



Deposition of:
September 8, 2021 9:00 Public Hearing

September 8, 2021

In the Matter of:
**Permanent Legislative Committee On
Reapportionment Public Hearings**

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ALABAMA PERMANENT COMMITTEE ON REAPPORTIONMENT
AND REDISTRICTING PUBLIC HEARING

HELD ON
WEDNESDAY, SEPTEMBER 8TH, 2021
BEGINNING AT 9:00 A.M.

LOCATION:
BISHOP STATE COMMUNITY COLLEGE
351 NORTH BROAD STREET
MOBILE, ALABAMA 36603

AND
ONLINE VIA MICROSOFT TEAMS MEETING

TRANSCRIBED REMOTELY BY:
KATHLEEN F. CAVAZOS, RPR,
COURT REPORTER

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1 SENATOR MCCLENDON: Welcome, everybody. We're
2 glad to have you with us today. All of you coming in
3 virtually, we ask you to turn your cameras off on your
4 laptop or whatever device you're using and also mute your
5 microphones on your devices. Thank you. Thank you.
6 Okay. That's looking good.

7 My name is Jim McClendon. I am a state senator
8 from -- I live in St. Clair County, and I am Senate chair
9 of redistricting.

10 Can you hear me? If you can hear me, raise a
11 hand.

12 Is anybody working on the sound?

13 (Off-the-record break.)

14 SENATOR MCCLENDON: I apologize for this, but
15 we're going to get underway. We're running a few minutes
16 late.

17 I will remind everyone that's on virtually,
18 except our court reporter, of course, to turn your
19 cameras off and mute your microphones on your laptop or
20 your cell phone, whatever device you're using. If you
21 will mute it, it will help us.

22 Now we're going to get started. My name is Jim
23 McClendon. I am a state senator. My home is in
24 St. Clair County, north central Alabama, and I am the
25 Senate chairman of redistricting. To my right is State

1 Representative Chris Pringle, who is the House chairman
2 of redistricting, and to my left is Mr. Dorman Walker, an
3 attorney. He is the hearing officer for today. He works
4 for -- He's employed by the Redistricting Committee.

5 Also, we have with us three other members of the
6 Redistricting Committee. Senator Bobby Singleton is
7 here. Senator Steve Livingston is here and
8 Representative Laura Hall is with us.

9 The purpose of the hearing is to receive
10 testimony. It's for us to hear what you have to say
11 about redrawing Congressional districts, Alabama Senate
12 districts, Alabama House districts and state board of
13 education districts. Some of these areas will gain
14 population, and they will have to shrink in size to get
15 to the ideal number of voters in that district, and some
16 of them lose population, and they'll have to increase in
17 size.

18 An ideal Senate district using the new data from
19 the census bureau is 143,551. An ideal House district is
20 47,850. So we're going to have -- Under current maps,
21 we'll have districts over that and districts under that,
22 and our job is to make adjustments in the district size
23 and location in order to bring them back in balance to
24 respect the concept of one person, one vote.

25 Now I'm going to give you some examples of

1 Senate and House districts in your area and what has
2 happened to the population. We'll start off with Senate
3 district 22 has lost about 7,600 people. Now, when we
4 have these ideal district sizes, we have a plus or minus
5 five percent latitude. It can be somewhere inside that
6 mark. So, for example, this particular Senate district
7 22, would be outside that five percent. So you know
8 adjustments in that district are going to have to be
9 made.

10 Now, sometimes a district stays relatively close
11 and doesn't have a big change, but the district next to
12 it might. So a district may stay the same, but it may
13 still get redrawn because of adjacent districts.

14 Another Senate district in your area is Senate
15 district 33. That's the district of Senator Figures, and
16 I think she's with us virtually. That district lost
17 18,500 people, which puts it at about 13 percent
18 deviation. Senate 34 gained 5,500, roughly, and Senate
19 35 lost about 2,900 people.

20 The House districts in your area, House
21 districts 96 through 105, House 96 gained about 8,300.
22 Ninety-seven lost about 8,700. 98 lost about 5,300. 99
23 lost about 2,800. 100 lost 4,500. These are round
24 numbers. 101, which is the House district of
25 Representative Pringle here with me, had very little

1 change, increased by 177 people. 102 gained 367 people.
2 103 lost about 6,600. 104 lost about 1,500, and 105 lost
3 about 3,400 people.

4 So with that being said, I'm going to turn it
5 over to Representative Pringle to give you an idea of how
6 we carry out these hearings.

7 Thank you.

8 MR. PRINGLE: Thank you, Senator. Again, my
9 name is Chris Pringle. I'm state representative from
10 House district 101 in Mobile. I'd like to thank each of
11 you for attending today.

12 You will be called to speak in the order in
13 which you signed up. We will limit each speaker to three
14 minutes. When called, please come to the microphone.
15 State your name and the community you represent and the
16 district or districts you want to speak about. If you
17 decide you want to speak but did not sign up, we'll ask
18 at the end if anyone who hasn't spoken yet wants to
19 speak. If you are participating remotely, send in your
20 questions or statements, and we'll read them into the
21 record for you.

22 This hearing is being transcribed by a court
23 reporter working remotely. If you have something you'd
24 like to introduce into the record as an exhibit, bring it
25 to the microphone when you speak and let the hearing

1 officer know, and we'll have it attached to this, and it
2 will become part of the permanent record of this
3 committee.

4 The hearing today is dealing with the issue of
5 redistricting. No other issue before the legislature is
6 to be discussed today. We're here solely to talk about
7 redistricting.

8 With that, I'd like to again thank you for
9 attending and turn it over to Dorman Walker.

10 MR. WALKER: Good morning and hello to everyone.
11 Thank you, Bishop State, for hosting this hearing. Thank
12 you for all of you who are attending in the auditorium
13 and attending remotely. Your testimony is important and
14 your participation is important to the redistricting
15 process.

16 What I'd like to do is, before I open the
17 hearing for public comment, is explain a little bit about
18 the rules that regulate how the legislature can draw
19 districts. They can't just draw them in any particular
20 way. They have to do them in a way that's consistent
21 with and complies with federal and state law and with the
22 legislature's own guidelines for drawing districts.

23 The first of these, the overarching federal
24 requirement, is one person, one vote, which is just a
25 fancy way of saying that all districts have to have

1 equal, in the case of Congressional districts, or
2 approximately equal, in the case of state board of
3 education and legislative districts, populations as a
4 result of redistricting.

5 The ideal population of any district is merely
6 the number of districts divided into the state's new
7 population, which is a little bit more than five million.
8 So if you take that, five million, and divide it by 105,
9 you get the ideal population that Senator McClendon gave
10 you for the House district, for example. And the rules
11 of the legislature will allow to populate a district up
12 to five percent or below ideal population.

13 So correcting population shifts is the first
14 requirement. The second and no less important, of
15 course, is that no plan can be adopted by the legislature
16 that does not comply with section two of the Voting
17 Rights Act and the equal protection clause of the
18 Constitution or that otherwise is discriminatory,
19 particularly on the basis of race. And the
20 Reapportionment Committee will not approve a
21 redistricting plan that it believes does not comply with
22 section two or is discriminatory.

23 No district will be drawn in a manner that
24 subordinates race-neutral districting criteria -- and
25 I'll explain what those are in a second -- to

1 considerations of race, color or membership in a language
2 minority -- and that language comes to us from the Voting
3 Rights Act -- except that race, color or membership in a
4 language minority group may dominate over race-neutral
5 districting criteria as necessary to comply with section
6 two of the Voting Rights Act, provided there is a strong
7 basis in evidence in support of such a race-based choice.
8 A strong basis in evidence exists when there is good
9 reason to believe that race must be used in order to
10 satisfy the Voting Rights Act.

11 All districts must be drawn to reflect the
12 democratic will of the people, which is one of the
13 reasons we're having this hearing.

14 Districts are drawn on the basis of total
15 population. The census bureau reports population in many
16 different forms. Total population is the biggest
17 classification of population. It includes everybody who
18 was in the state and/or a particular district on census
19 day and includes, of course, a lot of people who can't
20 vote. Children, anyone under 18, people who are merely
21 visiting but are not residents, people who are not
22 citizens, for example, and some incarcerated persons are
23 people who cannot vote but are included in total
24 population. That's always been the basis for
25 redistricting, and that's what the legislature continues

1 to use as the basis for redistricting, although in some
2 circumstances, it will look at voting age population, and
3 particularly black voting age population, that is, the
4 population 18 and above in a district to ensure that it
5 is complying with section two of the Voting Rights Act
6 and the equal protection clause.

7 The number of Alabama Senate districts is set by
8 statute at 35. The number of House districts is set by
9 statute at 105. The Constitution would allow 106. All
10 districts are single-member districts, which means only
11 one person can be elected from each district.

12 When the legislature draws districts, it tries
13 to make districts as compact as possible, given all other
14 constraints, and it avoids contests between incumbents
15 whenever possible and tries to preserve the cores of
16 existing districts.

17 Another requirement is that all districts must
18 be contiguous, which means that every district must be in
19 contact at every point on its boundary either with the
20 state boundary or with the border of another district.
21 Contiguity across water, for example, contiguity across
22 Mobile Bay, is allowed.

23 Districts shall respect or must respect
24 communities of interest, neighborhoods and political
25 subdivisions to the extent practicable. A community of

1 interest is defined as an area with recognized
2 similarities of interest, including, but not limited to,
3 ethnic, racial, economic, tribal, social, geographic and
4 historical identities. The term "communities of
5 interest" may, in certain circumstances, include
6 political subdivisions such as counties, voting
7 precincts, municipalities, tribal lands and reservations
8 and school districts.

9 The discernment, weighing and balancing of the
10 very factors that contribute to communities of interest
11 is an intensely political process best carried out by the
12 elected representatives of the people. And your
13 testimony today about communities of interest that should
14 be respected when new lines are drawn will be
15 particularly helpful.

16 So those are the rules that govern the drawing
17 of districts, and do we have a -- We don't yet have a
18 sign-in sheet from Bishop State. So I don't know who
19 wants to speak there. I would just ask the people in the
20 auditorium, if you want to speak, please come up to the
21 microphone -- I'm not quite sure where it is -- and
22 introduce yourself, and we'll hear your testimony. So
23 anybody in the auditorium who wants to speak, please come
24 up to the microphone.

25 SENATOR MCCLENDON: Can the camera be adjusted

1 so we can see the speaker?

2 MR. WALKER: All right. I have the sign-in
3 sheet. Ms. Shalela Dowdy, would you please come up?
4 There you are. I see you right there. Is that
5 Ms. Dowdy?

6 MS. DOWDY: Good morning.

7 (Audio feedback)

8 SENATOR MCCLENDON: Please mute your
9 microphones. It's giving us a lot of feedback.

10 MR. WALKER: I apologize. We haven't had these
11 technical problems, this kind of jinks. Ms. Dowdy, if
12 you want to go ahead and give it a try, I'll let you know
13 if you exceed your three minutes, so please start.

14 MS. DOWDY: Okay. Good morning to the
15 Reapportionment Committee (inaudible) attendance at
16 today's hearing. I am Shalela Dowdy, a resident of
17 Mobile County. I reside in the first Congressional
18 district.

19 MR. WALKER: Ms. Dowdy, you need to hold the
20 microphone up. I'm sorry. We can't hear you.

21 MS. DOWDY: Can you hear me now?

22 MR. WALKER: We can hear you now. I'm sorry.

23 MS. DOWDY: Good morning to the Reapportionment
24 Committee and those in attendance at today's hearing. I
25 am Sheila Dowdy, a resident of Mobile County. I reside

1 within the first Congressional district, the 33rd Senate
2 district, the 99th House district and the 5th state
3 school board district.

4 I'm here to address some issues with our current
5 map and identify what can be done so that equal
6 representation is the end result of our newly drawn map.
7 The State of Alabama has a history of partaking in racial
8 gerrymandering that has resulted in the dilution of the
9 black vote and the reduction of black political power
10 within the state. These actions have resulted in the
11 black voting power consistently being suppressed.

12 First, looking at our state Congressional map,
13 it is evident that the seventh Congressional district is
14 packed with black voters. This one majority black and
15 Democratic district provide 14 percent of representation
16 in Congress. African-Americans in the state make up
17 roughly 26 to 27 percent, while Democratic voters in the
18 state make up close to 40 percent.

19 If we look at the numbers on the state level,
20 there are 26 districts of the 105 House seats that are
21 represented by Democrats and minorities, which is 25
22 percent. While in the Senate, there are eight seats,
23 which give 23 percent of representation. It is evidence
24 that on the state level, we have a higher percentage of
25 representation, and that should be depicted on the

1 Congressional level as well.

2 In order to allow for fair representation, the
3 new map should allow for two majority minority districts
4 or two districts that are majority Democratic, which
5 would expand the opportunity of equal representation.

6 Locally, on a Senate level, Senate district 33
7 is another district that is packed with black voters.
8 This district population is 71 percent black, which is an
9 extremely high number. The Supreme Court ruled in
10 Bartlett vs. Strickland that in order for a district to
11 be Constitutionally required, minorities must constitute
12 at least 50 percent of a minority opportunity district
13 voting age population. The voting age population in
14 Senate district 33 is 68 percent. The numbers within the
15 district indicate an extreme example of packing and, once
16 again, voting power is restricted.

17 On the state House level, district 101 seems to
18 be gerrymandered and drawn in a way to purposely omit or
19 split a precinct that has a high black population. This
20 is an indication of an elected official possibly picking
21 their voters instead of letting the voters choose who
22 they want.

23 Lastly, the state school board map separates the
24 City of Mobile from the rest of Mobile County which
25 results in a portion of the county being a part of

1 district one and the other half a part of district five.
2 The Mobile County Public School System is the largest
3 school system in the state. It is run by one
4 superintendent, and the county should be kept whole and
5 represented by one elected official on the state level.

6 In conclusion, I want to emphasize that when you
7 have these maps drawn up and created, please take into
8 consideration fair and equal representation, along with
9 adequate apportionment when it comes to the true makeup
10 and demographics within the State of Alabama both on a
11 racial and political level.

12 This concludes my testimony. I thank you for
13 the opportunity and your time.

14 MR. WALKER: Thank you, Ms. Dowdy.

15 Susan Carnick (phonetic) is up next. I'm sorry
16 if I'm mispronouncing your name. I can't quite read it.

17 MS. CARNEY: Good morning. I'm here to speak
18 about Congressional redistricting. I'm a resident of
19 Mobile --

20 (AUDIO FEEDBACK)

21 MS. CARNEY: -- League of Women Voters of Mobile
22 who I am representing today. We have a chance in the
23 next few months to improve the democratic process in
24 Alabama. You are the legislators who are ultimately
25 responsible for drawing the maps that can make this

1 happen.

2 Communities of interest must be maintained
3 intact. Fair representation must be given regardless of
4 race, background, zip code or income. Racial equality is
5 a priority when drawing maps. It is your duty to assure
6 this equity.

7 The Supreme Court has said that traditional
8 boundaries, counties, should be used for drawing maps.
9 County lines was a traditional boundary used in Alabama
10 for 150 years. The Alabama legislature's own guidelines
11 state that the number of counties per district should be
12 as minimal as possible. I myself believe that county
13 boundaries make sense if for no other reason than it is a
14 concept easily understood by everyone.

15 The current Congressional map is ripe with
16 issues of unfairness. The Congressional districts are
17 not compact and do not follow county borders as
18 constitutionally described. As you can see in maps --
19 current maps, the shape of district seven is designed to
20 pack as many people of color as possible into a single
21 district to ensure a minority Congressional
22 representation. However, it also serves to weaken
23 minority voting influence elsewhere in the state.

24 There is a better alternative. The whole-county
25 Alabama Congressional map graphic which I believe has

1 been shared already with the Reapportionment Committee,
2 but I have a copy with me today --

3 MR. WALKER: Are you referring to --

4 MS. CARNEY: -- (inaudible) gerrymander in
5 district seven. It provides two districts of opportunity
6 for minorities to elect a Congressional representative of
7 their choice. Undoubtedly, there are other map schemes
8 that could meet this goal. This map is more compact than
9 the current map and satisfies the Constitutional
10 principle of one person, one vote in a better way.

11 I appreciate and thank you for providing this
12 opportunity for testimony to be submitted in multiple
13 formats, in person, virtually and via email. These
14 community input meetings are instrumental in allowing the
15 voice of the people to be heard. I and the League of
16 Women Voters appreciate this opportunity. I know that
17 you want to do the best and right thing for all the
18 voters of Alabama. You and your colleagues in the
19 Alabama legislature must justly consider these public
20 inputs as you create fair maps for the next 10 years.

21 Thank you.

22 MR. WALKER: Thank you. Can you hear me? Can
23 you hear me? Hello?

24 MS. CARNEY: I can hear you.

25 MR. WALKER: Okay. Would you state your name

1 for the record?

2 MS. CARNEY: Sue Carney or Suzanne Carney,
3 C-A-R-N-E-Y.

4 MR. WALKER: Thank you, Ms. Carney. Thank you
5 for your testimony. Ms. Carney and Ms. Dowdy, who
6 testified before you, both of you had paper that you were
7 reading from. If you want to include that as an exhibit
8 to the hearing, give it to the coordinator there at
9 Bishop State who will mark it as an exhibit, and that
10 will be forwarded to the court reporter.

11 MS. CARNEY: Certainly. Thank you.

12 MR. WALKER: Thank you very much. Thank you for
13 your testimony.

14 Our next person to speak is Barbara Cadell. Is
15 Ms. Cadell there? Ms. Cadell, we can't quite see you.
16 You're good there. Thank you.

17 MS. CADELL: Is everything okay now? This is
18 better? Thank you. Like I said, I require instruction.
19 My name is Barbara Cadell. I'm a resident of Mobile.

20 I'm a proud constituent of Senator Figures and
21 Representative Clarke in Senate district 33 and House
22 district 97.

23 I also live in a historic home in the old
24 Dauphin Way historic district, a house that was
25 commissioned by a woman, built by a woman before women

1 could vote. Although the franchise has expanded since my
2 house was built, voters in Alabama still face challenges.
3 Many voters have had their voices effectively muted by
4 the way that voting districts have been drawn. Today,
5 you have the opportunity to remove some of these
6 challenges and, thus, improve the democratic process. I
7 stand before you today to suggest some ways to do this
8 fairly and equitably.

9 Most importantly, I encourage you, like my
10 colleague, Sue, did, to keep counties whole when
11 assigning Congressional, state legislative and school
12 board districts. The Supreme Court and our state
13 Constitution have stressed the importance of following
14 county boundaries when creating districts. County units
15 tend to have more cohesiveness of culture, as well as
16 experience and the collaboration necessary to govern
17 effectively. When counties are kept whole, citizens are
18 less confused about what district they're in, and
19 representatives are clear about who their constituents
20 are.

21 It is difficult to accept that a state
22 legislator who resides in one county can adequately
23 understand or represent constituents from another county
24 who has been split off from their county just as add-ons.
25 District 96 is a case in point. It travels the coast of

1 the eastern shore of Mobile Bay from Daphne to Spanish
2 Fort, continues across the delta to take in parts of
3 Saraland and Chickasaw, which are in Mobile County.

4 Alabama began splitting counties after the
5 Supreme Court's one person, one vote rule.
6 Unfortunately, splitting counties -- and currently, as
7 has been pointed out, our Congressional districts have
8 split several counties. This can create as many problems
9 as it solves. Having one current majority minority
10 Congressional district actually dilutes the votes of
11 minority citizens who should have at least two
12 Congressional seats instead of one.

13 Maps have been introduced that keep counties
14 whole while creating competitive districts that would
15 allow minority representatives to be elected in more than
16 one district. I hope you will consider adopting one of
17 these. And please note, and I'm sure you know this
18 already, that courts allow more than a five percent
19 deviation in creating districts when you are considering
20 race as a category.

21 Additionally, I trust that you'll preserve
22 communities of interest, especially those of low income
23 or minority neighborhoods. Democracy is strengthened
24 when constituents feel heard and constituents are more
25 likely to be heard when they're in a group. A prime

1 example of this dynamic is environmental justice. Many
2 of our environmental challenges occur in areas that are
3 so divided politically that responsibility for addressing
4 citizen concerns is divided also. Under these
5 circumstances, citizens' concerns can be ignored.

6 Finally, I trust that you will create compact
7 and contiguous districts where possible. I wish that
8 protecting an incumbent were not part of your stated
9 criteria, much as I love mine. I feel that this will not
10 engender meaningful change or trust that the districts
11 are fair.

12 In the 2015 Time Magazine article on the best
13 Supreme Court decisions since 1960, Reynolds versus Sims,
14 the one person, one vote case was described as making
15 government far more democratic and representative. I
16 urge you to consider the factors I've laid out here which
17 are actually designed to make our legislative districts
18 more democratic and more representative in the spirit of
19 that one person, one vote rule of Reynolds versus Sims.

20 Thank you, thank you for your openness in
21 listening to all of us, for your willingness to have
22 testimony taken over multiple formats, and I thank you
23 for this opportunity to speak.

24 MR. WALKER: Thank you, Ms. Cadell, for your
25 testimony. If you'd like to have your written statement

1 included in the -- Ms. Cadell, can you hear me? Hello?
2 In the auditorium, can you hear me?

3 MS. CADELL: Yes, sir.

4 MR. WALKER: If you'd like to have your written
5 statement included in the record, please give it to the
6 coordinator there, and it will be forwarded to the court
7 reporter.

8 The next person to speak is Adline Clarke.

9 REPRESENTATIVE CLARKE: Good morning.

10 MR. WALKER: Good morning, Representative
11 Clarke.

12 REPRESENTATIVE CLARK: As an Alabama legislator,
13 I'd like to thank all of you all for coming out to
14 participate in this public hearing this morning.
15 Especially those of you who are providing food for
16 thought. That's very important because not only will the
17 Reapportionment Committee be involved in decision making,
18 but my colleague, Representative Barbara Drummond, and
19 the entire legislature will be voting during a special
20 session on how the lines will be redrawn.

21 I'd like to state for the record that I've had
22 several Chickasaw elected officials express their desire
23 to have their City of Chickasaw in one House district. I
24 am honored to represent about 90 percent of Chickasaw,
25 but as my constituent, Ms. Cadell, pointed out, my

1 colleague, Representative Matt Simpson of Baldwin County,
2 represents a portion of Chickasaw as well.

3 Now, based on the new census data,
4 Representative Simpson and I find ourselves in totally
5 opposite situations which may very well resolve the House
6 subdivision in Chickasaw. Representative Simpson's
7 district 96 is overpopulated, and House district 97,
8 which I am honored to represent, is underpopulated.

9 Chairman McClendon and Chairman Pringle, you
10 have probably analyzed the census data much more closely
11 than I have had the opportunity to analyze it so far.
12 However, if my count is accurate, 64 House districts are
13 over or underpopulated by at least five percent, which
14 means that they have deviated above or below the ideal
15 population for 47,850 that you mentioned at the beginning
16 of this public hearing. That means that we as a
17 legislature have a lot of work to do to get House
18 districts within the ideal population range.

19 I look forward to working with the Mobile County
20 legislative delegation the Reapportionment Committee and
21 the entire legislature to draw fair Congressional and
22 state legislative maps, maps that mirror the will of the
23 voters, that respect communities of interest, that avoid
24 diluting representation of people of color and maps that
25 avoid splitting political subdivisions as much as

1 possible.

2 Thank you for conducting these public hearing
3 throughout the state to give citizens the opportunity to
4 provide input before the legislature convenes a special
5 session to redraw electoral districts. Thank you.

6 MR. WALKER: Thank you, Representative Clarke.

7 I don't have anyone else signed up to speak in
8 the auditorium, so I guess you could put the microphone
9 down on the stage there or wherever it's convenient.

10 No one who is attending virtually has indicated
11 they want to speak. If you're attending virtually and
12 you'd like to speak, either raise your hand or send in a
13 question or comment by chat.

14 Is there anyone else in the auditorium who would
15 like to speak? If there is, please come up and introduce
16 yourself. Last call for speakers.

17 Okay. I believe we've heard from everybody in
18 the auditorium who wants to speak. Thank you to those of
19 you who spoke and for your thoughtful comments. Again,
20 if you want to have the written version of your testimony
21 that you are holding with you or, Representative Clarke,
22 that you had on your computer, please give that to the
23 coordinator there. Representative Clarke, you may want
24 to email it to the apportionment office, and we'll have
25 it included in the transcript.

1 No one participating virtually has asked to
2 speak, so this hearing is closed. Thank you very much
3 for coming today either virtually or in person and thank
4 you for your testimony.

5 (Exhibits 1 through 3 were marked.)

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C E R T I F I C A T E

STATE OF ALABAMA)

COUNTY OF MOBILE)

I hereby certify that the above and foregoing deposition was taken down by me remotely in stenotype and transcribed by means of computer-aided transcription, and that the foregoing is a true and correct transcript to the best of my ability.

I further certify that I am neither of counsel nor of kin to any of the parties, nor am I in anywise interested in the result of said cause.

I further certify that I am duly licensed by the Alabama Board of Court Reporting as a Certified Court Reporter as evidenced by the ACCR number following my name found below.



KATHLEEN F. CAVAZOS, RPR, ACCR302

NOTARY PUBLIC

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Alabama Rules of Civil Procedure
Part V. Depositions and Discovery

Rule 30

(e) Submission to witness; changes; signing. When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by the witness, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within thirty (30) days of its submission to the witness, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; the deposition may then be used as fully as though signed unless on a motion to suppress under Rule 32(d)(4) the

court holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

(F) Certification and filing by officer; exhibits; copies; notice of filing.

(1) The officer shall certify on the deposition that the witness was duly sworn by the officer and that the deposition is a true record of the testimony given by the witness. Unless otherwise ordered by the court, the officer shall then securely seal the deposition in an envelope indorsed with the title of the action and marked "Deposition of [here insert name of witness]" and shall promptly file it with the court in which the action is pending or send it by registered or certified mail to the clerk thereof for filing.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE STATE RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.