

**From:** Steven T. Voigt  
**To:** Sean Young; flevenson@acluohio.org; ddennis@acluohio.org; Dale Ho  
**Cc:** Bridget E. Coontz; Kristopher Armstrong  
**Subject:** RE: NAACP/Husted  
**Date:** Thursday, July 17, 2014 3:32:43 PM

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Sean,

I am happy to depose Professor Smith in Massachusetts if that would be more convenient for him.

Regarding Professor Brunell, asking him to fly to Columbus for purposes of this deposition is unreasonable and would place significant burdens on him. I have not asked Professor Smith to travel to Columbus, and indeed, I had no idea he lived in Massachusetts. If Massachusetts is better for Professor Smith, let's have the deposition there.

Regarding Professor McCarty, I will convey your proposal to him but I'd like to understand it better. I assume you plan to keep the deposition within one day. Please confirm. An 80 minute train ride both directions, plus time to get from the train station to the office, will obviously result in a shortened day. Also, so I can better understand the proposal, are you planning to compensate him for his time in addition to travel expenses or just travel expenses? I don't know what earlier dates you could possibly be interested in for Professor McCarty, other than over a weekend, which I assume is not the case. You proposed a date of July 31 for his deposition, which will not work and would potentially result in depositions in three separate cities on three consecutive days. August 4 or 5 at least gives the weekend between Professor Smith and Professor McCarty.

Regarding Sean Trende, I will circle back to him and see if we can arrange for a different day.

Steve

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**From:** Sean Young [mailto:syoung@aclu.org]  
**Sent:** Thursday, July 17, 2014 2:54 PM  
**To:** Steven T. Voigt; flevenson@acluohio.org; ddennis@acluohio.org; Dale Ho  
**Cc:** Bridget E. Coontz; Kristopher Armstrong  
**Subject:** RE: NAACP/Husted

Steve,

Professor Brunell: Plaintiffs are willing to pay for Brunell's flight from Dallas to Columbus, which will save a significant amount of time (and money) for attorneys on both sides. However, if his deposition must be in Dallas, we are confirming that you are holding both Tuesday July 29 or Wednesday July 30 open while we work out our schedules as quickly as we can.

Professor McCarty: Please confirm that August 4 or 5 are the earliest dates that are available for Professor McCarty. If they are, then we are confirming that you will hold both dates open while we work out our schedules. Also, we were hoping that Defendants could provide the courtesy of arranging for Professor McCarty to take an 80-minute train ride from Princeton to NYC (a trip that we would be happy to pay for), just as we have extended the courtesy of having Professor Smith

travel 4 hours from rural western Massachusetts to NYC to make it easier for you to depose him in-person, without any charge to you even though it is Defendants' deposition.

Sean Trende: Thursday, July 24 will not work for us. Defendants' opposition brief is due on July 23. That gives us virtually no time to prepare for his deposition. Unless Defendants are willing to serve Trende's report by 5pm on Tuesday, July 22, please propose an alternate date.

Professor Smith: We will send you logistical information separately.

Sean

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**From:** Steven T. Voigt [mailto:Steven.Voigt@ohioattorneygeneral.gov]  
**Sent:** Thursday, July 17, 2014 12:52 PM  
**To:** Sean Young; flevenson@acluohio.org; ddennis@acluohio.org; Dale Ho  
**Cc:** Bridget E. Coontz; Kristopher Armstrong  
**Subject:** NAACP/Husted

Sean,

Here are proposed dates for depositions:

Sean Trende, July 24, Columbus  
Professor Brunell, July 29 or 30, Dallas  
Professor McCarty, August 4 or 5, Princeton

Professor Smith on Friday August 1 in New York will work. Do you have a conference room we can use?

Steve