

STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF
JUSTICE
SUPERIOR COURT DIVISION
18 CVS 014001

Common Cause; *et al*

Plaintiffs,

v.

Representative David R. Lewis, in his
official capacity as senior chairman of
the House Select Committee on
Redistricting, *et al*

Defendants.

DALTON L. OLDHAM'S
SUPPLEMENTAL AFFIDAVIT IN
SUPPORT OF GEOGRAPHIC
STRATEGIES' RESPONSE TO COURT
ORDER OF 11/4/2019

Dalton Lamar Oldham Esq., after being duly sworn, states the following:

1. I am the current sole owner of Geographic Strategies, LLC ("Strategies"), and I am submitting this affidavit to supplement my affidavit filed with this Court on August 30, 2019, and in support of the log ("Log 3") and brief filed herewith.
2. Strategies, and its two principals, myself and Dr. Thomas Hofeller, worked with the Republican National Committee ("RNC") to create internal strategy binders for redistricting litigation ("RNC Redistricting Strategy Binders").
3. The binders were developed by RNC counsel in conjunction with Strategies and its principals to prepare for redistricting litigation. I am the principal author and editor of the legal treatises in the binders.
4. The files are marked "attorney work product." They expressly state that they contain materials authored by "redistricting experts"—i.e., Strategies and its

principals.

5. These strategic documents were then shared at a conference with Republican counsel from around the country to assist with the RNC's national redistricting strategy.
6. The binders contained the following caveat: "[I]t is acknowledged that this conference and materials are of considerable and unique value and are not available on the open market. The Conference and these materials have been provided to you in the mutual understanding that by accepting these materials and attending this Conference you are in return obligating yourself to adhere to the provisions stated [herein] as well as not to represent or assist any interest adverse to the [RNC] or its state or local affiliates in any apportionment or redistricting matter."
7. The materials expressly state that they were being provided with the "expectation that we will be jointly involved in future litigation."
8. To the extent the binders were originally drafted by Strategies' principals prior to the formation of Strategies, Strategies maintained possession of them because it regularly used and supplemented them.
9. The documents encompassed in the binders together constitute the RNC's redistricting "Bible."
10. The binders reflect legal analysis of the current redistricting law for each redistricting cycle, as well as the RNC's redistricting strategy for each cycle in anticipation of litigation over the redistricting plans, and they contain the core

- of the RNC's redistricting methods and strategies over the last two decades.
11. RNC attorneys developed the documents in close consultation with Strategies and its principals, relying heavily on their expertise and proprietary methods of analysis with respect to redistricting.
 12. Both Strategies and the RNC took substantial measures to ensure that these documents would be kept confidential, and they would never have fallen into the hands of those with an adverse political interest or been released for broad public consumption had they not been stolen by Ms. Hofeller.
 13. The RNC Redistricting Strategy Binders constitute a compilation of information that includes Strategies' methods and techniques with respect to redistricting that were developed by Strategies and its principals in conjunction with the RNC.
 14. The documents derive substantial value from being kept secret, especially from Strategies' political opponents.
 15. Other than the binders, the remainder of the documents on Log 3 constitute internal communications with the RNC regarding RNC business and strategy that Dr. Hofeller had on behalf of Strategies and pursuant to Strategies' contract with the RNC.
 16. The overwhelming majority of the 34,666 files from Texas, Ohio, and Florida were created on behalf of Strategies.
 17. All of the files from Ohio and Florida were created on behalf of Strategies. In those states, neither Dr. Hofeller nor I had an independent contract. All work

on redistricting efforts in those states was performed pursuant to Strategies' contract with the RNC.

18. In Texas, to the best of my knowledge, all files prior to April 2017 were created pursuant to Strategies' contract with the RNC with the exception of files previously noted. At some time after that time, Dr. Hofeller may have signed an independent contract with another entity in Texas. However, this material should be limited to communications between Dr Hofeller and that entity.

VERIFICATION

I have read the foregoing affidavit and the matters asserted therein are true of my own knowledge, except those matters alleged in information and belief, and as to those matters I believe them to be true.

This the 4 day of December, 2019.

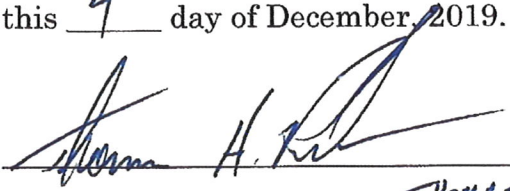


Dalton L. Oldham

STATE OF SOUTH CAROLINA

COUNTY OF Lexington

Sworn and subscribed to before me this 4 day of December, 2019.



Notary Public THOMAS H. RICHARDSON

My Commission Expires: May 19, 2020



SEAL

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing upon all parties to this matter by emailing counsel as per the Case Management Order as follows:

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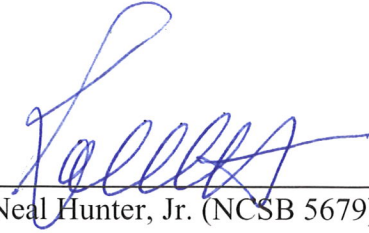
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Dated: December 4, 2019



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