; PL

Ex. 237 [Dkt. 387-237, at p. 5]; PL Ex. 238 [Dkt. 387-238, at p. 6]; PL Ex. 241 [Dkt. 387-241, at p. 8].)

Appendix E: Plan Statistics for C185

LATINO OPPORTUNITY DISTRICTS IN DEFENDANTS' ENACTED CONGRESSIONAL PLAN, C185

I. STATEWIDE

535. Latinos are provided the opportunity to elect their preferred candidate in seven districts in C185. These are CDs 15, 16, 20, 28, 29, 34, and 35. (2011 Tr. 515:14-16; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28.)

536. The number of Latino opportunity districts did not change between the benchmark plan, C100, and the plan that the Texas Legislature enacted, C185. (2011 Tr. 446:15-18.)

537. Dr. Alford testified that in Plan C185, there are not eight districts in which Latinos can elect their candidate of choice. (2011 Tr. 1908:14-1909:2.)

538. Dr. Alford testified, with respect to Plan C185's failure to create an additional Latino opportunity district, "the first time I looked at the maps, that's the question that occurred to me, is where -- where had that -- where was that growth in the map? (2011 Tr. 1919:15-1920:1.)

539. The enacted plan, C185 adds CD 34 and CD 35 as Latino opportunity districts but takes away Latino opportunity districts 23 and 27. (2011 Tr. 485:20-486:8.)

540. The net gain of Latino opportunity districts in C185, the enacted plan, is zero. (2011 Tr. 486:9-10.)

541. Packing and cracking of minorities under C185 makes it possible to deny minorities the opportunity to elect their candidates of choice. (Kousser Decl., Ex. E-2 [Dkt. 128-1], at p. 117.

II. DALLAS-FORT WORTH METROPLEX

542. Plan C185 does not include a Latino opportunity district in the Dallas-Ft. Worth Metroplex. (Ex. J-8; PL Ex. 200 [Dkt. 320-1, at p. 1].)

543. CD 6 in Plan C185 is not a Latino opportunity district. (2011 Tr. 512:22-513:6,515:14-16; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28.)

544. CD 6 in Plan C185 has a HVAP of 39.6%, a HCVAP of 25.3%, a SSVR of 20.4%. (PL Ex. 200 [Dkt. 320-1, at p. pp. 1, 10]; PL Ex. 244 [Dkt. 387-244, at p. 1]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1].)

545. From 2006 to 2010, in C185, the candidate of choice of Latinos won in 0 out of 7 racially contested general elections in CD 6. From 2002 to 2010, in C185, the candidate of choice of Latinos won in 0 of 13 racially contested general elections in CD 6. (PL Ex. 200 [Dkt. 320-1, at p. 10]; PL Ex. 242 [Dkt. 387-242, at p. 1]; PL Ex. 243 [Dkt. 387-243, at p. 2]; PL Ex. 244 [Dkt. 387-244, at p. 1]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1]; PL Ex. 426 [Dkt. 396-426, at p. 1].)

546. From 2006 to 2010, in C185, the candidate of choice of Latinos won in 2 out of 6 racially contested Democratic primary elections. From 2002 to 2010, in C185, the candidate of choice of Latinos won in 2 out of 9 racially contested Democratic primary elections in CD 6. (PL Ex. 200 [Dkt. 320-1, at p. 10]; PL Ex. 242 [Dkt. 387-242, at pp. 3, 4]; PL Ex. 244 [Dkt. 387-244, at p. 3]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 2]; PL Ex. 245 [Dkt. 387-245, at pp. 2, 6]).

547. From 2002 to 2010, in C185, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in CD 6. (PL Ex. 200 [Dkt. 320-1, at p. 10].); PL Ex. 242 [Dkt. 387-242, at p. 6]; PL Ex. 243 [Dkt. 387-243, at p. 5]; PL Ex. 245 [Dkt. 387-245, at p. 8].)

548. Dr. Alford testified, with respect to the possibility of drawing an additional Latino opportunity district in the Dallas-Ft. Worth area, "I do think they could have drawn it. I

am not sure it would have been a bad idea to draw a minority district in that area." (2011 Tr. 1923:4-1924:2.)

549. Congressional District 6 in plan C185 divides largely Spanish speaking communities of Dallas County and joins them with non-Spanish speaking populations in Ellis and Navarro Counties. (PL Ex. 357 [Dkt. 327-3, at p. 1].)

550. Congressional District 6 in plan C185 joins communities in Dallas County that have low levels of educational attainment with Ellis and Navarro counties to the south that have higher levels of educations attainment. (PL Ex. 358 [Dkt. 327-4, at p. 1].)

551. Congressional District 6 in plan C185 combines low income communities in Dallas County with more affluent areas in southern Tarrant County and in Ellis and Navarro Counties. (PL Ex. 359 [Dkt. 328-1, at p. 1].)

552. In Plan C185, CD 26 is comprised mostly of Denton County, a largely Anglo and suburban county, and has a long boot that reaches into Tarrant County and pulls in about 135,000 largely Hispanic and African American people, splitting a minority community. (2011 Tr. 664:24-665:22.)

III. SOUTH AND WEST TEXAS

553. In plan C185, the northern border of the South Texas configuration of Hispanic Citizen Voting-Age Population majority congressional districts extends east from El Paso County to Reagan County, then southeast to Bexar County with an extension picking up parts of Caldwell, Hays and Travis Counties, and then south to Kleberg County. (PL Ex. 344 [Dkt. 326-1, at p. 2].)

IV. CD 15

554. CD 15 in Plan C185 is a Latino opportunity district. (2011 Tr. 512:22-513:6, 515:14-16;

Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28.)

555. CD 15 in Plan C185 has a HVAP of 77.2%, a CVAP of 71%, a SSVR of 66.8%. (PL Ex. 200 [Dkt. 320-1, at pp. 1, 2]; PL Ex. 244 [Dkt. 387-244, at p. 1]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1].)

556. From 2006 to 2010, in C185, the candidate of choice of Latinos won in 5 of 7 racially contested general elections in CD 15. From 2002 to 2010, in C185, the candidate of choice of Latinos won in 11 of 13 racially contested general elections in CD 15. (PL Ex. 200 [Dkt. 320-1, at p. 2]; PL Ex. 242 [Dkt. 387-242, at p. 1]; PL Ex. 243 [Dkt. 387-243, at p. 1]; PL Ex. 244 [Dkt. 387-244, at p. 1]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1]; PL Ex. 426 [Dkt. 396-426, at p. 1].)

557. From 2002 to 2010, in C185, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in CD 15. From 2002 to 2010, in C185, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in CD 15. (PL Ex. 200 [Dkt. 320-1, at p. 2]; PL Ex. 242 [Dkt. 387-242, at pp. 3, 4]; PL Ex. 244 [Dkt. 387-244, at p. 3]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 2]; PL Ex. 245 [Dkt. 387-245, at pp. 2, 6].)

558. From 2002 to 2010, in C185, the candidate of choice of Latinos won in 0 out of 3 racially contested Republican primary elections in CD 15. (PL Ex. 200 [Dkt. 320-1, at p. 2]; PL Ex. 242 [Dkt. 387-242, at p. 6]; PL Ex. 243 [Dkt. 387-243, at p. 5]; PL Ex. 245 [Dkt. 387-245, at p. 8].)

V. CD 16

559. CD 16 in Plan C185 has a HVAP of 77.6%, a CVAP of 72.7%, a SSVR of 66.2%. (PL Ex. 200 [Dkt. 320-1, at pp. 1, 3]; PL Ex. 244 [Dkt. 387-244, at p. 1]; PL Ex. 244-1 [Dkt.

387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1].)

560. From 2006 to 2010, the candidate of choice of Latinos won in 7 of 7 racially contested general elections in CD 16. From 2002 to 2010, the candidate of choice of Latinos won in 13 of 13 racially contested general elections in CD 16. (PL Ex. 200 [Dkt. 320-1, at p. 3]; PL Ex. 242 [Dkt. 387-242, at p. 1]; PL Ex. 243 [Dkt. 387-243, at p. 1]; PL Ex. 244 [Dkt. 387-244, at p. 1]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1]; PL Ex. 426 [Dkt. 396-426, at p. 1].)

561. From 2006 to 2010, the candidate of choice of Latinos won 6 out of 6 racially contested Democratic primary elections in CD 16. From 2002 to 2010, the candidate of choice of Latinos won 9 out of 9 racially contested Democratic primary elections in CD 16. (PL Ex. 200 [Dkt. 320-1, at p. 3]; PL Ex. 242 [Dkt. 387-242, at pp. 3, 4]; PL Ex. 244 [Dkt. 387-244, at p. 3]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 2]; PL Ex. 245 [Dkt. 387-245, at pp. 2, 6].)

562. From 2002 to 2010, in C185, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in CD 16. (PL Ex. 200 [Dkt. 320-1, at p. 3]; PL Ex. 242 [Dkt. 387-242, at p. 4]; PL Ex. 243 [Dkt. 387-243, at p. 5]; PL Ex. 245 [Dkt. 387-245, at p. 8].)

VI. CD 20

563. CD 20 in Plan C185 is a Latino opportunity district. (Tr. 515:14-16; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28.)

564. CD 20 in Plan C185 has a HVAP of 66%, a CVAP of 62.9%, a SSVR of 56.3%. (PL Ex. 200 [Dkt. 320-1, at pp. 1, 4]; PL Ex. 244 [Dkt. 387-244, at p. 1]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1].)

565. From 2006 to 2010, in C185, the candidate of choice of Latinos won 7 of 7 racially contested general elections in CD 20. From 2002 to 2010, in C185, the candidate of choice of Latinos won 13 of 13 racially contested general elections in CD 20. (PL Ex. 200 [Dkt. 320-1, at p. 4]; PL Ex. 242 [Dkt. 387-242, at p. 1]; PL Ex. 243 [Dkt. 387-243, at p. 1]; PL Ex. 244 [Dkt. 387-244, at p. 1; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1]; PL Ex. 426 [Dkt. 396-426, at p. 1].)

566. From 2006 to 2010, in C185, the candidate of choice of Latino won 6 out of 6 racially contested Democratic primary elections in CD 20. From 2002 to 2010, in C185, the candidate of choice of Latino won 9 out of 9 racially contested Democratic primary elections in CD 20. (PL Ex. 200 [Dkt. 320-1, at p. 4]; PL Ex. 242 [Dkt. 387-242, at pp. 3, 4]; PL Ex. 244 [Dkt. 387-244, at p. 3]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 2]; PL Ex. 245 [Dkt. 387-245, at pp. 2, 6].)

567. From 2002 to 2010, in C185, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in CD 20. (PL Ex. 200 [Dkt. 320-1, at p. 4]; PL Ex. 242 [Dkt. 387-242, at p. 6]; PL Ex. 243 [Dkt. 387-243, at p. 5]; PL Ex. 245 [Dkt. 387-245, at p. 8].)

VII. CD 23

568. While the total Hispanic population of CD 23 would increase in the C185, the proposed CD 23 is not a Latino opportunity district. By analyzing the racially polarized voting across the district, it can be determined that the realigned district would elect the Latino voters' candidate of choice in only one of the last eight elections. The analysis reaggregates the election results to fit within the proposed CD 23 district lines. (2011 Tr. 516:1-4; 545:16-18.)

569. CD 23 in Plan C185 has a HVAP of 63.8%, a CVAP of 58.5%, a SSVR of 54.8%. (PL Ex. 200 [Dkt. 320-1, at pp. 1, 5]; PL Ex. 244 [Dkt. 387-244, at p. 1]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1].)

570. From 2006 to 2010, in C185, the candidate of choice of Latinos won 1 of 7 racially contested general elections in CD 23. From 2002 to 2010, in C185, the candidate of choice of Latinos won 2 of 13 racially contested general elections in CD 23. (PL Ex. 200 [Dkt. 320-1, at p. 5]; PL Ex. 242 [Dkt. 387-242, at p. 1]; PL Ex. 243 [Dkt. 387-243, at p. 1]; PL Ex. 244 [Dkt. 387-244, at p. 1]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1]; PL Ex. 426 [Dkt. 396-426, at p. 1].)

571. From 2006 to 2010, in C185, the candidate of choice of Latinos won 6 out of 6 racially contested Democratic primary elections in CD 23. From 2002 to 2010, in C185, the candidate of choice of Latinos won 9 out of 9 racially contested Democratic primary elections in CD 23. (PL Ex. 200 [Dkt. 320-1, at p. 5]; PL Ex. 242 [Dkt. 387-242, at pp. 3, 4]; PL Ex. 244 [Dkt. 387-244, at p. 3]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 2]; PL Ex. 245 [Dkt. 387-245, at pp. 2, 6].)

572. From 2002 to 2010, in C185, the candidate of choice of Latinos won in 0 out of 3 racially contested Republican primary elections in CD 23. (PL Ex. 200 [Dkt. 320-1, at p. 5]; PL Ex. 242 [Dkt. 387-242, at p. 6]; PL Ex. 243 [Dkt. 387-243, at p. 5]; PL Ex. 245 [Dkt. 387-245, at p. 8].

VIII. CD 27

573. CD 27 in Plan C185 is a not Latino opportunity district. (2011 Tr. 515:14-16; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28.)

574. In the enacted plan there will be two districts that are anchored in the Rio Grande Valley

versus 3 districts in Plan C190. (Ex. 419 ¶ 22 [Dkt. 330-5, at p. 100]).

575. In C185, the new CD 27 reduces the SSVR from 69.2% to 45.1% when compared to the benchmark plan. That is, CD 27 in the benchmark is a majority Hispanic district and is not so in Plan C185. (2011 Tr. 458:14-16, 970:23-971:4, 971:20-22; Flores Report, Ex. E-8 [Dkt. 191-1], at p. 11.)

576. In CD 27 in the enacted plan, C185, Latinos are the numerical minority. Nueces County, once a Latino majority county anchoring a Latino opportunity district, is now in a district where Latinos are the minority. (2011 Tr. 459:1-7; PL Ex. 386 [Dkt. 330-3, at p. 2].)

577. The 24% reduction of SSVR in CD 27 dilutes Latino voting power and prohibits Latinos from electing their candidate of choice. (Flores Report, Ex. E-8 [Dkt. 191-1], at p. 11.)

IX. CD 28

578. CD 28 in Plan C185 is a Latino opportunity district. (2011 Tr. 512:22-513:6, 515:14-16; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28.)

579. CD 28 in Plan C185 has a HVAP of 73.6, a CVAP of 65.9%, a SSVR of 64.1%. (PL Ex. 200 [Dkt. 320-1, at pp. 1, 8]; PL Ex. 244 [Dkt. 387-244, at p. 2]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1].)

580. From 2006 to 2010, in C185, the candidate of choice of Latinos won 7 of 7 racially contested general elections in CD 28. From 2002 to 2010, in C185, the candidate of choice of Latinos won 13 of 13 racially contested general elections in CD 28. (PL Ex. 200 [Dkt. 320-1, at p. 8]; PL Ex. 242 [Dkt. 387-242, at p. 2]; PL Ex. 243 [Dkt. 387-243, at p. 2]; PL Ex. 244 [Dkt. 387-244, at p. 2]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1]; PL Ex. 426 [Dkt.396-426, at p. 2].)

581. From 2006 to 2010, in C185, the candidate of choice of Latinos won in 6 out of 6 racially

contested Democratic primary elections in CD 28. From 2002 to 2010, in C185, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in CD 28. (PL Ex. 200 [Dkt. 320-1, at p. 8]; PL Ex. 242 [Dkt. 387-242, at pp. 3, 5]; PL Ex. 244 [Dkt. 387-244, at p. 4]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 3]; PL Ex. 245 [Dkt. 387-245, at pp. 3, 6].)

582. From 2002 to 2010, in C185, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in CD 28. (PL Ex. 200 [Dkt. 320-1, at p. 8]; PL Ex. 242 [Dkt. 387-242, at p. 7]; PL Ex. 243 [Dkt. 387-243, at p. 6]; PL Ex. 245 [Dkt. 387-245, at p. 9].)

X. CD 34

583. CD 34 in Plan C185 is a Latino opportunity district. (2011 Tr. 512:22-513:6, 515:14-16; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28.)

584. CD 34 in Plan C185 has a HVAP of 79%, a CVAP of 71.7%, a SSVR of 71.9%. (PL Ex. 200 [Dkt. 320-1, at pp. 1, 7]; PL Ex. 244 [Dkt. 387-244, at p. 2]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1].)

585. From 2006 to 2010, in C185, the candidate of choice of Latinos won 7 of 7 racially contested general elections in CD 34. From 2002 to 2010, in C185, the candidate of choice of Latinos won 13 of 13 racially contested general elections in CD 34. (PL Ex. 200 [Dkt. 320-1, at p. 7]; PL Ex. 242 [Dkt. 387-242, at p. 2]; PL Ex. 243 [Dkt. 387-243, at pp. 2]; PL Ex. 244 [Dkt. 387-244, at p. 2]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1]; PL Ex. 426 [Dkt. 396-426, at p. 2].)

586. From 2006 to 2010, in C185, the candidate of choice of Latinos won 6 out of 6 racially contested Democratic primary elections in CD 34. From 2002 to 2010, in C185, the

candidate of choice of Latinos won 9 out of 9 racially contested Democratic primary elections in CD 34. (PL Ex. 200 [Dkt. 320-1, at p. 7]; PL Ex. 242 [Dkt. 387-242, at pp. 3, 5]; PL Ex. 244 [Dkt. 387-244, at p. 4]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 3]; PL Ex. 245 [Dkt. 387-245, at pp. 3, 6].)

587. From 2002 to 2010, in C185, the candidate of choice of Latinos won in 0 out of 3 racially contested Republican primary elections in CD 34. (PL Ex. 200 [Dkt. 320-1, at p. 7]; PL Ex. 242 [Dkt. 387-242, at p. 7]; PL Ex. 243 [Dkt. 387-243, at p. 6]; PL Ex. 245 [Dkt. 387-245, at p. 9].

XI. CD 35

588. CD 35 in Plan C185 is a Latino opportunity district. (2011 Tr. 512:22-513:6, 515:14-16; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28.)

589. CD 35 in Plan C185 has a HVAP of 58.3%, a CVAP of 51.9%, a SSVR of 45%. (PL Ex. 200 [Dkt. 320-1, at pp. 1, 6]; PL Ex. 244 [Dkt. 387-244, at p. 2]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1].)

590. From 2006 to 2010, in C185, the candidate of choice of Latinos won 7 of 7 racially contested general elections in CD 35. Latinos elect the candidate of their choice in 13 of 13 racially contested general elections from 2002 through 2010 in CD 35 in Plan C185. (PL Ex. 200 [Dkt. 320-1, at p. 6]; PL Ex. 242 [Dkt. 387-242, at p. 2]; PL Ex. 243 [Dkt. 387-243, at pp. 2]; PL Ex. 244 [Dkt. 387-244, at p. 2]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1]; PL Ex. 426 [Dkt. 396-426, at p. 2].)

591. From 2006 to 2010, in C185, the candidate of choice of Latinos won 6 out of 6 racially contested Democratic primary elections in CD 35. From 2002 to 2010, in C185, the candidate of choice of Latinos won 8 out of 9 racially contested Democratic primary

elections in CD 35. (PL Ex. 200 [Dkt. 320-1, at p. 6]; PL Ex. 242 [Dkt. 387-242, at pp. 3, 5]; PL Ex. 244 [Dkt. 387-244, at p. 4]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 3]; PL Ex. 245 [Dkt. 387-245, at pp. 3, 7].)

592. From 2002 to 2010, in C185, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in CD 35. (PL Ex. 200 [Dkt. 320-1, at p. 6]; PL Ex. 242 [Dkt. 387-242, at p. 7; PL Ex. 243 [Dkt. 387-243, at p. 6]; PL Ex. 245 [Dkt. 387-245, at p. 9].)

593. A Latino opportunity congressional district was drawn in Bexar County (CD 35) in the enacted plan because it was perceived to be legally required and possible to do with the existing districts. (Ex. J-59: 12:23-13:6)

XII. HOUSTON—CD 29

594. In plan C185, there is only one Hispanic Citizen Voting-Age Population majority congressional district in Harris County. (PL Ex. 344 [Dkt. 326-1, at p. 2].)

595. CD 29 in Plan C185 is a Latino opportunity district. (2011 Tr. 512:22-513:6, 515:14-16; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28.)

596. CD 29 in Plan C185 has a HVAP of 71.7%, a CVAP of 56.3%, a SSVR of 53%. (PL Ex. 200 [Dkt. 320-1, at pp. 1, 9]; PL Ex. 244 [Dkt. 387-244, at p. 3]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL Ex. 245 [Dkt. 387-245, at p. 1].)

597. From 2006 to 2010, in C185, the candidate of choice of Latinos won 7 of 7 racially contested general elections in CD 29. From 2002 to 2010, in C185, the candidate of choice of Latinos won 13 of 13 racially contested general elections in CD 29. (PL Ex. 200 [Dkt. 320-1, at p. 9]; PL Ex. 242 [Dkt. 387-242, at p. 2]; PL Ex. 243 [Dkt. 387-243, at pp. 2]; PL Ex. 244 [Dkt. 387-244, at p. 2]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 1]; PL

Ex. 245 [Dkt. 387-245, at p. 1]; PL Ex. 426 [Dkt. 396-426, at p. 2].)

598. From 2006 to 2010, in C185, the candidate of choice of Latinos won in 5 out of 6 racially contested Democratic primary elections in CD 29. From 2002 to 2010, in C185, the candidate of choice of Latinos won in 8 out of 9 racially contested Democratic primary elections in CD 29. (PL Ex. 200 [Dkt. 320-1, at p. 9]; PL Ex. 242 [Dkt. 387-242, at pp. 3, 5]; PL Ex. 244 [Dkt. 387-244, at p. 4]; PL Ex. 244-1 [Dkt. 387-244-1, at p. 3]; PL Ex. 245 [Dkt. 387-245, at pp. 3, 6].)

599. From 2002 to 2010, in C185, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in CD 29. (PL Ex. 200 [Dkt. 320-1, at p. 9]; PL Ex. 242 [Dkt. 387-242, at p. 7]; PL Ex. 243 [Dkt. 387-243, at p. 6]; PL Ex. 245 [Dkt. 387-245, at p. 9].)

Appendix F: Plan Statistics for C190

LATINO OPPORTUNITY DISTRICTS IN THE LATINO TASK FORCE PLAINTIFFS' DEMONSTRATIVE CONGRESSIONAL PLAN, C190

I. STATEWIDE

600. At least one proposed redistricting plan supported by the Texas Latino Redistricting Task Force, C190, created nine Latino opportunity districts: 6, 15, 16, 20, 23, 28, 34, and 35. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28; 2011 Tr. 512:22-513:6, 515:10-18).

II. DALLAS-FORT WORTH METROPLEX

601. CD 6 in Plan C190 is a Latino opportunity district. (Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28; 2011 Tr. 512:22-513:6, 515:10-18).

602. CD 6 in Plan C190 has a HVAP of 66.8%, a CVAP of 50.4%, a SSVR of 43.6%. (PL Ex. 200 [Dkt. 320-1, at pp. 1, 10]; PL Ex. 248 [Dkt. 387-248, at p. 1]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1].)

603. From 2006 to 2010, in C190, the candidate of choice of Latinos won in 7 out of 7 racially contested general elections in CD 6. From 2002 to 2010, in C190, the candidate of choice of Latinos won in 13 of 13 racially contested general elections in CD 6. (PL Ex. 200 [Dkt. 320-1, at p. 10]; PL Ex. 246 [Dkt. 387-246, at p. 1]; PL Ex. 247 [Dkt. 387-247, at p. 1]; PL Ex. 248 [Dkt. 387-248, at p. 1]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1]; PL Ex. 427 [Dkt. 396-427, at p. 1].)

604. From 2006 to 2010, in C190, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections. From 2002 to 2010, in C190, the candidate of choice of Latinos won in 7 out of 9 racially contested Democratic primary elections in CD 6. (PL Ex. 200 [Dkt. 320-1, at p. 10]; PL Ex. 246 [Dkt. 387-246, at pp. 3, 4]; PL Ex.

248 [Dkt. 387-248, at p. 3]; PL Ex. 249 [Dkt. 387-249, at p. 2]; PL Ex. 250 [Dkt. 387-250, at pp. 2, 6].)

605. From 2002 to 2010, in C190, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in CD 6. (PL Ex. 200 [Dkt. 320-1, at p. 10]; PL Ex. 246 [Dkt. 387-246, at p. 6]; PL Ex. 247 [Dkt. 387-247, at p. 5]; PL Ex. 250 [Dkt. 387-250, at p. 8].)

606. In plan C190, CD 6 comprises Hispanic Citizen Voting-Age Population majority congressional district in Tarrant and Dallas Counties. (PL Ex. 345 [Dkt. 326-2, at p. 1].)

607. In plan C190, Congressional District 6 is located in Tarrant and Dallas Counties, and has a Citizen Voting-Age population of 50.4%. (PL Ex. 332 [Dkt. 325-4, at p. 10].)

608. The Latino community in the DFW Metroplex is estimated to be l.8 million, and the Dallas, Fl. Worth, Grand Prairie, Irving, and Farmers Branch schools systems are predominantly Latino. (Ex. 415 ¶ 24 [Dkt. 330-5, at p. 83].

III. SOUTH AND WEST TEXAS

609. In plan C190, the northern border of the South Texas configuration of Hispanic Citizen Voting-Age Population majority congressional districts extends east from El Paso County, then southeast from Reeves County to Bexar County with an extension picking up parts of Caldwell, Hays and Travis Counties, and then south to Nueces County. (PL Ex. 345 [Dkt. 326-2, at p. 1].)

610. Plan C190 creates seven Latino opportunity congressional districts in South Texas. (PL Ex. 339 [Dkt. 325-4, at p. 18].)

IV. CD 15

611. CD 15 in Plan C190 is a Latino opportunity district. (2011 Tr. 512:22-513:6, 515:10-18,

947:24-948:2; Ex. J-62- II, at 59:3-6; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28).

612. CD 15 in Plan C190 has a HVAP of 69.3% CVAP of 61.7%, a SSVR of 61%. (PL Ex. 200 [Dkt. 320-1, at pp. 1, 2]; PL Ex. 248 [Dkt. 387-248, at p. 1]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1].)

613. From 2006 to 2010, in C190, the candidate of choice of Latinos won in 4 of 7 racially contested general elections in CD 15. From 2002 to 2010, in C190, the candidate of choice of Latinos won in 9 of 13 racially contested general elections in CD 15. (PL Ex. 200 [Dkt. 320-1, at p. 2]; PL Ex. 246 [Dkt. 387-246, at p. 1]; PL Ex. 247 [Dkt. 387-247, at p. 1]; PL Ex. 248 [Dkt. 387-248, at p. 1]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1]; PL Ex. 427 [Dkt. 396-427, at p. 1].)

614. From 2006 to 2010, in C190, the candidate of choice of Latinos won in 6 of 6 racially contested Democratic primary elections in CD 15. From 2002 to 2010, in C190, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in CD 15. (PL Ex. 200 [Dkt. 320-1, at p. 2]; PL Ex. 246 [Dkt. 387-246, at pp. 3, 4]; PL Ex. 248 [Dkt. 387-248, at p. 3]; PL Ex. 249 [Dkt. 387-249, at p. 2]; PL Ex. 250 [Dkt. 387-250, at pp. 2, 6].)

615. From 2002 to 2010, in C190, the candidate of choice of Latinos won in 0 out of 3 racially contested Republican primary elections in CD 15. (PL Ex. 200 [Dkt. 320-1, at p. 2].

V. CD 16

616. CD 16 in Plan C190 is a Latino opportunity district. (2011 Tr. 512:22-513:6, 515:10-18, 947:7-11; Ex. J-62-II, at 60:21-61:1; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28).

617. CD 16 in Plan C190 has a HVAP of 77.6%, a CVAP of 72.7%, a SSVR of 66.2%. (PL Ex. 200 [Dkt. 320-1, at pp. 1, 3]; PL Ex. 248 [Dkt. 387-248, at p. 1]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1].)

618. From 2006 to 2010, in C190, the candidate of choice of Latinos won 7 of 7 racially contested general elections in CD 16. From 2002 to 2010, in C190, the candidate of choice of Latinos won 13 of 13 racially contested general elections in CD 16. (PL Ex. 200 [Dkt. 320-1, at p. 3]; PL Ex. 246 [Dkt. 387-246, at p. 1]; PL Ex. 247 [Dkt. 387-247, at p. 1]; PL Ex. 248 [Dkt. 387-248, at p. 1]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1]; PL Ex. 427 [Dkt. 396-427, at p. 1].)

619. From 2006 to 2010, in C190, the candidate of choice of Latinos won 6 out of 6 racially contested Democratic primary elections in CD 16. From 2002 to 2010, in C190, the candidate of choice of Latinos won 9 out of 9 racially contested Democratic primary elections in CD 16. (PL Ex. 200 [Dkt. 320-1, at p. 3]; PL Ex. 246 [Dkt. 387-246, at pp. 3, 4]; PL Ex. 248 [Dkt. 387-248, at p. 3; PL Ex. 249 [Dkt. 387-249, at p. 2]; PL Ex. 250 [Dkt. 387-250, at p. 2, 6].)

620. From 2002 to 2010, in C190, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in CD 16. (PL Ex. 200 [Dkt. 320-1, at p. 3]; PL Ex. 246 [Dkt. 387-246, at p. 6]; PL Ex. 247 [Dkt. 387-247, at p. 5]; PL Ex. 250 [Dkt. 387-250, at p. 8].)

VI. CD 20

621. CD 20 in Plan C190 is a Latino opportunity district. (2011 Tr. 512:22-513:6, 515:10-18, 947:16-19; Ex. J-62-II, at 61:2-5; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28)

VII. CD 23

622. CD 23 in Plan C190 is a Latino opportunity district. (2011 Tr. 512:22-513:6, 515:10-18, 947:12-15; Ex. J-62-II, at 61:6-9; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28).

623. CD 23 in Plan C190 has a HVAP of 80.5%, a CVAP of 75.4%, a SSVR of 71.7%. (PL Ex. 200 [Dkt. 320-1, at pp. 1, 5]; PL Ex. 248 [Dkt. 387-248, at p. 1]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1].)

624. From 2006 to 2010, in C190, the candidate of choice of Latinos won 7 of 7 racially contested general elections in CD 23. From 2002 to 2010, in C190, the candidate of choice of Latinos won 13 of 13 racially contested general elections in CD 23. (PL Ex. 200 [Dkt. 320-1, at p. 5]; PL Ex. 246 [Dkt. 387-246, at p. 1]; PL Ex. 247 [Dkt. 387-247, at p. 1]; PL Ex. 248 [Dkt. 387-248, at p. 1]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1]; PL Ex. 427 [Dkt. 396-427, at p. 1].)

625. From 2006 to 2010, in C190, the candidate of choice of Latinos won 6 out of 6 racially contested Democratic primary elections in CD 23. From 2002 to 2010, in C190, the candidate of choice of Latinos won 9 out of 9 racially contested Democratic primary elections in CD 23. (PL Ex. 200 [Dkt. 320-1, at p. 5]; PL Ex. 246 [Dkt. 387-246, at pp. 3, 4]; PL Ex. 248 [Dkt. 387-248, at p. 3]; PL Ex. 249 [Dkt. 387-249, at p. 2]; PL Ex. 250 [Dkt. 387-250, at pp. 2, 6].)

626. From 2002 to 2010, in C190, the candidate of choice of Latinos won in 0 out of 3 racially contested Republican primary elections in CD 23. (PL Ex. 200 [Dkt. 320-1, at p. 5].)

VIII. THE RIO GRANDE VALLEY CONFIGURATION

A. CD 27s & 34

627. CD 27 in Plan C190 is a not a Latino opportunity district. (2011 Tr. 512:22-513:6, 515:10-18, 947:20-23; Ex. J-62-II, at 61:10-17; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28.)

628. CD 34 in Plan C190 is a Latino opportunity district. (2011 Tr. 512:22-513:6, 515:10-18, 948:3-6; Ex. J-62-II, at 61:21-23; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28; Tr..)

629. CD 34 in Plan C190 has a HVAP of 77.8%, a CVAP of 72.4%, a SSVR of 69.7% (PL Ex. 200 [Dkt. 320-1, at pp. 1, 7]; PL Ex. 248 [Dkt. 387-248, at p. 2]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1].)

630. From 2006 to 2010, in C190, the candidate of choice of Latinos won 7 of 7 racially contested general elections in CD 34. From 2002 to 2010, in C190, the candidate of choice of Latinos won 13 of 13 racially contested general elections in CD 34. (PL Ex. 200 [Dkt. 320-1, at p. 7]; PL Ex. 246 [Dkt. 387-246, at p. 2]; PL Ex. 247 [Dkt. 387-247, at pp. 2]; PL Ex. 248 [Dkt. 387-248, at p. 2]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1]; PL Ex. 427 [Dkt. 396-427, at p. 2].)

631. From 2006 to 2010, in C190, the candidate of choice of Latinos won 6 out of 6 racially contested Democratic primary elections in CD 34. From 2002 to 2010, in C190, the candidate of choice of Latinos won 9 out of 9 racially contested Democratic primary elections in CD 34. (PL Ex. 200 [Dkt. 320-1, at p. 7]; PL Ex. 246 [Dkt. 387-246, at pp. 3, 5]; PL Ex. 248 [Dkt. 387-248, at p. 4]; PL Ex. 249 [Dkt. 387-249, at p. 2]; PL Ex. 250 [Dkt. 387-250, at pp. 3, 7].)

632. From 2002 to 2010, in C190, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in CD 34. (PL Ex. 200 [Dkt. 320-1, at p. 7]; PL

Ex. 246 [Dkt. 387-246, at p. 7]; PL Ex. 247 [Dkt. 387-247, at p. 6]; PL Ex. 250 [Dkt. 387-250, at p. 9].)

B. CD 28

633. CD 28 in Plan C190 is a Latino opportunity district. (2011 Tr. 512:22-513:6, 515:10-18, 947:20-23; Ex. J-62-II, at 61:10-17; Engstrom Rebuttal Report, Ex. E-8 [Dkt. 307-1], at p. 28).

634. CD 28 in Plan C190 has a HVAP of 72.5%, a CVAP of 65.1%, a SSVR of 63.2%. (PL Ex. 200 [Dkt. 320-1, at pp. 1, 8]; PL Ex. 248 [Dkt. 387-248, at p. 2]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1].)

635. From 2006 to 2010, in C190, the candidate of choice of Latinos won 4 of 7 racially contested general elections in CD 28. From 2002 to 2010, in C190, the candidate of choice of Latinos won 9 of 13 racially contested general elections in CD 28. (PL Ex. 200 [Dkt. 320-1, at p. 8]; PL Ex. 246 [Dkt. 387-246, at p. 2]; PL Ex. 247 [Dkt. 387-247, at pp. 2]; PL Ex. 248 [Dkt. 387-248, at p. 2]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1]; PL Ex. 427 [Dkt. 396-427, at p. 2].)

636. From 2006 to 2010, in C190, the candidate of choice of Latinos won in 6 out of 6 racially contested Democratic primary elections in CD 28. From 2002 to 2010, in C190, the candidate of choice of Latinos won in 9 out of 9 racially contested Democratic primary elections in CD 28. (PL Ex. 200 [Dkt. 320-1, at p. 8]; PL Ex. 246 [Dkt. 387-246, at pp. 3, 5]; PL Ex. 248 [Dkt. 387-248, at p. 4]; PL Ex. 249 [Dkt. 387-249, at p. 2]; PL Ex. 250 [Dkt. 387-250, at pp. 3, 6].)

637. From 2002 to 2010, in C190, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in CD 28. (PL Ex. 200 [Dkt. 320-1, at p. 8]; PL

Ex. 246 [Dkt. 387-246, at p. 7]; PL Ex. 247 [Dkt. 387-247, at p. 6]; PL Ex. 250 [Dkt. 387-250, at p. 9].)

IX. AUSTIN-SAN ANTONIO—CD 35

638. Congressional District 35 in Plans C185 and C190 provide Latinos an opportunity to elect candidates of their choice. (Ex. 413 ¶ 24 [Dkt. 330-5, at p. 75].)

639. CD 35 in Plan C190 has a HVAP of 58.3%, a CVAP of 51.9%, a SSVR of 45%. (PL Ex. 200 [Dkt. 320-1, at pp. 1, 6]; PL Ex. 248 [Dkt. 387-248, at p. 2]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1].)

640. From 2006 to 2010, in C190, the candidate of choice of Latinos won 7 of 7 racially contested general elections in CD 35. From 2002 to 2010, in C190, the candidate of choice of Latinos won 13 of 13 racially contested general elections in CD 35. (PL Ex. 200 [Dkt. 320-1, at p. 6]; PL Ex. 246 [Dkt. 387-246, at p. 2]; PL Ex. 247 [Dkt. 387-247, at pp. 2]; PL Ex. 248 [Dkt. 387-248, at p. 2]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1]; PL Ex. 427 [Dkt. 396-427, at p. 2].)

641. From 2006 to 2010, in C190, the candidate of choice of Latinos won 6 out of 6 racially contested Democratic primary elections in CD 35. From 2002 to 2010, in C190, the candidate of choice of Latinos won 8 out of 9 racially contested Democratic primary elections in CD 35. (PL Ex. 200 [Dkt. 320-1, at p. 6]; PL Ex. 246 [Dkt. 387-246, at pp. 3, 5]; PL Ex. 248 [Dkt. 387-248, at p. 4]; PL Ex. 249 [Dkt. 387-249, at p. 2]; PL Ex. 250 [Dkt. 387-250, at pp. 3, 7].)

642. From 2002 to 2010, in C190, the candidate of choice of Latinos won in 1 out of 3 racially contested Republican primary elections in CD 35. (PL Ex. 200 [Dkt. 320-1, at p. 6]; PL Ex. 246 [Dkt. 387-246, at p. 7]; PL Ex. 247 [Dkt. 387-247, at p. 6]; PL Ex. 250 [Dkt.

387-250, at p. 9].

X. HOUSTON

A. CD 29

643. CD 29 in Plan C190 is a Latino and African American coalition district. (PL Ex. 200 [Dkt. 320-1, at p. 1].)

644. CD 29 in Plan C190 has a HVAP of 59%, a CVAP of 35.7%, a SSVR of 31%. (PL Ex. 200 [Dkt. 320-1, at pp. 1, 9]; PL Ex. 248 [Dkt. 387-248, at p. 2]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1].)

645. From 2006 to 2010, in C190, the candidate of choice of Latinos won 6 of 7 racially contested general elections in CD 29. From 2002 to 2010, in C190, the candidate of choice of Latinos won 12 of 13 racially contested general elections in CD 29. (PL Ex. 200 [Dkt. 320-1, at p. 9]; PL Ex. 246 [Dkt. 387-246, at p. 2]; PL Ex. 247 [Dkt. 387-247, at pp. 2]; PL Ex. 248 [Dkt. 387-248, at p. 2]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1]; PL Ex. 427 [Dkt. 396-427, at p. 2].)

646. From 2006 to 2010, in C190, the candidate of choice of Latinos won in 2 out of 6 racially contested Democratic primary elections in CD 29. From 2002 to 2010, in C190, the candidate of choice of Latinos won in 3 out of 9 racially contested Democratic primary elections in CD 29. (PL Ex. 200 [Dkt. 320-1, at p. 9]; PL Ex. 246 [Dkt. 387-246, at pp. 3, 5]; PL Ex. 248 [Dkt. 387-248, at p. 4]; PL Ex. 249 [Dkt. 387-249, at p. 2]; PL Ex. 250 [Dkt. 387-250, at pp. 3, 6].)

647. From 2002 to 2010, in C190, the candidate of choice of Latinos won in 2 out of 3 racially contested Republican primary elections in CD 29. (PL Ex. 200 [Dkt. 320-1, at p. 9]; PL Ex. 246 [Dkt. 387-246, at p. 7]; PL Ex. 247 [Dkt. 387-247, at p. 6]; PL Ex. 250 [Dkt.

387-250, at p. 9].

B. CD 36

648. In plan C190, there is a Hispanic Citizen Voting-Age Population majority congressional district in Harris County, CD 36. (PL Ex. 345 [Dkt. 326-2, at p. 1].)

649. Congressional District 36 in Plan C190 provide Latinos an opportunity to elect candidates of their choice. (Ex. 413 ¶ 24 [Dkt. 330-5, at p. 75].)

650. CD 36 in Plan C190 has a HVAP of 65.6%, a CVAP of 50.1%, a SSVR of 46.4%, and that the Candidate of choice of Latinos wins 7 out of 7 racially contested general elections from 2006 to 2010. (PL Ex. 200 [Dkt. 320-1, at pp. 1, 11]; PL Ex. 248 [Dkt. 387-248, at p. 2]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1].)

651. From 2006 to 2010, in C190, the candidate of choice of Latinos won 7 of 7 racially contested general elections in CD 36. From 2002 to 2010, in C190, the candidate of choice of Latinos won 13 of 13 racially contested general elections in CD 36. (PL Ex. 200 [Dkt. 320-1, at p. 11]; PL Ex. 246 [Dkt. 387-246, at p. 2]; PL Ex. 247 [Dkt. 387-247, at pp. 2]; PL Ex. 248 [Dkt. 387-248, at p. 2]; PL Ex. 249 [Dkt. 387-249, at p. 1]; PL Ex. 250 [Dkt. 387-250, at p. 1]; PL Ex. 427 [Dkt. 396-427, at p. 2].)

652. From 2006 to 2010, in C190, the candidate of choice of Latinos won in 4 out of 6 racially contested Democratic primary elections in CD 36. From 2002 to 2010, in C190, the candidate of choice of Latinos won in 6 out of 9 racially contested Democratic primary elections in CD 36. (PL Ex. 200 [Dkt. 320-1, at p. 11]; PL Ex. 246 [Dkt. 387-246, at pp. 3, 5]; PL Ex. 248 [Dkt. 387-248, at p. 4]; PL Ex. 249 [Dkt. 387-249, at p. 2]; PL Ex. 250 [Dkt. 387-250, at pp. 3, 7].)

653. From 2002 to 2010, in C190, the candidate of choice of Latinos won in 2 out of 3 racially

contested Republican primary elections in CD 36. (PL Ex. 200 [Dkt. 320-1, at p. 11]; PL Ex. 246 [Dkt. 387-246, at pp. 7]; PL Ex. 247 [Dkt. 387-247, at p. 6]; PL Ex. 250 [Dkt. 387-250, at p. 9].)