

IN THE SUPREME COURT OF OHIO

League of Women Voters of Ohio, *et al.*,

*Relators,*

v.

Ohio Redistricting Commission, *et al.*,

*Respondents.*

Case No. 2021-1193

**Motion of Relators for Scheduling Order**

Relators hereby move this Court to adopt the proposed schedule for the Scheduling Order to be issued pursuant to Section 14.03(B) of the Rules of the Ohio Supreme Court.

Time is of the essence. An operative apportionment plan establishing the districts for the General Assembly must be in place by January 30, 2022, in order for individual candidates to meet the February 2, 2022, candidate filing deadline.

On September 16, 2021 (just past midnight), the Ohio Redistricting Commission adopted reapportionment plans for the State’s House districts and Senate districts (together, the “Challenged Plan”). The Challenged Plan violates Article XI, Section 6 of the Ohio Constitution which mandates partisan fairness for any General Assembly map. Many of the Respondents conceded that the Commission fell short. Compl. at ¶¶ 76-78, *League of Women’s Voters, et al. v. DeWine, et al.*, No. 2021-1193 (Ohio Sept. 23, 2021). Should Relators prevail, revised apportionment plans must be enacted by the Redistricting Commission following an order of this Court identifying the constitutional defects of the originally enacted maps. Ohio Const., art. XI, § 9(B).

This motion seeks an expedited schedule for discovery, expert reports, and the submission of merit briefs. The motion also requests oral argument. Relators respectfully submit that this expedited schedule is necessary to ensure that a remedy can be provided prior to the candidate filing deadline.

Respectfully submitted,

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## Memorandum In Support

On September 23, 2021, Relators filed this lawsuit challenging the Ohio Redistricting Commission's new apportionment plans for the State's House districts and Senate districts (together, the "Challenged Plan"). The litigation is governed by the Supreme Court of Ohio Rule of Practice 14.03.

### **A. The Reapportionment and Election Schedules**

The Challenged Plan was introduced just after 11 pm on September 15, 2021, and enacted just after midnight on September 16, 2021. As soon as it was introduced, Relators worked diligently to assess and quantify its deviation from the requirements of Article XI. Following Relators' analysis of its serious constitutional defects, Relators worked expeditiously to prepare and file their Complaint, and did so on September 23. They concurrently provided courtesy copies to Respondents. This alacrity was necessary, due to the deadlines imposed by the election schedule.

In Ohio, the candidate filing deadline is currently February 2, 2022 (90 days before the May 3, 2022 unified primary). *See* Ohio Rev. Code § 3513.05. Accordingly, the districts in which the candidates file must be finalized prior to February 2, 2022.

### **B. Relators' Pre-Suit Diligence**

Recognizing that time would be short between the enactment of a plan and the candidate filing deadline, Relators pressed forward long before the enactment of a plan with comprehensive public records requests (and related litigation).

Relators began seeking key records from individuals publicly known to be involved in the redistricting process more than *seven months* prior to the initiation of this case. In particular, Relators submitted records requests to individuals in the Ohio House of Representatives, Senate, Governor's Office, Secretary of State's Office, Auditor of State's Office, Legislative Service

Commission, and the Ohio University Voinovich School of Leadership and Public Affairs (“GVS”), including individuals on the Ohio Redistricting Commission. *See* Appendix A for a more detailed timeline of key events related to Relators’ pre-lawsuit diligence.

Relators pre-suit records requests sought many of the items Relators are now compelled to seek through discovery. Relators repeated, renewed, and detailed their requests in the weeks leading up to Respondents’ consideration and issuance of the Challenged Plan, in order to capture relevant documents that may have been developed at various stages of that process.

Upon receiving only limited or delayed responses from many of the request recipients, Relators were compelled to follow up multiple times to ensure the request recipients provided responsive records in a timely manner. Relators also sought to revise and clarify their requests as appropriate and negotiate with recipients regarding any objections.

Faced with continued delay and unjustified objections from the House of Representatives, Relators even pursued litigation in an effort to secure the public records sought. This step proved necessary to prompt the House to produce any records at all for multiple request recipients, including Speaker Bob Cupp. Although the parties have now undergone extensive mediation regarding Relators’ requests, the House has persisted in refusing to undertake the necessary steps to identify all records responsive to Relators’ requests. Nevertheless, out of diligence, Relators continue to press their challenges against the House.

Despite all of Relators’ efforts, Respondents have not provided many critical documents in response to Relators’ public records requests. In particular, Respondents have yet to provide Relators with comprehensive records, including communications, related to the Redistricting Commission’s deliberations.

Moreover, several critical documents necessarily did not exist until recently, some as recently as just the past week. Given Respondents' frequent delays thus far in providing documents, Relators cannot expect to receive documents they have recently requested in time to pursue the expedited timeline this case requires. Other documents may pre-date or post-date (and thus would not be covered by) Relators' earlier-served public records requests. Expedited discovery is therefore still required. In addition, certain depositions and expert disclosures are needed for the resolution of this case.

**C. Proposed Litigation Schedule**

If successful on their claims, Relators have asked this Court to order the Redistricting Commission to adopt a new General Assembly district plan, as contemplated in Article XI, Section 9(B). In order to ensure that such relief can be both granted and implemented prior to the February 2, 2022 candidate filing deadline, Relators propose the following case schedule:

<b>DEADLINE</b>	<b>DESCRIPTION</b>
September 24	Service of Relators' document requests and interrogatories
October 1	Relators' expert disclosures
October 8	Production by Respondents of all documents and interrogatory responses
October 15	Respondents' expert disclosures
October 22	Relators' rebuttal expert disclosures
October 29	Discovery cutoff (including completion of all depositions)
November 5	Concurrent submission of evidence by all parties
November 10	Relators' merits brief
November 17	Respondents' merits brief, evidentiary objections, including <i>in limine</i> and/or Daubert motions
November 17	Relators' evidentiary objections, including <i>in limine</i> and/or Daubert motions
November 24	Relators' reply brief
November 24	Relators' responses to Respondents' evidentiary objections, including <i>in limine</i> and/or Daubert motions
November 24	Respondents' responses to Relators' evidentiary objections (including <i>in limine</i> motions and/or Daubert motions)

**D. Proposed Discovery Plan**

**1. The Requested Document Production and Interrogatory Responses**

To facilitate timely discovery in this matter, Relators are serving discovery, and this motion, the day following the filing of their Complaint, for which Relators request responses (including the actual documents themselves) by October 8, 2021. Consistent with their public records requests, Relators' discovery requests (*see* Exhibits 1-2 for examples of the discovery to

be served) relate to specific aspects of the Redistricting Commission's deliberations, including communications, as well as the technical data considered and/or relied on by the Redistricting Commission to draw the Challenged Map. Relators' discovery requests seek, among other things, information that was sought prior to filing of the Complaint, but which the Respondents have failed to provide to Relators.

## **2. Expert Disclosures**

Relators have already provided initial expert affidavits setting forth opinions in support of their Complaint. These opinions provide expert analysis: (1) regarding the partisan bias of the Challenged Plan and (2) that alternative maps illustrate that the Challenged Plan was not mandated by the provisions of the Ohio Constitution. Per Relators' proposed schedule, Relators will produce additional disclosures on October 1, 2021 consisting of a more detailed analysis of the Challenged Plan's constitutional violations.

Relators propose that Respondents provide their expert reports on October 15, 2021, with Relators' rebuttal disclosures due on October 22, 2021. This proposed disclosure schedule allows both parties to review the relevant disclosures and take expert depositions, if requested, prior to the proposed October 29, 2021 discovery cutoff.

## **3. Resolution of Discovery Disputes**

In order to facilitate the timely resolution of discovery disputes, Relators propose that all discovery disputes, to the extent any arise, be submitted to a Master Commissioner, with each party submitting a short (five-page maximum) letter brief on the disputed issue, with any opposition to be filed within 48 hours.

### **E. Oral Argument**

Per the proposed schedule, all briefing should be completed by November 24, 2021. Relators are available for oral argument at the Court's convenience.

\* \* \*

In light of the considerations detailed above, Relators respectfully request the Court issue a scheduling order adopting Relator's proposed litigation and discovery schedules.

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## APPENDIX A

### Relators' Public Records Requests - Key Events Timeline

DATE	EVENT
Feb. 4, 2021	<p>Relators submit a first round of public records requests to Governor Mike DeWine, Senate Majority Leader Matt Huffman, House Speaker Bob Cupp, Secretary of State Frank LaRose, Auditor of State Keith Faber, and select other individuals in the Ohio House of Representatives, Senate, Governor's Office, Secretary of State's Office, and Auditor of State's Office. <i>See, e.g.,</i> Ex. 3, Email from J. Collin Marozzi, Policy Strategist, ACLU of Ohio, to Speaker Bob Cupp, Ohio House of Reps. (Feb. 4, 2021, 1:47 PM).</p> <p>Relators request, <i>inter alia</i>: (1) “[a]ny and all records consisting of, or referring or relating to, information that could be used for the purposes of redistricting, including, without limitation shape files, other digital files and other information pertaining to precinct names, precinct lines, partisan indexes, population shifts, or changing census block lines, also known as voting district (VTD), for the 2018 election, 2020 election, and upcoming redistricting cycle”; (2) “[a]ny and all records consisting of, or referring or relating to, the convening of the Ohio Redistricting Commission, including, without limitation, plans or other discussion”; and (3) “[a]ny and all records consisting of, or referring or relating to, any communication with any current or former member of Ohio’s Congressional delegation, their staff, or affiliated political action committee, relating to redistricting.” <i>Id.</i> at ¶¶ 5, 2, 7.</p>
Feb. 17, 2021	<p>Josh Sabo of the Ohio House of Representatives writes to deny portions of Relators’ requests as overbroad. <i>See</i> Ex. 4, Email from Josh Sabo, Deputy Legal Counsel, Office of the Speaker of the Ohio House of Reps, to J. Collin Marozzi (Feb. 17, 2021, 10:47 AM).</p>
Feb. 22, 2021	<p>Following a request from Relators, Relators and individuals from the House discuss how Relators may reframe their requests. The parties agree that Relators will provide search terms to aid in identifying responsive records. <i>See</i> Ex. 4, Email from Josh Sabo to J. Collin Marozzi (Feb. 22, 2021, 8:15 AM).</p>
Feb. 26, 2021	<p>After further discussion and prompting by Mr. Sabo, Relators provide search terms to the House to aid in identifying</p>

	responsive records. <i>See</i> Ex. 5, Email from J. Collin Marozzi to Josh Sabo (Feb. 26, 2021, 9:46 AM).
Mar. 30, 2021	Relators follow up with the House of Representatives regarding outstanding requests. <i>See, e.g.</i> , Ex. 6, Email from J. Collin Marozzi to Josh Sabo (Mar. 30, 2021, 1:25 PM). The House responds that it is still processing Relators’ requests, but that it will continue to deny portions of Relators’ requests as overbroad.
May 5, 2021	Relators again follow up with the House of Representatives regarding outstanding requests. <i>See, e.g.</i> , Ex. 6, Email from J. Collin Marozzi to Josh Sabo (May 5, 2021, 11:53 AM).
Jun. 7, 2021	Relators submit requests to the Ohio University Voinovich School of Leadership and Public Affairs (“GVS”) and associated individuals, seeking, <i>inter alia</i> “[a]ll records related to the development of the Ohio Common and Unified Redistricting Database” by GVS, including monthly progress reports and correspondence regarding the delay of redistricting data. <i>See</i> Ex. 7, Email from J. Collin Marozzi to Shelly Bean, Paralegal, Ohio University Office of Legal Affairs (Jun. 7, 2021, 12:14 PM).
Jun. 17, 2021	Counsel for Relators writes to request recipients of the February 4 requests from the House, Senate, and Governor’s Office regarding outstanding requests and request objections. <i>See, e.g.</i> , Ex. 8, Email from Brady Bender, Counsel for Respondents, to Josh Sabo (Jun. 17, 2021, 6:16 AM).
Jun. 23, 2021	In response to counsel, Mr. Sabo reasserts privilege and overbreadth objections to the February 4 requests. <i>See, e.g.</i> , Ex. 9, Email from Josh Sabo to Brady Bender (Jun. 23, 2021, 1:44 PM).  Relators follow up with GVS recipients regarding outstanding requests. <i>See</i> Ex. 10, Email from J. Collin Marozzi to Shelly Bean (Jun. 23, 2021, 2:59 PM).
Jul. 6, 2021	Relators file a complaint for alternative and peremptory writs of mandamus against the Ohio House of Representatives in the Ohio Supreme Court. Compl., <i>State ex rel. Marozzi v. Ohio House of Reps.</i> , No. 2021-0847 (Ohio Jul. 6, 2021). Relators challenge the House’s failure to provide records in response to Relator’s February 4 requests within a reasonable period of time,

	unsubstantiated claims of attorney-client privilege, and rejection of certain of Relators’ requests as overly broad or vague. <i>See id.</i>
Jul. 14, 2021	Relators’ case against the Ohio House of Representatives is referred to mediation. Order, <i>State ex rel. Marozzi v. Ohio House of Reps.</i> , No. 2021-0847 (Ohio Jul. 14, 2021). Relators and representatives from the House undertake several mediation sessions thereafter.
Jul. 20, 2021	Relators again follow up with GVS recipients regarding outstanding requests. <i>See Ex. 10</i> , Email from J. Collin Marozzi to Shelly Bean (Jul. 20, 2021, 11:41 AM).
Jul. 22, 2021	A representative for the GVS recipients responds to Relators to assert cursory overbreadth and vagueness objections. <i>See Ex. 10</i> , Email from Shelly Bean to J. Collin Marozzi (Jul. 22, 2021, 4:05 PM).
Jul. 27, 2021	After Relators, in the interest and spirit of cooperation, sought clarity about the GVS recipients’ overbreadth and vagueness objections, a representative for the GVS representatives stated only that: “Throughout your request, you include the phrase ‘all records related to.’” This is an example of the portion of your request that is vague and overbroad.” <i>See Ex. 10</i> , Email from Shelly Bean to J. Collin Marozzi (Jul. 27, 2021, 9:11 AM).
Aug. 3, 2021	Relators submit a second round of requests to the recipients of the February 4 requests, again requesting, <i>inter alia</i> , items (1)-(3) listed above from the February 4 requests. <i>See, e.g.</i> , Ex. 11, Email from J. Collin Marozzi to Josh Sabo, et al. (Aug. 3, 2021, 3:20 PM). Separately, Relators propose discussing an ongoing records-sharing agreement with request recipients. <i>Id.</i> None of the recipients agreed to such an arrangement.
Aug. 16, 2021	Relators follow up with August 3 request recipients regarding outstanding records requests. <i>See, e.g.</i> , Ex. 12, Email from J. Collin Marozzi to Travis Butchello (August 16, 2021 at 12:27 PM).
Aug. 18, 2021	Relators submit a second round of requests to the Ohio University Voinovich School of Leadership and Public Affairs (“GVS”) and associated individuals, seeking, <i>inter alia</i> : (a) “[a]ll records related to the development of the CURD” by GVS, including monthly progress reports, correspondence, precinct-level election returns, and specific datasets and equivalency files; and (b) “[a]ll shapefiles considered, used, and/or prepared for the

	<p>development of the CURD”. <i>See</i> Ex. 13, Email from J. Collin Marozzi to Shelly Bean (Aug. 18, 2021, 6:31 AM). Relators likewise propose discussing an ongoing records-sharing agreement with request recipients. <i>Id.</i></p> <p>Relators also submit requests to House Minority Leader Emilia Sykes, Senate Minority Leader Kenny Yuko, and Senator Vernon Sykes seeking, <i>inter alia</i>, items (1)-(3) from the February 3 requests, detailed above. <i>See, e.g.</i>, Ex. 14, Email from J. Collin Marozzi to Minority Leader Emilia Sykes, Ohio House of Reps. (Aug. 18, 2021, 12:08 PM). Relators again propose discussing an ongoing records-sharing agreement with request recipients. <i>Id.</i></p>
<p>Aug. 24, 2021</p>	<p>Relators submit a third round of requests to Governor DeWine, Majority Leader Huffman, Speaker Cupp, Secretary LaRose, Auditor Faber, and a smaller number of individuals associated with their offices. <i>See, e.g.</i>, Ex. 15, Email from J. Collin Marozzi to Josh Sabo, et al. (Aug. 24, 2021, 2:33 PM).</p> <p>Relators specifically request, <i>inter alia</i>, (1) “[a]ll records relating to the development of the Ohio Common and Unified Redistricting Database (CURD) by Ohio University Voinovich School of Leadership and Public Affairs (GVS), including, without limitation, communications and/or data sets”; (2) “[a]ll records referring or relating to the convening, meeting, and/or official business of the Ohio Redistricting Commission, including, without limitation, testimony, data sets, maps, and plans submitted to, created by, or otherwise considered by the Commission; minutes, agendas, or presentations from Commission hearings and meetings; and any related communications, including those between Commission members and any/all representatives participating in Commission meetings on behalf of members information that could be used to draw state legislative or congressional district maps for Ohio”; (3) “[a]ll records consisting of, or referring or relating to, information that could be used to draw state legislative or congressional district maps for Ohio, including, without limitation: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes, population shifts, voter affiliation, or changing census block lines (also known as voting district (VTD)) for the 2018 election, 2020 election, and current redistricting cycle”; (4) “[a]ll electronic data necessary to create a state legislative or congressional district map for the purpose of holding elections,” <i>see</i> Ohio Const. art. XIX, § 1; (5) “[a]ll records referring or relating to consultants, firms, vendors, or other third parties involved in drawing state legislative or</p>

	<p>congressional district maps for Ohio, including, without limitation: requests for proposals; proposals; contracts or agreements; email, text, or other recorded communications with such parties; reports; and timesheets”; and (6) “[a]ll communications, including attachments, with any current or former member of Ohio’s Congressional delegation, affiliated political action committees, the delegation’s current or former staff relating to drawing state legislative or congressional district maps for Ohio.” <i>Id.</i> at ¶¶ 1, 3, 5-7, 10.</p> <p>For ease of the recipients’ consideration, Relators attach to these requests a sample list of search terms that were not meant to be exhaustive but were meant to be examples of terms that the recipient could use to identify responsive records. Where applicable, Relators also identify the types of records they were seeking, per the recipient entity’s Records Retention Schedule.</p> <p>Relators also submit requests to the Legislative Service Commission (“LSC”), seeking, <i>inter alia</i>, (a) “[a]ll records related to the development of the CURD” by GVS for LSC, including monthly progress reports, correspondence, precinct-level election returns, and specific datasets and equivalency files; and (b) “[a]ll shapefiles considered, used, and/or prepared for the development of the CURD”. <i>See</i> Ex. 16, Email from J. Collin Marozzi to Wendy Zhan, Director, Ohio Legislative Service Commission (Aug. 24, 2021, 2:45 PM).</p>
<p>Aug. 30-31, 2021</p>	<p>Relators follow up with the offices of Governor DeWine, Auditor Faber, Secretary LaRose, and GVS regarding outstanding records requests. <i>See</i> Ex. 17, Email from J. Collin Marozzi to Molly Elkins, Ohio Governor’s Office (Aug. 31, 2021, 9:34 AM)</p>
<p>Sept. 3, 2021</p>	<p>Relators submit a fourth round of requests, which mirror the August 24 requests, to Governor DeWine, Majority Leader Huffman, Speaker Cupp, Secretary LaRose, Auditor Faber, and a small number of individuals associated with their offices. <i>See, e.g.</i>, Ex. 18, Email from J. Collin Marozzi to Josh Sabo, et al. (Sept. 3, 2021, 10:55 AM). Relators submit a second round of requests to Minority Leader Sykes, Minority Leader Yuko, and Senator Sykes, also mirroring the August 24 requests. Ex. 19, Email from J. Collin Marozzi to Minority Leader Emilia Sykes (Sept. 3, 2021, 10:55 AM).</p> <p>Separately, Relators file an application for partial dismissal and notice of partial failure of settlement in their mandamus action against the House. App. for Partial Dismissal</p>

	and Notice of Partial Failure of Settlement, <i>State ex rel. Marozzi v. Ohio House of Reps.</i> , No. 2021-0847 (Ohio Sept. 3, 2021). The parties settled Relators' privilege claims related to the February 3 requests, but were unable to resolve their dispute regarding the House's denial of certain requests as vague and overbroad. <i>Id.</i>
Sept. 9, 2021	Relators submit a fourth round of requests, which mirror the August 24 requests, to Governor DeWine, Majority Leader Huffman, Speaker Cupp, Secretary LaRose, Auditor Faber, and a small number of individuals associated with their offices. <i>See, e.g.</i> , Ex. 20, Email from J. Collin Marozzi to Josh Sabo (Sept. 9, 2021, 3:35 PM). Relators submit a third round of requests to Minority Leader Sykes, Minority Leader Yuko, and Senator Sykes, also mirroring the August 24 requests. <i>See</i> , Ex. 21, Email from J. Collin Marozzi to Minority Leader Emilia Sykes (Sept. 9, 2021, 3:35 PM).
Sept. 22, 2021	Relators submit a fifth round of requests, which essentially mirror the August 24 requests, to Governor DeWine, Majority Leader Huffman, Speaker Cupp, Secretary LaRose, Auditor Faber, and a small number of individuals associated with their offices. <i>See, e.g.</i> , Ex. 22, Email from J. Collin Marozzi to Josh Sabo (Sept. 22, 2021, 6:53 AM). Relators submit a third round of requests to Minority Leader Sykes, Minority Leader Yuko, and Senator Sykes, also mirroring the August 24 requests. Ex. 23, Email from J. Collin Marozzi to Minority Leader Emilia Sykes (Sept. 22, 2021, 6:53 AM). Relators make clear that these requests are meant to cover the information and communications related to the Commission's preparation, deliberation, and adoption of the final General Assembly map on September 16, 2021.
Sept. 22, 2021	Relators move to amend their mandamus complaint against the Ohio House of Representatives to cover the House's inadequate and otherwise unduly delayed responses to Relators' August and September records requests. Mot. for Leave to Amend Compl., <i>State ex rel. Marozzi v. Ohio House of Reps.</i> , No. 2021-0847 (Ohio Sept. 22, 2021).

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via electronic mail upon counsel of record on September 24, 2021.

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[/s Freda J. Levenson](#)

# **EXHIBIT 1**



**RELATORS' FIRST**  
**REQUEST FOR THE PRODUCTION OF DOCUMENT TO**  
**RESPONDENT GOVERNOR MICHAEL DEWINE**

Pursuant to Ohio Civil Rule 34, Relators, League of Women Voters of Ohio, Ohio A. Philip Randolph Institute, Tom Harry, Tracy Beavers, Valerie Lee, Sherry Rose, Bonnie Bishop, and Iris Meltzer, by and through their undersigned counsel, hereby request that Respondent Governor Michael DeWine, member of the Ohio Redistricting Commission, by October 8, 2021, produce the documents requested below.

**DEFINITIONS**

1. Notwithstanding any definition set forth below, each word, term, or phrase used in these Requests is intended to have the broadest meaning permitted under the Ohio Rules of Civil Procedure.
2. Words or terms not specifically defined herein have the meaning commonly understood, and no definition or example is intended as exclusive.
3. Words or terms used herein, and all Definitions and Instructions pertinent thereto, have the same intent and meaning regardless of whether the words or terms are depicted in lower-case or upper-case letters.
4. The term "COMMUNICATION" means transmission of information, including any correspondence, contact, discussion, or written, electronic, or oral exchange between any two or more PERSONS.
5. The terms "RELATING TO" mean referring to, related to, regarding, consisting of, pertaining to, reflecting, evidencing, describing, constituting, or being in any way logically or factually connected with the matter discussed, including any connection, direct or indirect, whatsoever with the requested topic, without limitation, unless otherwise specified in the Request.

6. The term “DOCUMENT” means anything that contains information in any form and that is in YOUR possession, custody, or control, including, but not limited to, e-mails, text messages, papers (whether handwritten, printed, or typed), memoranda, letters and other correspondence, notes, agendas, notebook entries, bulletins, graphs, charts, maps, drawings, surveys, data, summaries, telegrams, calendar entries, diaries, spreadsheets, graphics and presentation documents, photographs, images, text files, transaction logs, reports of any kind, minutes of meetings, estimates, receipts, invoices, checks, bids, proposals, licenses, reports to or COMMUNICATIONS with government entities, financial statements, ledger entries, microfilm, microfiche, computer printouts, computer files, cards, tape recordings, disks, flash drives, and other sources of electronically or magnetically maintained information, regardless of who prepared or created the document. A draft or non-identical copy is a separate document within the meaning of this term. The term “DOCUMENT” refers to any document now or at any time in Respondent’s possession, custody or control. A PERSON is deemed in control of a DOCUMENT if the PERSON has any ownership, possession, or custody of the DOCUMENT, or the right to secure the DOCUMENT or a copy thereof from any person or public or private entity having physical possession thereof.

7. The term “PERSON” includes an individual, general or limited partnership, joint stock company, unincorporated association or society, municipal or other corporation, incorporated association, limited liability partnership or company, the State of Ohio or an agency or subdivision thereof, a court, and any governmental entity or official in or outside the State of Ohio.

8. The terms “YOU” and “YOUR” mean Respondent, and any employees, staff, officers, agents, or representatives of Respondent, individually and/or in their official capacity as a member of the Ohio Redistricting Commission and/or Ohio Governor.

9. The following rules of construction apply to all Requests:

- a. The terms “all” and “any” shall each be construed as encompassing any and all;
- b. All uses of the word “each” include “every” (and *vice versa*);
- c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the Interrogatories all responses that might otherwise be construed to be outside of its scope;
- d. Use of the singular form of any word includes the plural (and *vice versa*);
- e. The term “including” shall be construed without limitation;
- f. The use of a verb in any tense encompasses the use of the verb in all tenses;
- g. References to employees, staff, members, officers, directors, agents, or representatives includes both current and former employees, staff, members, officers, directors, agents, or representatives; and
- h. References to any entity includes all of that entity’s employees, staff, members, officers, directors, agents, or representatives.

## INSTRUCTIONS

1. Each Request shall be construed according to its most inclusive meaning so that if information or a DOCUMENT is responsive to any reasonable interpretation of the Request, the information or DOCUMENT is responsive.
2. If YOU object to any part of a Request and refuse to answer that part, identify that portion to which YOU object and respond to the remaining portion of the Request.
3. If YOU object to the scope or time period of a Request and refuse to respond for that scope or time period, please state YOUR objection and respond to the Request for the scope or time period YOU believe is appropriate.
4. If You object to any Request as vague or unclear, assume a reasonable meaning, state what the assumed meaning is, and respond to the Request according to the assumed meaning.
5. If YOU object to any Request as overbroad, provide a response that narrows the Request in a way that eliminates the purported over-breadth, state the extent to which YOUR response has narrowed the Request, and respond to the narrowed Request.
6. If YOU withhold any DOCUMENT on the claim of privilege, state the specific factual and legal basis for doing so. Such information should be supplied in sufficient detail to permit the Relators to assess the applicability of the privilege claimed. If YOU claim privilege or protection over part of a DOCUMENT, redact that portion which is privileged or protected and produce the remainder of the DOCUMENT to the fullest extent possible.
7. These Requests are continuing in nature, and YOUR responses to these Requests must be promptly supplanted when appropriate or necessary in accordance with Ohio Rule of Civil Procedure 26(E).

8. If YOU are unable to respond to any of the Requests fully and completely, after exercising due diligence to obtain the information necessary to provide a full and complete response, so state, and answer each such Request to the fullest extent possible, specifying the extent of YOUR knowledge and YOUR inability to answer the remainder, and setting forth whatever information or knowledge YOU may have concerning the unanswered portions thereof and efforts YOU made to obtain the requested information. If YOU have no information responsive to a Request, then YOU shall so state.

9. All DOCUMENTS are to be produced in electronic form. DOCUMENTS produced electronically should be produced in native format with all metadata intact. For any election or voter data file, please produce in CSV format if available. If this is not available, please produce in PDF format. For other DOCUMENTS, to the extent DOCUMENTS can be accurately represented in black and white, they should be produced in single-page Tagged Image File Format (“TIFF”), together with any related field-delimited load files (e.g., Concordance DAT, CSV, OPT, LOG). Each TIFF document shall be produced with an image load file in standard Opticon (\*.log) format that reflects the parent / child relationship and also includes the beginning Bates number; ending Bates number; beginning Attachment Bates number; ending Attaching Bates number; custodian; date sent (for email messages); date modified (for email and non-email messages) where information is available; author (for email and non-email messages); and subject (for email messages). The TIFF images shall also be accompanied by extracted text or, for those files that do not have extracted text upon being processed (such as hard copy DOCUMENTS), optical character recognition (“OCR”) text data; such extracted text or OCR text data shall be provided in document level form and named after the TIFF image. DOCUMENTS that contain redactions shall be OCR’d after the redaction is applied to the

image, and the OCR will be produced in place of extracted text at the document level.

Notwithstanding the foregoing, the parties may negotiate a separate production format (including native format) for any DOCUMENTS not reasonably producible or readable as standard image files, such as audio files or large spreadsheets.

10. For DOCUMENTS produced in TIFF format that originated in electronic form, metadata shall be included with the data load files described above and shall include (at a minimum) the following information: file name (including extension); original file path; page count; creation date and time; last saved date and time; last modified date and time; author; custodian of the DOCUMENT (that is, the custodian from whom the DOCUMENT was collected or, if collected from a shared drive or server, the name of the shared drive or server); and MD5 hash value. In addition, for email documents, the data load files shall also include the following metadata: sent date; sent time; received date; received time; “to” name(s) and address(es); “from” name and address; “cc” name(s) and address(es); “bcc” name(s) and address(es); subject; names of attachment(s); and attachment(s) count. All images and load files must be named or put in folders in such a manner that all records can be imported without modification of any path or file name information.

11. If a responsive COMMUNICATION, DOCUMENT, or tangible thing has been prepared in copies that are not identical, or if additional copies have been made that are no longer identical, or if original identical copies are no longer identical by reason of subsequent notations on the front or back of pages thereto, each non-identical copy is a separate COMMUNICATION, DOCUMENT, or tangible thing and shall be produced.

12. Produce any password-protected DOCUMENTS with any applicable passwords.

## **DOCUMENTS REQUESTED**

### **DOCUMENT REQUEST NO. 1**

All DOCUMENTS RELATING TO the Ohio Common and Unified Redistricting Database (CURD) by Ohio University Voinovich School of Leadership and Public Affairs (GVS), including, without limitation, the development of the CURD, and any COMMUNICATIONS, and data sets RELATING TO the CURD or the development of the CURD.

### **DOCUMENT REQUEST NO. 2**

All COMMUNICATIONS with employees, consultants or agents of GVS working on the development of the CURD.

### **DOCUMENT REQUEST NO. 3**

All COMMUNICATIONS with GVS employees Michael Finney, G. Jason Jolley, Robert Wiley, Elkan Kim, Jessica Schaudt, Matt Trainer, and Kyong Lim.

### **DOCUMENT REQUEST NO. 4**

All COMMUNICATIONS with employees, consultants or agents of GVS RELATING TO the development of the CURD.

### **DOCUMENT REQUEST NO. 5**

All DOCUMENTS RELATING TO meetings—both formal and informal of any Commission members related to the drawing of General Assembly maps—and any other business of the Ohio Redistricting Commission, including, without limitation, testimony, meeting minutes, data sets, maps, notes, and plans submitted to, created by, or otherwise considered by YOU, any other member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff; minutes, agendas, or presentations from Ohio Redistricting Commission hearings and meetings; and any related COMMUNICATIONS, including, but not limited to, those between any Ohio Redistricting Commission member and any representative participating in Ohio Redistricting Commission meetings on behalf of a member.

### **DOCUMENT REQUEST NO. 6**

All COMMUNICATIONS regarding redistricting in Ohio, including but not limited to COMMUNICATIONS between YOU and YOUR employees, staff, officers, agents, or representatives.

### **DOCUMENT REQUEST NO. 7**

All DOCUMENTS RELATING TO information that was used, or could have been used, to draw state legislative or Congressional district maps for Ohio, including, without limitation: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining

to precinct names, precinct lines, partisan indexes, population shifts, voter registration, voter affiliation, or changing census block lines (also known as voting district (VTD)) for the 2018 election, 2020 election, and current redistricting cycle.

**DOCUMENT REQUEST NO. 8**

All DOCUMENTS YOU, any other member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff considered, used, could have used, or otherwise relied on to create the General Assembly district maps for Ohio that were adopted by the Commission on September 16, 2021.

**DOCUMENT REQUEST NO. 9**

All DOCUMENTS RELATING TO the creation of the General Assembly district maps for Ohio that were adopted by the Commission on September 16, 2021.

**DOCUMENT REQUEST NO. 10**

All DOCUMENTS RELATING TO consultants, firms, vendors, or other third parties consulted, involved in, or communicated with by YOU, any other member of the Ohio Redistricting Commission or their staff, or the Ohio Redistricting Commission or its staff, RELATING TO the General Assembly district maps for Ohio that were considered or adopted by the Commission.

**DOCUMENT REQUEST NO. 11**

All COMMUNICATIONS with Wendy Zhan, Emily Wendel, or other staff of the Ohio Legislative Service Commission RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission.

**DOCUMENT REQUEST NO. 12**

All COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission, with (1) any current or former member of Ohio's General Assembly, (2) any political action committees affiliated with any current or former member of Ohio's General Assembly, and (3) any current or former staff of any current or former member of Ohio's General Assembly.

**DOCUMENT REQUEST NO. 13**

All COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission with (1) any current or former U.S Representative or U.S. Senator elected from Ohio, (2) any political action committees affiliated with any current or former U.S. Representative or U.S. Senator elected from Ohio, and (3) any current or former staff of any current or former U.S. Representative or U.S. Senator elected from Ohio.



**DOCUMENT REQUEST NO. 14**

All COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission with the Republican National Committee, Ohio Republican Party, National Republican Redistricting Trust, or the National Republican Congressional Committee.

**DOCUMENT REQUEST NO. 15**

All COMMUNICATIONS RELATING TO drawing the General Assembly district maps for Ohio that were considered or adopted by the Commission with the Democratic National Committee, Ohio Democratic Party, National Democratic Campaign Committee, or the Democratic Congressional Campaign Committee.

**DOCUMENT REQUEST NO. 15**

All DOCUMENTS cited in, discussed in, or RELATING TO any of YOUR responses to any Interrogatory served on YOU by any party in this action.

Dated:

Robert D. Fram\*  
Donald Brown\*  
Joshua González\*  
Juliana Goldrosen\* (PHV 25193 - 2021)  
Salesforce Tower  
415 Mission Street, Suite 5400  
San Francisco, CA 94105-2533  
(415) 591 6000  
rfram@cov.com

James Smith\*  
Megan C. Keenan\*  
L. Brady Bender (PHV 25192 - 2021)  
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(202) 662-6000  
mkeenan@cov.com

Anupam Sharma\*  
James Hovard\*  
Yale Fu\*  
3000 El Camino Real  
5 Palo Alto Square, 10th Floor

---

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Tel: 614-586-1972 x 125  
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Alora Thomas\*  
Kelsey Miller\*  
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athomas@aclu.org

*Counsel for Relators*

Palo Alto, CA 94306-2112  
(650) 632-4700  
asharma@cov.com

*\* Pro Hac Vice Motion Forthcoming*

Madison Arent\*  
The New York Times Building  
620 Eighth Avenue  
New York, NY 10018-1405  
(212) 841 1000  
marent@cov.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via electronic mail upon counsel of record on September 24, 2021.

Michael Grodhaus  
Legal Counsel Ohio Secretary of State  
[mgrodhaus@OhioSOS.Gov](mailto:mgrodhaus@OhioSOS.Gov)

Matthew Donahue  
Legal Counsel Governor's Office  
[matthew.donahue@governor.ohio.gov](mailto:matthew.donahue@governor.ohio.gov)

Mary DeGenaro  
Legal Counsel Auditor's Office  
[MDeGenaro@ohioauditor.gov](mailto:MDeGenaro@ohioauditor.gov)

Paul DiSantis  
Legal Counsel for the Ohio House of Representatives  
[Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov)

Frank Strigari  
Legal Counsel for the Ohio Senate  
[Frank.Strigari@ohiosenate.gov](mailto:Frank.Strigari@ohiosenate.gov)

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# **EXHIBIT 2**

**RELATORS' FIRST SET OF**  
**INTERROGATORIES**  
**TO RESPONDENT GOVERNOR MICHAEL DEWINE**

Pursuant to Rules 26 and 33 of the Ohio Rules of Civil Procedure, Relators, League of Women Voters of Ohio, Ohio A. Philip Randolph Institute, Tom Harry, Tracy Beavers, Valerie Lee, Sherry Rose, Bonnie Bishop, and Iris Meltzer, by and through their undersigned counsel, hereby request that Respondent Governor Michael DeWine, member of the Ohio Redistricting Commission, by October 8, 2021, serve answers to each of the following interrogatories, in writing and under oath.

**DEFINITIONS**

1. Notwithstanding any definition set forth below, each word, term, or phrase used in these Interrogatories is intended to have the broadest meaning permitted under the Ohio Rules of Civil Procedure.
2. Words or terms not specifically defined herein have the meaning commonly understood, and no definition is intended as exclusive.
3. Words or terms used herein, and all Definitions and Instructions pertinent thereto, have the same intent and meaning regardless of whether the word(s) or term(s) are depicted in lower case or upper case letters.
4. The term "COMMUNICATION" means transmission of information, including any correspondence, contact, discussion, or written, electronic, or oral exchange between any two or more PERSONS.
5. The term "DESCRIBE" means to set forth fully and unambiguously every fact that relates to the answer called for by the Interrogatory of which YOU have knowledge and to identify each individual or entity with knowledge or information that relates to YOUR answer, and when used in reference to a factual or legal contention, to describe the full factual and legal

basis for the contention, and to identify any and all PERSONS that YOU believe have knowledge about each such fact or DOCUMENT.

6. The term “DOCUMENT” means anything that contains information in any form and that is in YOUR possession, custody, or control, including but not limited to e-mails, text messages, papers (whether handwritten, printed, or typed), memoranda, letters and other correspondence, notes, agendas, notebook entries, bulletins, graphs, charts, maps, drawings, surveys, data, summaries, telegrams, calendar entries, diaries, spreadsheets, graphics and presentation documents, photographs, images, text files, transaction logs, reports of any kind, minutes of meetings, estimates, receipts, invoices, checks, bids, proposals, licenses, reports to or COMMUNICATIONS with government entities, financial statements, ledger entries, microfilm, microfiche, computer printouts, computer files, cards, tape recordings, disks, flash drives, and other sources of electronically or magnetically maintained information, regardless of who prepared or created the document. A draft or non-identical copy is a separate document within the meaning of this term.

7. The term “IDENTIFY” (a) when used in reference to a natural person, means that person’s full name, last known address, home and business telephone numbers, present occupation or business affiliation, and present or last known place of employment, and job title or role; (b) when used in reference to a person other than a natural person, means that person’s full name, a description of the nature of the person, and the person’s last known address, telephone number, and principal place of business; and (c) when used in reference to a DOCUMENT, requires YOU either (1) to state (i) the date of the DOCUMENT; (ii) title; (iii) author(s), addressee(s), and recipient(s); (iv) present location and custodian of the DOCUMENT; (v) Bates numbers (if any); (vi) type of DOCUMENT (*e.g.*, letter, memorandum, or chart); and

(vii) general subject matter, (2) or to attach an accurate copy of the DOCUMENT to YOUR answer, appropriately labeled to correspond to the respective Interrogatory.

8. The term “PERSON” includes an individual, general or limited partnership, joint stock company, unincorporated association or society, municipal or other corporation, incorporated association, limited liability partnership or company, the State of Ohio or an agency or subdivision thereof, a court, and any governmental entity or official in or outside the State of Ohio.

9. The terms “YOU” and “YOUR” mean Respondent, and any employees, staff, officers, agents, or representatives of Respondent, individually and/or in their official capacity as a member of the Ohio Redistricting Commission and/or Ohio Governor.

10. The following rules of construction apply to all Interrogatories:

- a. The terms “all” and “any” shall each be construed as encompassing any and all;
- b. All uses of the word “each” include “every” (and *vice versa*);
- c. The connective terms “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the Interrogatories all responses that might otherwise be construed to be outside of its scope;
- d. Use of the singular form of any word includes the plural (and *vice versa*);
- e. The term “including” shall be construed without limitation;
- f. The use of a verb in any tense encompasses the use of the verb in all tenses;
- g. References to employees, staff, members, officers, directors, agents, or representatives include both current and former employees, staff, members, officers, directors, agents, or representatives; and
- h. References to any entity include all of that entity’s employees, staff, members, officers, directors, agents, or representatives.

## INSTRUCTIONS

1. Each Interrogatory shall be construed according to its most inclusive meaning so that if information or a DOCUMENT is responsive to any reasonable interpretation of the Interrogatory, the information or DOCUMENT is responsive.
2. If YOU object to any part of an Interrogatory and refuse to answer that part, IDENTIFY that portion to which YOU object and answer the remaining portion of the Interrogatory.
3. If YOU object to the scope or time period of an Interrogatory and refuse to answer for that scope or time period, please state YOUR objection and answer the request for the scope or time period YOU believe is appropriate.
4. If YOU object to any Interrogatory as vague or unclear, assume a reasonable meaning, state what the assumed meaning is, and respond to the Interrogatory according to the assumed meaning.
5. If YOU object to any Interrogatory as overbroad, provide a response that narrows the Interrogatory in a way that eliminates the purported over-breadth, state the extent to which YOUR response has narrowed the Interrogatory, and respond to the narrowed Interrogatory.
6. If YOU withhold the answer to any part of any Interrogatory on the claim of privilege, state the specific factual and legal basis for doing so and answer any part of the Interrogatory that is not alleged to be objectionable. Such information should be supplied in sufficient detail to permit the Relators to assess the applicability of the privilege claimed.
7. These Interrogatories are continuing in nature, and YOU shall revise or supplement YOUR responses whenever YOU obtain different or additional relevant knowledge, information, or belief, from the time of YOUR initial response through to the end of trial.



8. If YOU are unable to respond to any of the Interrogatories fully and completely, after exercising due diligence to obtain the information necessary to provide a full and complete response, so state, and answer each such Interrogatory to the fullest extent possible, specifying the extent of YOUR knowledge and YOUR inability to answer the remainder, and setting forth whatever information or knowledge YOU may have concerning the unanswered portions thereof and efforts YOU made to obtain the requested information. If YOU have no information responsive to an Interrogatory, then YOU shall so state.

## **INTERROGATORIES**

### **INTERROGATORY NO. 1**

IDENTIFY all individuals involved both formally and informally in the drawing of the Challenged Plan, including, but not limited to members of the General Assembly, staff, consultants, and advisors.

### **INTERROGATORY NO. 2**

DESCRIBE the role played by any individuals identified in Interrogatory No. 1.

### **INTERROGATORY NO. 3**

IDENTIFY and DESCRIBE all instructions provided to individuals who created, or were in any way involved in the creation of, the state legislative maps enacted under the Challenged Plan, including but not limited to the map drawers, their staff, and any outside consultants or advisors (both paid and unpaid).

### **INTERROGATORY NO. 4**

IDENTIFY and DESCRIBE any and all factors, constraints, influences, or considerations, regardless of whether or not mentioned in Article XI of the Ohio Constitution, that were considered, adopted, or otherwise reflected in the creation of any redistricting plans or amendments to redistricting plans that YOU, or any member of the Ohio Redistricting Commission or their representative, introduced to the Ohio Redistricting Commission, including, but not limited to, the Challenged Plan, and describe how YOU and the Ohio Redistricting Commission prioritized these factors, constraints, influences, and considerations.

### **INTERROGATORY NO. 5**

IDENTIFY and DESCRIBE any and all attempts that were made by YOU and/or the Ohio Redistricting Commission to comply with sections 6(A) and 6(B) of Article XI of the Ohio Constitution in any redistricting plans or amendments to redistricting plans that YOU, or any member of the Ohio Redistricting Commission or their representative, introduced to the Ohio Redistricting Commission, including, but not limited to, the Challenged Plan.

### **INTERROGATORY NO. 6**

IDENTIFY and DESCRIBE YOUR interpretation, as well as the Ohio Redistricting Commission's interpretation, of Sections 6(A) and 6(B) of Article XI of the Ohio Constitution, including but not limited to any obligations, restrictions, or requirements that Sections 6(A) and 6(B) impose on the Ohio Redistricting Commission, and the actions or determinations that the Ohio Redistricting Commission must make in order to comply with Sections 6(A) and 6(B).

## **INTERROGATORY NO. 7**

IDENTIFY whether it was YOUR determination, or the determination of the Ohio Redistricting Commission, at the time that the Challenged Plan was adopted on September 16, 2021, that any General Assembly redistricting plan introduced on or before September 16, 2021 by a member of the Ohio Redistricting Commission, or submitted before that date by a member of the general public, complied fully with the requirements of Article XI of the Ohio Constitution, and DESCRIBE in full the analysis that led YOU to that determination.

Dated:

Robert D. Fram\*  
Donald Brown\*  
Joshua González\*  
Juliana Goldrosen\* (PHV 25193 - 2021)  
Salesforce Tower  
415 Mission Street, Suite 5400  
San Francisco, CA 94105-2533  
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James Smith\*  
Megan C. Keenan\*  
L. Brady Bender (PHV 25192 - 2021)  
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Anupam Sharma\*  
James Hovard\*  
Yale Fu\*  
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Madison Arent\*  
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(212) 841 1000

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Kelsey Miller\*  
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*Counsel for Relators*  
*\* Pro Hac Vice Motion Forthcoming*

arent@cov.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via electronic mail upon counsel of record on September 24, 2021.

Michael Grodhaus  
Legal Counsel Ohio Secretary of State  
[mgrodhaus@OhioSOS.Gov](mailto:mgrodhaus@OhioSOS.Gov)

Matthew Donahue  
Legal Counsel Governor's Office  
[matthew.donahue@governor.ohio.gov](mailto:matthew.donahue@governor.ohio.gov)

Mary DeGenaro  
Legal Counsel Auditor's Office  
[MDeGenaro@ohioauditor.gov](mailto:MDeGenaro@ohioauditor.gov)

Paul DiSantis  
Legal Counsel for the Ohio House of Representatives  
[Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov)

Frank Strigari  
Legal Counsel for the Ohio Senate  
[Frank.Strigari@ohiosenate.gov](mailto:Frank.Strigari@ohiosenate.gov)

\_\_\_\_\_

# **EXHIBIT 3**

**From:** [Collin Marozzi](#)  
**To:** [rep04@ohiohouse.gov](mailto:rep04@ohiohouse.gov)  
**Cc:** [ben.cech@ohiohouse.gov](mailto:ben.cech@ohiohouse.gov); [paul.disantis@ohiohouse.gov](mailto:paul.disantis@ohiohouse.gov)  
**Subject:** Public Records Request  
**Date:** Thursday, February 4, 2021 1:47:00 PM  
**Attachments:** [Redstricitng\\_RR\\_Cupp.pdf](#)  
[image001.png](#)

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Hello Speaker Cupp,

Attached is a public records request for your office. As stated in the request, I am willing to receive records on a rolling basis. Please respond to this email as an acknowledgement of receipt of the request.

Thank you,

**J. Collin Marozzi, MAP**  
**Policy Strategist | ACLU of Ohio**  
**1108 City Park Ave. | Columbus, OH 43206**  
**614.586.1972. ext 2014 | [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)**  
*(he/him/his)*





AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION

Ohio

February 3, 2021

Pursuant to Ohio's open records laws, Ohio Revised Code §149.43(B), the following is a formal request for public records in the possession or control of House Speaker Bob Cupp. **This request is for records created between October 1, 2020 through the date of the receipt of this request.**

We hereby request copies of the following records:

- 1.) Any and all records consisting of, or referring or relating to, the appointment of a person or persons to the Ohio Redistricting Commission, including, without limitation, recommendations, proposals, plans, or other discussion.
- 2.) Any and all records consisting of, or referring or relating to, the convening of the Ohio Redistricting Commission, including, without limitation, plans or other discussion.
- 3.) Any and all records consisting of, or referring or relating to, communications between your office and the U.S Census Bureau.
- 4.) Any and all records consisting of, or referring or relating to, when or how 2020 Census data will be made available to members of Ohio General Assembly, members of the Ohio Redistricting Commission, and/or their respective staffs.
- 5.) Any and all records consisting of, or referring or relating to, information that could be used for the purposes of redistricting, including, without limitation shape files, other digital files and other information pertaining to precinct names, precinct lines, partisan indexes, population shifts, or changing census block lines, also known as voting district (VTD), for the 2018 election, 2020 election, and upcoming redistricting cycle.
- 6.) Any and all records consisting of, or referring or relating to, any communication with any consultant, firm, or vendor for the purposes of redistricting, including, without limitation, requests for proposals, proposals, and agreements.
- 7.) Any and all records consisting of, or referring or relating to, any communication with any current or former member of Ohio's Congressional delegation, their staff, or affiliated political action committee, relating to redistricting.
- 8.) Any and all records consisting of, or referring or relating to, any communication with the Republican National Committee, Ohio Republican Party, National Republican Redistricting Trust, or the National Republican Congressional Committee related to redistricting.



- 9.) Any and all records consisting of, or referring or relating to, any communication with the Democratic National Committee, Ohio Democratic Party, National Democratic Campaign Committee, or the Democratic Congressional Campaign Committee related to redistricting.

For the purposes of this request, the term “public record” shall be defined as in Ohio Rev. Code § 149.43(A)(1). Any non-identical copy of any responsive record, including all drafts and all marked-up copies, are requested.

If you determine that some portions of the requested records are exempt from disclosure, please specify the basis for redaction and provide all non-exempt portions of the record. Additionally, if specific data or documents are not available, please provide documents that contain as much of the requested information as is available and/or the closest approximation to this information that is available.

Please send the requested records as electronic PDF’s to Collin Marozzi, [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org). Please notify us upon receipt of this request if it is not possible to send the requested records electronically.

Pursuant to Ohio Rev. Code § 149.43(B)(1) please provide the requested records promptly. *See also State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002). I am happy to receive records in batches and as they are identified. In any event, all requested records should be provided on or before **February 19, 2020**.

If you have any questions about this request, or if you cannot meet this deadline please email [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org) as soon as possible.

Thank you in advance for your assistance.



J. Collin Marozzi  
Policy Strategist  
ACLU of Ohio  
Physical address, phone number, email address

# **EXHIBIT 4**

**From:** [Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)  
**To:** [Collin Marozzi](mailto:Collin.Marozzi)  
**Cc:** [Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov)  
**Subject:** Re: Follow Up to 2/3/2021 Public Records Request  
**Date:** Monday, February 22, 2021 8:15:11 AM  
**Attachments:** [image001.png](#)

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Mr. Marozzi:

I am free anytime after 2pm today. Our Chief Legal Counsel Paul DiSantis will also be joining the call. Please let me know if this still works for you. Thanks!

- Josh

On Feb 19, 2021, at 10:36 AM, Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)> wrote:

Mr. Sabo,

Absolutely understandable with the busy legislative schedule. I'm hopeful we can set a time on Monday afternoon, after 2pm, to have a call and discuss the request. Please let me know whether you're available during that time and I can send a calendar invitation.

Thank you and have a nice weekend,  
Collin

---

**From:** Josh.Sabo@ohiohouse.gov [mailto:[Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)]  
**Sent:** Thursday, February 18, 2021 3:19 PM  
**To:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Cc:** Heather.Blessing@ohiohouse.gov; Paul.Disantis@ohiohouse.gov;  
Travis.Butchello@ohiohouse.gov  
**Subject:** RE: Follow Up to 2/3/2021 Public Records Request

Dear Mr. Marozzi:

Unfortunately I was unavailable to discuss your request today due to it being a session and committee day. I am happy to discuss your request at some point on Monday if that works for you. We are denying Requests 6-9 because they simply do not give us enough information for our offices to accurately search through their records. We have no way of knowing who all of the employees/agents are for the entities found in these requests. Nor do our offices keep updated lists of every person associated with these entities. If you would like to give us names to search for and further narrow your requests, our offices can be processing these requests.

**Josh Sabo, Esq.**  
Deputy Legal Counsel, Office of the Speaker

Ohio House of Representatives  
[Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)  
614-466-8118

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---

**From:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Sent:** Thursday, February 18, 2021 9:57 AM  
**To:** Sabo, Josh <[Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)>  
**Cc:** Blessing, Heather <[Heather.Blessing@ohiohouse.gov](mailto:Heather.Blessing@ohiohouse.gov)>; Disantis, Paul <[Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov)>; Butchello, Travis <[Travis.Butchello@ohiohouse.gov](mailto:Travis.Butchello@ohiohouse.gov)>  
**Subject:** RE: Follow Up to 2/3/2021 Public Records Request

Hello Mr. Sabo,

Do you have time today between 11am-4pm for a phone call to discuss these denials and ways to resolve them?

Thank you,  
Collin

**J. Collin Marozzi, MAP**  
**Policy Strategist | ACLU of Ohio**  
**1108 City Park Ave. | Columbus, OH 43206**  
**614.586.1972. ext 2014 | [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)**  
*(he/him/his)*  
<image001.png>

---

**From:** [Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov) [<mailto:Josh.Sabo@ohiohouse.gov>]  
**Sent:** Wednesday, February 17, 2021 10:47 AM  
**To:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Cc:** [Heather.Blessing@ohiohouse.gov](mailto:Heather.Blessing@ohiohouse.gov); [Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov);  
[Travis.Butchello@ohiohouse.gov](mailto:Travis.Butchello@ohiohouse.gov)  
**Subject:** Follow Up to 2/3/2021 Public Records Request

Dear Mr. Marozzi:

This email is a follow up to your 2/3/2021 public records request. We are continuing to process Requests 1-5.

Requests 6-9 are denied. These requests are denied because they are overly broad and ambiguous and do not provide enough information to allow us to identify responsive records based on the manner in which the office organizes and accesses the records it keeps. “[I]t is the responsibility of the person who wishes to inspect and/or copy records to identify with reasonable clarity the records at issue.” *State ex rel. Zidonis v. Columbus State Community College*, 133 Ohio St.3d 122, 2012-Ohio-4228, 976 N.E.2d 861, ¶ 21. A requester must identify the records sought so that the public office can identify responsive records based on the manner in which it ordinarily maintains and accesses the public records it keeps. *State ex rel. Zauderer v. Joseph*, 62 Ohio App.3d 752 (10th Dist. 1989). Our offices do not keep or maintain lists of employees/staff/agents of the organizations listed in Requests 6-9. Thus, we have no way of identifying which communications are responsive to your request.

In the event you would like to revise your request and provide us with specific names to search, you may do so and our office will process it in accordance with Ohio public records law. Please note that as the House of Representatives is in a partial work from home status, there may be a delay with the processing of your request.

**Josh Sabo, Esq.**

Deputy Legal Counsel, Office of the Speaker  
Ohio House of Representatives  
[Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)  
614-466-8118

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# **EXHIBIT 5**

**From:** [Collin Marozzi](#)  
**To:** [Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)  
**Cc:** [Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov)  
**Subject:** RE: Follow Up  
**Date:** Friday, February 26, 2021 9:46:00 AM  
**Attachments:** [Redistricting\\_SearchTerms.pdf](#)

---

Hi Josh,

Attached is the list of search terms for the records request. Please let me know if you have any questions.

Have a nice weekend,  
Collin

---

**From:** Josh.Sabo@ohiohouse.gov [mailto:Josh.Sabo@ohiohouse.gov]  
**Sent:** Thursday, February 25, 2021 5:24 PM  
**To:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Subject:** Re: Follow Up

Collin,

No worries, I have definitely been guilty of doing that as well. I just double checked to make sure, and our search is not case sensitive. Let me know if you have any other questions. Thanks!

- Josh

On Feb 25, 2021, at 5:16 PM, Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)> wrote:

Hi Josh,

Thanks for the follow up. I thought I had sent you an email yesterday with a final clarification on the request, but after receiving this message I went back and just realized that email is currently sitting in my drafts...so I'm pretty frustrated with myself and I appreciate your patience.

Anyway, the question I meant to send to you yesterday is whether or not your office's term search tool was case sensitive? Once we know that I can get you the list of terms early tomorrow. Again, thank you for the follow and apologies for my oversight.

Thanks,  
Collin

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---

**From:** [Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov) <[Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)>  
**Sent:** Thursday, February 25, 2021 5:09:24 PM  
**To:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Cc:** [Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov) <[Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov)>  
**Subject:** Follow Up

Hi Collin,

I had a quick conversation with Paul today and he asked me where we were at with your public records request. I let him know that we were continuing to process your request, but hadn't yet heard back from you following our conversation on Monday. Thus, I wanted to follow up and check to see if you have any revisions for us so we can continue to process the entirety of your request. Thanks!

**Josh Sabo, Esq.**  
Deputy Legal Counsel, Office of the Speaker  
Ohio House of Representatives  
[Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)  
614-466-8118

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## Search Terms for Redistricting Records Request Originally dated February 3, 2021

**From:** Collin Marozzi, Policy Strategist ACLU Ohio

**To:** Josh Sabo, Deputy Legal Counsel, Ohio House of Representative Republican Caucus

**Date:** 2/26/21

---

Redistrict\*  
re-district\*  
Article XI  
Article XIX  
Census  
block  
tract  
Precinct\*  
Border\*  
Apportion\*  
Populate\*  
"Task Force"  
TF  
"Ohio redistricting commission"  
VTD\*  
"Voting District\*"  
"Congressional district\*"  
"Legislative district\*"  
"Geographic Information System\*"  
GIS  
map\*  
draw\*  
maptitude  
Caliper  
DISTRICTSolv  
DistrictBuilder  
ArcBridge  
AutoBound (EDGE OR ArcGIS)  
Citygate  
Esri  
iRedistrict  
ZillionInfo

# **EXHIBIT 6**

**From:** [Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)  
**To:** [Collin Marozzi](mailto:Collin_Marozzi)  
**Cc:** [Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov)  
**Subject:** RE: Follow Up  
**Date:** Friday, May 7, 2021 5:01:29 PM

---

Hi Collin,

We're continuing to process your request. We're still in partial work from home status, but we should have the next installment of records to you sometime next week.

- Josh

---

**From:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Sent:** Wednesday, May 5, 2021 11:53 AM  
**To:** Sabo, Josh <[Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)>  
**Cc:** Disantis, Paul <[Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov)>  
**Subject:** RE: Follow Up

Hello Josh,

It has been over a month since our last communication. Are there any updates on the process of my Feb. 3 records request?

Collin

---

**From:** Collin Marozzi  
**Sent:** Tuesday, March 30, 2021 2:21 PM  
**To:** [Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)  
**Cc:** [Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov)  
**Subject:** Re: Follow Up

Thanks for the update and documents Josh. I'll be on the lookout for the remaining records. Have a nice holiday weekend.

Collin

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---

**From:** [Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov) <[Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)>  
**Sent:** Tuesday, March 30, 2021 2:07:31 PM  
**To:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Cc:** [Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov) <[Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov)>  
**Subject:** RE: Follow Up

Hi Collin,

We're still working to process your request. However, we've finished processing your request for 3 of the individuals/offices you named. Attached are records from Rep. Ginter's office. No records were redacted or withheld. Additionally, we've attached Heather Blessing's responsive records. Some records were withheld pursuant to attorney-client privilege. Finally, after conducting a search, the office of Rep. Jones determined that they had no records responsive to your request. Please note that upon review, we have determined that the portion of your revised Requests 6-9 for records pertaining to the following terms is denied as overly vague and broad:

map\*  
draw\*  
"Congressional district\*"  
"Legislative district\*"  
Voting District  
VTD  
task force  
populate  
block  
tract  
Precinct\*  
Border\*  
Apportion\*

"[I]t is the responsibility of the person who wishes to inspect and/or copy records to identify with reasonable clarity the records at issue." *State ex rel. Zidonis v. Columbus State Community College*, 133 Ohio St.3d 122, 2012-Ohio-4228, 976 N.E.2d 861, ¶ 21. A requester must identify the records sought so that the public office can identify responsive records based on the manner in which it ordinarily maintains and accesses the public records it keeps. *State ex rel. Zauderer v. Joseph*, 62 Ohio App.3d 752 (10th Dist. 1989).

We did direct offices to search for responsive records filed or organized under the remaining topics you specified for revised Requests 6-9:

Redistricting  
Re-districting Article XI  
Article XIX Census  
Ohio Redistricting Commission  
Geographic Information System (GIS)  
Maptitude  
Caliper  
DISTRICTSolv  
DistrictBuilder  
ArcBridge  
AutoBound (EDGE OR ArcGIS)  
Citygate  
Esri  
iRedistrict  
ZillionInfo

We will continue to work to process the remainder of your request in accordance with Ohio law.

- Josh

---

**From:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Sent:** Tuesday, March 30, 2021 1:25 PM  
**To:** Sabo, Josh <[Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)>  
**Cc:** Disantis, Paul <[Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov)>  
**Subject:** RE: Follow Up

Hey Josh,

Just checking in for a progress report on the records request. Do you know when I can expect to receive the documents?

Thanks,  
Collin

---

**From:** [Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov) [<mailto:Josh.Sabo@ohiohouse.gov>]  
**Sent:** Friday, February 26, 2021 3:16 PM  
**To:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Cc:** [Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov)  
**Subject:** RE: Follow Up

Thanks, Collin. We'll begin processing this in accordance with Ohio law.

- Josh

---

**From:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Sent:** Friday, February 26, 2021 9:46 AM  
**To:** Sabo, Josh <[Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)>  
**Cc:** Disantis, Paul <[Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov)>  
**Subject:** RE: Follow Up

Hi Josh,

Attached is the list of search terms for the records request. Please let me know if you have any questions.

Have a nice weekend,  
Collin

---

**From:** [Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov) [<mailto:Josh.Sabo@ohiohouse.gov>]  
**Sent:** Thursday, February 25, 2021 5:24 PM  
**To:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Subject:** Re: Follow Up

Collin,

No worries, I have definitely been guilty of doing that as well. I just double checked to make sure, and our search is not case sensitive. Let me know if you have any other questions. Thanks!

- Josh

On Feb 25, 2021, at 5:16 PM, Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)> wrote:

Hi Josh,

Thanks for the follow up. I thought I had sent you an email yesterday with a final clarification on the request, but after receiving this message I went back and just realized that email is currently sitting in my drafts...so I'm pretty frustrated with myself and I appreciate your patience.

Anyway, the question I meant to send to you yesterday is whether or not your office's term search tool was case sensitive? Once we know that I can get you the list of terms early tomorrow. Again, thank you for the follow and apologies for my oversight.

Thanks,  
Collin

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---

**From:** [Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov) <[Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)>  
**Sent:** Thursday, February 25, 2021 5:09:24 PM  
**To:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Cc:** [Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov) <[Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov)>  
**Subject:** Follow Up

Hi Collin,

I had a quick conversation with Paul today and he asked me where we were at with your public records request. I let him know that we were continuing to process your request, but hadn't yet heard back from you following our conversation on Monday. Thus, I wanted to follow up and check to see if you have any revisions for us so we can continue to process the entirety of your request. Thanks!

**Josh Sabo, Esq.**  
Deputy Legal Counsel, Office of the Speaker  
Ohio House of Representatives  
[Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)  
614-466-8118

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# **EXHIBIT 7**



**From:** Collin Marozzi  
**To:** ["beans1@ohio.edu"](mailto:beans1@ohio.edu)  
**Subject:** Public Records Request  
**Date:** Monday, June 7, 2021 12:14:00 PM  
**Attachments:** [image001.png](#)

---

Hello Mrs. Bean,

Pursuant to Ohio's open records laws, Ohio Revised Code §149.43(B), the following is a formal request for public records in the possession or control of the Ohio University Voinovich School of Leadership and Public Affairs (GVS), Chief Financial and Administrative Officer Michael Finney, and Redistricting Project Manager Robert Wiley. **This request is for records created between February 1, 2021 through the date of the completion of your response to this request.**

We hereby request the following records:

1. All records related to the development of the Ohio Common and Unified Redistricting Database (CURD) prepared by Mr. Robert Wiley for the Legislative Service Commission (LSC), including, without limitation, monthly progress reports and correspondence regarding the delay of redistricting data.
2. All records related to contracts, agreements, and contract or agreement modifications between GVS and LSC related to the production and delivery of the CURD by GVS to LSC for the purpose of redistricting.
3. All records related to, or consisting of correspondence between Mr. Robert Wiley and US Census Bureau Redistricting and Voting Rights Chief James Whitehorne regarding the delivery of US census data to the state of Ohio for the purpose of redistricting.
4. All records related to, or consisting of, the linkage of voter party affiliation to the CURD.

For the purpose of this request, the term "public record" shall be defined as in Ohio Revised Code §149.43(A)(1). Any non-identical copy of any responsive record, including all drafts and all marked-up copies are requested.

If you determine that portions of the requested records are exempt from disclosure, please specify the basis for redaction and provide all non-exempt portions of the record. Additionally, if specific data or documents are not available, please provide documents that contain as much of the requested information as is available and/or the closest approximation to this information that is available.

Please send the requested records as electronic PDF's to Collin Marozzi, [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org). Please notify me upon receipt of this request if it is not possible to send the requested records electronically.

Pursuant to Ohio Revised Code §149.43(B)(1) please provide the requested records promptly. *See also State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. Of Educ.*, 97 Ohio St. 3d 58, 65 (2002). I am happy to receive records on a rolling basis as they are identified. In any event, all requested records should be provided on or before **June 21, 2021**.

If you have any questions about this request, or if you cannot meet this deadline please email me as soon as possible.

Thank you in advance for your assistance,

**J. Collin Marozzi, MAP**

**Policy Strategist | ACLU of Ohio**

**1108 City Park Ave. | Columbus, OH 43206**

**614.586.1972. ext 2014 | [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)**

*(he/him/his)*



# **EXHIBIT 8**

## Goldrosen, Juliana

---

**From:** Bender, Brady  
**Sent:** Thursday, June 17, 2021 6:16 AM  
**To:** 'Josh.Sabo@ohiohouse.gov'  
**Cc:** 'cmarozzi@acluohio.org'  
**Subject:** 2/3/21 Public Records Request  
**Attachments:** Letter from B. Bender to J. Sabo 6.17.21.pdf

Dear Counsel,

Please find attached a letter regarding a February 3, 2021 records request submitted by Collin Marozzi of the ACLU of Ohio.

Thank you for your attention and response.

Sincerely,  
Brady

**Brady Bender**

Pronouns: She/Her/Hers

Covington & Burling LLP  
One CityCenter, 850 Tenth Street, NW  
Washington, DC 20001-4956  
T +1 202 662 5968 | [bbender@cov.com](mailto:bbender@cov.com)  
[www.cov.com](http://www.cov.com)

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Covington & Burling LLP  
One CityCenter  
850 Tenth Street, NW  
Washington, DC 20001-4956  
T +1 202 662 6000

**Via Email**

June 17, 2021

Josh Sabo  
Ohio House of Representatives  
77 S. High Street  
Columbus, Ohio 43215

## **Re: Public Records Request**

Dear Counsel:

I write in reference to public records requests made by the ACLU of Ohio policy counsel Collin Marozzi on February 3, 2021 with respect to information concerning redistricting following the 2020 Census.

At this time, several requests remain outstanding in violation of the Ohio Public Records Act. In particular, no responses have been provided for the requests to Speaker Bob Cupp, Representative Rick Carfagna, Representative Bill Seitz, and Ms. Christine Morrison. As you know, Ohio law requires that, upon request, public officials provide copies of public records “within a reasonable period of time.” R.C. 149.43(B)(1). Courts have found delays of as few as six days to be unreasonable. *See, e.g., State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Ed.*, 776 N.E.2d 82, 91 (Ohio 2002). In this case, the missing responses are more than four months late, a delay which counsel has not justified—and cannot justify.

At the same time, counsel has asserted objections to and/or withheld records responsive to certain other requests. On March 30, 2021, counsel informed Mr. Marozzi that portions of Ms. Heather Blessing’s records were withheld pursuant to the attorney-client privilege and/or work-product doctrine; on May 14, 2021, counsel informed Mr. Marozzi that portions of Ms. Sheila Boehner’s records were withheld on the same basis. As you are no doubt aware, factual documents are not rendered privileged merely because they are sent by or to an attorney. Moreover, as the United States District Court for the Southern District of Ohio has recently held, data and maps related to redistricting are not protected from discovery given that they are created incidental to the legislature’s “statutory duty to draft . . . [a] map.” *Ohio A. Philip Randolph Inst. v. Smith*, No. 1:18cv357, 2018 WL 6591622, at \*5 (S.D. Ohio Dec. 15, 2018). To ensure that this claim of privilege was validly made, we ask that you explain the basis for its assertion, including why the withheld documents constituted legal advice and, as relevant, the parties between whom the withheld records were conveyed.

Similarly, on May 14, 2021, counsel informed Mr. Marozzi that portions of Ms. Boehner’s records were withheld pursuant to “legislative privilege,” citing R.C. 101.30. To ensure that this claim of “privilege” was validly made, we ask that you also explain the basis for its assertion,

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**Josh Sabo**

June 17, 2021

Page 2

including why the withheld documents constitute “legislative documents”, as defined in the statute, and how they arise out of the confidential relationship between legislative staff and the general assembly, also as defined in the statute.

Finally, on March 30, 2021, counsel denied certain portions of the public records requests submitted “as overly vague and broad.” Please explain the basis for this determination with respect to the identified search terms. We reserve the right to challenge this determination at a later date. However, in the spirit of the Ohio Public Records Act, which “contemplates that the requester and the public-records custodian cooperate in fulfilling a request,” *State ex rel. Morgan v. Strickland*, 906 N.E.2d 1105, 1109 (Ohio 2009), we request that you instead produce records pertinent to the following terms:

- draw\* /5 (district\* OR map\* OR border\* OR precinct\* OR block\* OR tract\* OR VTD)
- map\* /5 (district\* OR border\* OR precinct\* OR block\* OR tract\* OR VTD)
- apportion\* /5 (district\* OR map\* OR precinct\* OR border\* OR tract\* OR block\* OR VTD)
- “task force” /5 (vote\* OR voting OR district\* OR redistrict\* OR map\* OR VTD)

Should your office elect not to search for documents responsive to these terms, please explain the basis for this decision and propose an alternative to which you may be amenable.

We ask that you respond in writing to this letter by June 23, 2021. Further, we ask that you provide all remaining records responsive to our request by the same date. Please send the requested records as electronic PDFs to the undersigned, Brady Bender (bbender@cov.com), and Collin Marozzi (cmarozzi@acluohio.org). We are willing to receive records in batches as they are identified.

Sincerely,

/s/

L. Brady Bender

cc: Collin Marozzi

# **EXHIBIT 9**

## Goldrosen, Juliana

---

**From:** Josh.Sabo@ohiohouse.gov  
**Sent:** Wednesday, June 23, 2021 1:44 PM  
**To:** Bender, Brady  
**Cc:** Heather.Blessing@ohiohouse.gov; Paul.Disantis@ohiohouse.gov; 'Collin Marozzi'  
**Subject:** RE: 2/3/21 Public Records Request  
**Attachments:** Carfagna 1.pdf; Carfagna 2.pdf; House Records Retention Schedule.pdf

**[EXTERNAL]**

Dear Ms. Bender:

This email responds to your June 17, 2021 letter to our office, as well the February 3, 2021 [revised February 26, 2021] public records to named Ohio House members and staff from your client, Colin Marozzi.

In your letter, you state that in regards to providing copies of records to requesters, some courts have found delays of as few as six days to be unreasonable. In the case you cited [*State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Ed.*, 776 N.E.2d 82, 91 (Ohio 2002)], the local board of education received a public records request for the applications of 5 candidates for the position of school district treasurer. The scope of the request in that case is not analogous to the present public records request from your client. First, your client revised his request more than 3 weeks after his original request following a phone discussion between him and House legal counsel. Second, your client requested that ten named individuals and their staff search all records in their custody for multiple different requests for a timespan that spanned months. Finally, during the time that the request was received and processed until May 25, 2021, the House was in periods of full and partial “work from home” status while processing previously received public records requests. Some of our earliest communications with Mr. Marozzi advised him of the potential for a delayed response due to these conditions. At present, we have fulfilled 70% of your client’s requests. Please find attached responsive records from Rep. Rick Carfagna’s office; no records were redacted or withheld. We are continuing to process records for Speaker Cupp, Rep. Seitz, and Christine Morrison.

You additionally ask that our office explain the basis for withholding certain records pursuant to attorney-client privilege, why the documents constituted legal advice, and the parties between whom the withheld records were held. You additionally note that “factual documents are not protected from discovery.” For the purposes of clarification, we are responding to Mr. Marozzi’s request as a public records request under R.C. 149.43 and not a discovery request. The records of Heather Blessing referenced in my email of March 30, 2021 were withheld under R.C. 149.43(A)(1)(v) as attorney-client privileged communications defined in R.C. 101.301 and R.C. 2317.021 (see also *State ex rel. Lanham v. DeWine*, 135 Ohio St.3d 191, 2013-Ohio-199, 985 N.E.2d 467).

Further, you ask that our office explain the basis for withholding certain records pursuant to legislative privilege, why the documents constitute “legislative documents,” and how they arise out of the confidential relationship between legislative staff and the General Assembly. The records of Sheila Boehner referenced in my email of Mary 14, 2021 documents were withheld pursuant to R.C. 101.30. Legislative documents are defined in R.C. 101.30(A)(1) and the confidential relationship between legislative staff and the General Assembly is described in R.C. 101.30(B).

Finally, your letter provides what appears a shorter list of terms and combinations of terms to search including “draw”, “map”, “apportion,” and “task force” in proximity to other terms including “district”, “map”, “border”, “precinct”; “block;” “tract;” or “VTD.” We previously denied a request to search for records pertaining to these terms as overly broad on March 30, 2021, and continue to deny this request. “[I]t is the responsibility of the



person who wishes to inspect and/or copy records to identify with reasonable clarity the records at issue.” *State ex rel. Zidonis v. Columbus State Community College*, 133 Ohio St.3d 122, 2012-Ohio-4228, 976 N.E.2d 861, ¶ 21. A requester must identify the records sought so that the public office can identify responsive records based on the manner in which it ordinarily maintains and accesses the public records it keeps. *State ex rel. Zauderer v. Joseph*, 62 Ohio App.3d 752 (10th Dist. 1989).

Our offices do not organize their records under these broad terms, combination of terms, or subjects. The word “district” alone would capture almost every email issuing from a state representative’s office, as the email signature commonly identifies the name of the district served by the member. . Other words like “map\*” and “draw\*” would cause similar problems. As we mentioned have stated to your client, records referencing those terms will likely be captured his existing requests for records pertaining to redistricting. In general, our offices organize their records by member, and within each member office, by specific subjects, bill numbers, and constituent cases. Mr. Marozzi, or you on his behalf, may revise his requests to include additional, narrower criteria so that we can more easily identify the records you request. Please find attached the current records retention schedule for the Ohio House of Representatives which further demonstrates how records are ordinarily maintained and accessed by our offices.

We will continue to process the remainder of Mr. Marozzi’s request in accordance with Ohio law.

**Josh Sabo, Esq.**

Deputy Legal Counsel, Office of the Speaker  
Ohio House of Representatives  
[Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)  
614-466-8118

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**From:** Bender, Brady <BBender@cov.com>  
**Sent:** Thursday, June 17, 2021 9:16 AM  
**To:** Sabo, Josh <Josh.Sabo@ohiohouse.gov>  
**Cc:** cmarozzi@acluohio.org  
**Subject:** 2/3/21 Public Records Request

Dear Counsel,

Please find attached a letter regarding a February 3, 2021 records request submitted by Collin Marozzi of the ACLU of Ohio.

Thank you for your attention and response.

Sincerely,  
Brady

**Brady Bender**

Pronouns: She/Her/Hers

Covington & Burling LLP  
One CityCenter, 850 Tenth Street, NW  
Washington, DC 20001-4956  
T +1 202 662 5968 | [bbender@cov.com](mailto:bbender@cov.com)

# COVINGTON

# **EXHIBIT 10**

**From:** [Bean, Shelly](#)  
**To:** [Collin Marozzi](#)  
**Subject:** RE: Public Records Request - PR-4815  
**Date:** Tuesday, July 27, 2021 9:11:36 AM  
**Attachments:** [image002.png](#)  
[Redistricting 2021 Progress Report -February2021.pdf](#)  
[Redistricting 2021 Progress Report -March 2021.pdf](#)  
[Redistricting 2021 Progress Report -April 2021.pdf](#)

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Hello Mr. Marozzi,

We are in the progress of retrieving and reviewing the records that are specified in your request dated June 7, 2021. Included in your four-part request is “monthly progress reports.” We have reviewed and are now releasing the available monthly progress reports from February 1, 2021 until the date of your request, June 7, 2021. Please see attached.

Throughout your request, you include the phrase “all records related to.” This is an example of the portion of your request that is vague and overbroad.

We will continue to work on the remainder of your request and provide on a rolling production basis.

Sincerely,

Shelly Bean  
Public Records Compliance Officer

Ohio University  
Office of Legal Affairs  
1 Ohio University  
19 East Circle Drive  
Building 18, Suite 383  
Athens, Ohio 45701  
740.593.9964 (direct) 740.593.0200 (fax)



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**From:** Collin Marozzi <cmarozzi@acluohio.org>  
**Sent:** Thursday, July 22, 2021 4:24 PM  
**To:** Bean, Shelly <beans1@ohio.edu>  
**Subject:** RE: Public Records Request - PR-4815

Mrs. Bean,

Thank you for your response. In the interest and spirit of cooperation, I will attempt to refine the scope of the parts of the records request that are believed to be broad and vague. Could you please

identify which of the four requests fall into this category, and any specific format the modified request should be in to better facilitate timely production.

Thank you,

**J. Collin Marozzi, MAP**

Policy Strategist / ACLU of Ohio  
1108 City Park Ave / Columbus, OH 43206  
614.586.1972 ext. 2014  
(*he/him/his*)

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**From:** Bean, Shelly [<mailto:beans1@ohio.edu>]  
**Sent:** Thursday, July 22, 2021 4:05 PM  
**To:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Subject:** RE: Public Records Request - PR-4815

Hello Mr. Marozzi,

Please be advised that parts of your request are broad and vague.

You specifically identified monthly progress reports which we have pulled and we are in the process of reviewing. We anticipate sending those to you in the near future.

In the meantime, we will provide records to you on a rolling production basis.

Sincerely,

Shelly Bean  
Public Records Compliance Officer

Ohio University  
Office of Legal Affairs  
1 Ohio University  
19 East Circle Drive  
Building 18, Suite 383  
Athens, Ohio 45701  
740.593.9964 (direct) 740.593.0200 (fax)



**From:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Sent:** Tuesday, July 20, 2021 11:41 AM  
**To:** Bean, Shelly <[beans1@ohio.edu](mailto:beans1@ohio.edu)>  
**Subject:** RE: Public Records Request - PR-4815

Hello Mrs. Bean,

I am again inquiring about the status of my records request (reference file number PR-4815). Can you please provide an update on the processing of my request and when I can expect to receive the records?

Thank you,

**J. Collin Marozzi, MAP**  
Policy Strategist / ACLU of Ohio  
1108 City Park Ave / Columbus, OH 43206  
614.586.1972 ext. 2014  
(*he/him/his*)

---

**From:** Bean, Shelly [<mailto:beans1@ohio.edu>]  
**Sent:** Thursday, June 24, 2021 9:16 AM  
**To:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Subject:** RE: Public Records Request - PR-4815

Hello Mr. Marozzi,

Thank you for your email.

We are working on your request and anticipate forwarding our response to you at our very earliest opportunity.

Thank you in advance for your patience as we continue to work through our queue of public records requests.

Sincerely,

Shelly Bean  
Public Records Compliance Officer

Ohio University  
Office of Legal Affairs  
1 Ohio University

19 East Circle Drive  
Building 18, Suite 383  
Athens, Ohio 45701  
740.593.9964 (direct) 740.593.0200 (fax)



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**From:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Sent:** Wednesday, June 23, 2021 2:59 PM  
**To:** Bean, Shelly <[beans1@ohio.edu](mailto:beans1@ohio.edu)>  
**Subject:** RE: Public Records Request - PR-4815

Hello Mrs. Beans,

Could you please provide a status update or progress report on my public records request, file number PR-4815?

Thank you,

**J. Collin Marozzi, MAP**  
**Policy Strategist | ACLU of Ohio**  
**1108 City Park Ave. | Columbus, OH 43206**  
**614.586.1972. ext 2014 | [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)**  
*(he/him/his)*



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**From:** Bean, Shelly [<mailto:beans1@ohio.edu>]  
**Sent:** Monday, June 7, 2021 3:55 PM  
**To:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Subject:** RE: Public Records Request - PR-4815

Hello Mr. Marozzi,

This email serves to acknowledge this office's receipt of your Public Records Request dated June 7, 2021. Your request is being reviewed by this office and we will strive to produce records that are responsive to your request within a reasonable amount of time. The response time is dependent upon the clarity of the request and whether we have a legal obligation to redact information that is

protected by state or federal law.

If you have questions or concerns, please reply to [beans1@ohio.edu](mailto:beans1@ohio.edu) and reference file number PR-4815.

Sincerely,

Shelly Bean  
Public Records Compliance Officer

Ohio University  
Office of Legal Affairs  
1 Ohio University  
19 East Circle Drive  
Building 18, Suite 383  
Athens, Ohio 45701  
740.593.9964 (direct) 740.593.0200 (fax)



OHIO UNIVERSITY

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**From:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>

**Sent:** Monday, June 7, 2021 12:13 PM

**To:** Bean, Shelly <[beans1@ohio.edu](mailto:beans1@ohio.edu)>

**Subject:** Public Records Request

Hello Mrs. Bean,

Pursuant to Ohio's open records laws, Ohio Revised Code §149.43(B), the following is a formal request for public records in the possession or control of the Ohio University Voinovich School of Leadership and Public Affairs (GVS), Chief Financial and Administrative Officer Michael Finney, and Redistricting Project Manager Robert Wiley. **This request is for records created between February 1, 2021 through the date of the completion of your response to this request.**

We hereby request the following records:

1. All records related to the development of the Ohio Common and Unified Redistricting Database (CURD) prepared by Mr. Robert Wiley for the Legislative Service Commission (LSC), including, without limitation, monthly progress reports and correspondence regarding the delay of redistricting data.
2. All records related to contracts, agreements, and contract or agreement modifications between GVS and LSC related to the production and delivery of the CURD by GVS to LSC for the purpose of redistricting.



3. All records related to, or consisting of correspondence between Mr. Robert Wiley and US Census Bureau Redistricting and Voting Rights Chief James Whitehorne regarding the delivery of US census data to the state of Ohio for the purpose of redistricting.
4. All records related to, or consisting of, the linkage of voter party affiliation to the CURD.

For the purpose of this request, the term “public record” shall be defined as in Ohio Revised Code §149.43(A)(1). Any non-identical copy of any responsive record, including all drafts and all marked-up copies are requested.

If you determine that portions of the requested records are exempt from disclosure, please specify the basis for redaction and provide all non-exempt portions of the record. Additionally, if specific data or documents are not available, please provide documents that contain as much of the requested information as is available and/or the closest approximation to this information that is available.

Please send the requested records as electronic PDF’s to Collin Marozzi, [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org). Please notify me upon receipt of this request if it is not possible to send the requested records electronically.

Pursuant to Ohio Revised Code §149.43(B)(1) please provide the requested records promptly. *See also State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. Of Educ.*, 97 Ohio St. 3d 58, 65 (2002). I am happy to receive records on a rolling basis as they are identified. In any event, all requested records should be provided on or before **June 21, 2021**.

If you have any questions about this request, or if you cannot meet this deadline please email me as soon as possible.

Thank you in advance for your assistance,

**J. Collin Marozzi, MAP**

**Policy Strategist | ACLU of Ohio**

**1108 City Park Ave. | Columbus, OH 43206**

**614.586.1972. ext 2014 | [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)**

*(he/him/his)*

The logo for the American Civil Liberties Union (ACLU) of Ohio. It features the letters "ACLU" in a large, bold, blue, sans-serif font. The letters are closely spaced and have a slight shadow effect.

**Ohio**

# **EXHIBIT 11**

## Goldrosen, Juliana

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**From:** Collin Marozzi <cmarozzi@acluohio.org>  
**Sent:** Tuesday, August 3, 2021 3:20 PM  
**To:** Josh.Sabo@ohiohouse.gov; Paul.Disantis@ohiohouse.gov  
**Cc:** Bender, Brady; Goldrosen, Juliana  
**Subject:** Public Records Request 8.3.21  
**Attachments:** 2021.08.03 Letter from L. Bender to J. Sabo.pdf; 2021.08.03 - Public Records Requests - House.pdf

**[EXTERNAL]**

Mr. Sabo and Mr. Disantis,

Please see the attached public records request for records in the possession of Speaker Bob Cupp, Representatives Ginter, Jones, Abrams, Seitz, Carfagna, Chief of Staff Christine Morrison, House Clerk Brad Young, Deputy Legal Counsel Heather Blessing, and Deputy Chief of Staff Sheila Boehner, and the accompanying letter from the ACLU of Ohio's retained counsel.

Thank you,

**J. Collin Marozzi, MAP**  
Policy Strategist / ACLU of Ohio  
1108 City Park Ave / Columbus, OH 43206  
614.586.1972 ext. 2014  
(he/him/his)

# COVINGTON

BEIJING BRUSSELS DUBAI FRANKFURT JOHANNESBURG  
LONDON LOS ANGELES NEW YORK PALO ALTO  
SAN FRANCISCO SEOUL SHANGHAI WASHINGTON

Covington & Burling LLP  
One CityCenter  
850 Tenth Street, NW  
Washington, DC 20001-4956  
T +1 202 662 6000

**Via Email**

August 3, 2021

Josh Sabo, Esq.  
Ohio House of Representatives  
77 S. High Street  
Columbus, Ohio 43215

## **Re: Renewed Redistricting Records Requests**

Dear Counsel:

I write to you on behalf of Mr. J. Collin Marozzi, Policy Strategist at the ACLU of Ohio, to renew public records requests first submitted in February 2021 pertaining to redistricting following the 2020 Census. Attached please find supplemental requests mirroring those submitted in February, but for records created after the period of time covered by Mr. Marozzi's prior requests, through today's date. Request 5, in particular, covers "information that could be used for the purposes of redistricting," including "shape files, other digital files, and other information pertaining to precinct names, precinct lines, partisan indexes, population shifts, or changing census block lines, also known as voting district (VTD), for the 2018 election, 2020 election, and upcoming redistricting cycle." For the avoidance of any doubt, this request includes such data sets developed, analyzed, and/or provided by Ohio University in the course of their work on the Ohio Common and Unified Redistricting Database, as well as communications pertaining to those datasets.

As a general matter, we understand that the redistricting process is active and ongoing. On Friday, August 16, 2021, the Ohio Redistricting Commission ("the Commission") will meet for the first time. We anticipate that the U.S. Census Bureau will deliver data to aid in the production of legislative district maps on August 16, 2021. If the Commission fails to adopt a final general assembly district plan prior to September 1, 2021, it must then introduce a proposed plan for consideration in public hearings, and it must adopt a final plan by September 15, 2021. Ohio Const. art. XI, § 8. Given this timeline, we expect that Ohio officials, including the targets of Mr. Marozzi's requests, are currently actively working on redistricting matters. Any e-mails, reports, data sets, computer files, maps, or other documents produced or used in this process are presumptively public records under Ohio Public Records Law.

As Ohio law acknowledges, "open access to government papers is an integral entitlement of the people, to be preserved with vigilance and vigor." *State ex rel. Rogers v. Dep't of Rehab. & Corr.*, 122 N.E.3d 1208, 1217 (Ohio 2018) (quotations omitted). Moreover, "open government serves the public interest and our democratic system." *Id.* at 1211. Few records are more central to the public interest or the democratic system than those developed in the redistricting process, and there can be no doubt that the people are entitled to access those records. Accordingly, Mr. Marozzi anticipates vigilantly and vigorously pressing for access to relevant redistricting records

## COVINGTON

Josh Sabo, Esq.  
August 3, 2021  
Page 2

in the weeks to come, including by submitting multiple additional requests and litigating, as necessary.

In recognition of the shared goal of preserving public records entitlements, and in the interest of efficiency, we write today in hopes that the House recipients of the public records requests and Mr. Marozzi might come to a mutual agreement regarding his current and future records requests. As you are well aware, data from the Census Bureau is due to be received on August 16, 2021, a General Assembly map is to be produced by September 1, 2021 and quite possibly again on September 15, 2021. All such maps, and documents related to their creation (including computer files and data sets) are plainly public records that should be produced immediately. While we are prepared to take whatever steps that might be required to obtain such materials, under such the proposed agreement, the House recipients of the records requests would agree to timely supply relevant records to Mr. Marozzi without requiring successive and time-intensive requests, negotiation, and/or litigation to secure those records. This would reduce the burden upon both parties in the midst of a busy period.

We would appreciate the opportunity to speak with you regarding the possibility of such an agreement. Thank you for your efforts to respect and preserve the principle of open government.

Sincerely,

/s/

L. Brady Bender  
Counsel for J. Collin Marozzi

Attachment

cc: J. Collin Marozzi, ACLU of Ohio



August 3, 2021

Following up on my prior records requests dated February 3, 2021, and pursuant to Ohio's open records laws, Ohio Revised Code §149.43(B), the following is a renewed, formal request for public records in the possession or control of House Speaker Bob Cupp, House Speaker Pro Tempore Tim Ginter, House Majority Whip Don Jones, House Assistant Majority Whip Cindy Abrams, House Majority Floor Leader Bill Seitz, House Assistant Majority Floor Leader Representative Rick Carfagna, House Chief of Staff Christine Morrison, House Clerk Brad Young, House Deputy Chief Legal Counsel Heather Blessing, and House Deputy Chief of Staff Sheila Boehner. **This request is for records created after the period of time covered by my prior requests, through the date of the receipt of this request.**

We hereby request copies of the following records:

- 1.) Any and all records consisting of, or referring or relating to, the appointment of a person or persons to the Ohio Redistricting Commission, including, without limitation, recommendations, proposals, plans, or other discussion.
- 2.) Any and all records consisting of, or referring or relating to, the convening of the Ohio Redistricting Commission, including, without limitation, plans or other discussion.
- 3.) Any and all records consisting of, or referring or relating to, communications between your office and the U.S Census Bureau.
- 4.) Any and all records consisting of, or referring or relating to, when or how 2020 Census data will be made available to members of Ohio General Assembly, members of the Ohio Redistricting Commission, and/or their respective staffs.
- 5.) Any and all records consisting of, or referring or relating to, information that could be used for the purposes of redistricting, including, without limitation shape files, other digital files and other information pertaining to precinct names, precinct lines, partisan indexes, population shifts, or changing census block lines, also known as voting district (VTD), for the 2018 election, 2020 election, and upcoming redistricting cycle.
- 6.) Any and all records consisting of, or referring or relating to, any communication with any consultant, firm, or vendor for the purposes of redistricting, including, without limitation, requests for proposals, proposals, and agreements.
- 7.) Any and all records consisting of, or referring or relating to, any communication with any current or former member of Ohio's Congressional delegation, their staff, or affiliated political action committee, relating to redistricting.

- 8.) Any and all records consisting of, or referring or relating to, any communication with the Republican National Committee, Ohio Republican Party, National Republican Redistricting Trust, or the National Republican Congressional Committee related to redistricting.
- 9.) Any and all records consisting of, or referring or relating to, any communication with the Democratic National Committee, Ohio Democratic Party, National Democratic Campaign Committee, or the Democratic Congressional Campaign Committee related to redistricting.

For the purposes of this request, the term “public record” shall be defined as in Ohio Rev. Code § 149.43(A)(1). Any non-identical copy of any responsive record, including all drafts and all marked-up copies, are requested.

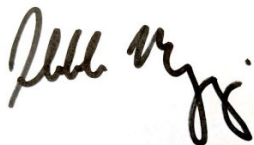
If you determine that some portions of the requested records are exempt from disclosure, please specify the basis for redaction and provide all non-exempt portions of the record. Additionally, if specific data or documents are not available, please provide documents that contain as much of the requested information as is available and/or the closest approximation to this information that is available.

Please send the requested records as electronic PDF’s to Collin Marozzi, [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org), and Brady Bender, [bbender@cov.com](mailto:bbender@cov.com). Please notify us upon receipt of this request if it is not possible to send the requested records electronically.

Pursuant to Ohio Rev. Code § 149.43(B)(1) please provide the requested records promptly. *See also State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002). I am happy to receive records in batches and as they are identified. In any event, all requested records should be provided on or before **August 10, 2021**.

If you have any questions about this request, or if you cannot meet this deadline please email [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org) and [bbender@cov.com](mailto:bbender@cov.com) as soon as possible.

Thank you in advance for your assistance.



J. Collin Marozzi  
Policy Strategist  
ACLU of Ohio  
1108 City Park Ave.  
Columbus, Ohio 43206  
(614) 586-1972, ext. 2014  
[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)

# **EXHIBIT 12**



## Goldrosen, Juliana

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**From:** Collin Marozzi <CMarozzi@acluohio.org>  
**Sent:** Monday, August 16, 2021 12:27 PM  
**To:** Travis.Butchello@ohiohouse.gov  
**Cc:** Bender, Brady; Goldrosen, Juliana; Josh.Sabo@ohiohouse.gov; William Hughes  
**Subject:** RE: Public Records Request 8.3.21

**EXTERNAL**

Mr. Butchello,

Could you please advise me as to when I can expect to begin receiving responses? As I stated previously, I am happy to receive the records in batches and as they are identified. As you likely know, Ohio law requires public officials to respond to requests for public records within a reasonable period of time. Ohio Rev. Code Ann. § 149.43(B)(7). Indeed, courts have found delays of as few as six days to be unreasonable. *See State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Ed.*, 776 N.E.2d 82, 91 (Ohio 2002). Given the great public interest in records developed in the current, fast-moving redistricting process, I anticipate vigilantly and vigorously pressing for timely responses in the weeks to come.

As always, I am happy to get on the phone to discuss further.

Best,

**J. Collin Marozzi, MAP**  
Policy Strategist / ACLU of Ohio  
1108 City Park Ave / Columbus, OH 43206  
614.586.1972 ext. 2014  
(he/him/his)

---

**From:** Collin Marozzi  
**Sent:** Thursday, August 5, 2021 10:38 AM  
**To:** Travis.Butchello@ohiohouse.gov  
**Cc:** 'Bbender@cov.com' <Bbender@cov.com>; 'JGoldrosen@cov.com' <JGoldrosen@cov.com>  
**Subject:** RE: Public Records Request 8.3.21

Thank you Mr. Butchello.

---

**From:** [Travis.Butchello@ohiohouse.gov](mailto:Travis.Butchello@ohiohouse.gov) [<mailto:Travis.Butchello@ohiohouse.gov>]  
**Sent:** Wednesday, August 4, 2021 10:41 AM  
**To:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Cc:** 'Bbender@cov.com' <[Bbender@cov.com](mailto:Bbender@cov.com)>; 'JGoldrosen@cov.com' <[JGoldrosen@cov.com](mailto:JGoldrosen@cov.com)>  
**Subject:** RE: Public Records Request 8.3.21

Mr. Marozzi,

This email is an acknowledgement of your 8/3/2021 request for records pertaining to redistricting.

We will process your request in accordance with Ohio law. Please note that Deputy Legal Counsel Josh Sabo is out of office this week, so you may direct inquiries regarding this and other public records to me in the interim.

Sincerely,  
Travis

**Travis Butchello, Esq.**

*Senior Policy Officer/Deputy Legal Counsel*  
Ohio House of Representatives, Majority Caucus  
77 S. High Street, 14<sup>th</sup> Floor | Columbus, OH 43215  
Office: 614.387.1398  
[Travis.Butchello@ohiohouse.gov](mailto:Travis.Butchello@ohiohouse.gov)

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**From:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>  
**Sent:** Tuesday, August 3, 2021 6:20 PM  
**To:** Sabo, Josh <[Josh.Sabo@ohiohouse.gov](mailto:Josh.Sabo@ohiohouse.gov)>; Disantis, Paul <[Paul.Disantis@ohiohouse.gov](mailto:Paul.Disantis@ohiohouse.gov)>  
**Cc:** Bender, Brady <[BBender@cov.com](mailto:BBender@cov.com)>; Goldrosen, Juliana <[JGoldrosen@cov.com](mailto:JGoldrosen@cov.com)>  
**Subject:** Public Records Request 8.3.21

Mr. Sabo and Mr. Disantis,

Please see the attached public records request for records in the possession of Speaker Bob Cupp, Representatives Ginter, Jones, Abrams, Seitz, Carfagna, Chief of Staff Christine Morrison, House Clerk Brad Young, Deputy Legal Counsel Heather Blessing, and Deputy Chief of Staff Sheila Boehner, and the accompanying letter from the ACLU of Ohio's retained counsel.

Thank you,

**J. Collin Marozzi, MAP**  
Policy Strategist / ACLU of Ohio  
1108 City Park Ave / Columbus, OH 43206  
614.586.1972 ext. 2014  
(he/him/his)

# **EXHIBIT 13**

## Goldrosen, Juliana

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**From:** Collin Marozzi <CMarozzi@acluohio.org>  
**Sent:** Wednesday, August 18, 2021 6:31 AM  
**To:** Bean, Shelly  
**Cc:** Bender, Brady; Goldrosen, Juliana; Freda Levenson; William Hughes  
**Subject:** 8.18.21 Public Records Request  
**Attachments:** 2021.08.18 - Public Records Requests - Ohio University.pdf; 2021.08.18 - Letter from L. Bender to S. Bean.pdf

**EXTERNAL**

Hello Ms. Bean,

Please see the attached public records request and cover letter from the ACLU of Ohio's retained counsel.

Thank you,

**J. Collin Marozzi, MAP**  
Policy Strategist / ACLU of Ohio  
1108 City Park Ave / Columbus, OH 43206  
614.586.1972 ext. 2014  
(he/him/his)



August 18, 2021

Following up on my prior records requests dated June 7, 2021, and pursuant to Ohio's open records laws, Ohio Revised Code §149.43(B), the following is a renewed, formal request for public records in the possession or control of the Ohio University Voinovich School of Leadership and Public Affairs (GVS), Chief Financial and Administrative Officer Michael Finney, Professor of Rural Economic Development and Master of Public Administration Director G. Jason Jolley, Elkan Kim, Jessica Schaudt, Matt Trainer, Kyong Lim, and Redistricting Project Manager Robert Wiley.

**The first part of this request is for records created after the period of time covered by my prior requests, through the date of the receipt of this request.** For that time period, we hereby request copies of the following records:

- 1.) The final Ohio Common and Unified Redistricting Database (CURD) that was delivered to the Ohio Legislative Service Commission (LSC) on or about August 13, 2021.
- 2.) All records related to the development of the CURD by Robert Wiley and others at GVS for the Legislative Service Commission (LSC), including, without limitation:
  - a. monthly progress reports;
  - b. all correspondence regarding the delay of redistricting data;
  - c. any block-level datasets developed and/or used by GVS for the CURD, including those that disaggregate precinct or VTD-level election results to the block level;
  - d. any datasets used to assemble the block-level datasets in (c), including but not limited to:
    - i. census demographic data and shapefiles and
    - ii. voter lists of current and previously-registered voters in Ohio;
  - e. precinct-level or VTD-level election returns from the past 10 years, and corresponding shapefiles;
  - f. all records related to, or consisting of, the linkage of voter party affiliation to the CURD; and
  - g. all equivalency files and/or datasets considered, used, and/or prepared to aggregate or disaggregate data between different geographic units for purposes of building the CURD, as well as a description of how those equivalency files and/or datasets were used to do the aggregation or disaggregation.
- 3.) All shapefiles considered, used, and/or prepared for the development of the CURD, including, without limitation, the shapefiles for precincts and/or VTDs as they have existed at the time of each of the state-wide elections that are a part of the CURD.

- 4.) All records related to contracts, agreements, and contract or agreement modifications between GVS and LSC related to the production and delivery of the CURD by GVS to LSC for the purpose of redistricting.
- 5.) All records related to, or consisting of, correspondence between Robert Wiley, Michael Finney, Dr. Jolley, Elkan Kim, Jessica Schaudt, Matt Trainer, Kyong Lim, or anyone else at GVS working on the development of the CURD, and the LSC, including, without limitation, correspondence related to the data being used to develop the CURD, the linkage of voter party affiliation to the CURD, and/or the delivery of the CURD to the LSC.
- 6.) All records related to, or consisting of, correspondence between Robert Wiley, Michael Finney, Dr. Jolley, Elkan Kim, Jessica Schaudt, Matt Trainer, Kyong Lim, or anyone else at GVS working on the development of the CURD, and members of the Ohio General Assembly, members of the Ohio Redistricting Commission, and/or their respective staffs, including, without limitation, correspondence related to the data being used to develop the CURD, the linkage of voter party affiliation to the CURD, and/or the delivery of the CURD to the LSC.
- 7.) All records related to, or consisting of, correspondence between Robert Wiley, Michael Finney, Dr. Jolley, Elkan Kim, Jessica Schaudt, Matt Trainer, Kyong Lim, or anyone else at GVS working on the development of the CURD, and the Office of the Secretary of State Frank LaRose, including, without limitation, correspondence related to the data being used to develop the CURD, the linkage of voter party affiliation to the CURD, and/or the delivery of the CURD to the LSC.

**The second part of this request is for records created and/or used prior to this time period.** In particular, we hereby request copies of the following records:

- 1) Records related to, or consisting of, voter precinct maps or other election datasets provided by Mr. Finney, Dr. Jolley, or others at GVS to the U.S. Census Bureau in March 2020, including, but not limited to, maps and election datasets.

For the purposes of all portions of this request, the term “public record” shall be defined as in Ohio Rev. Code § 149.43(A)(1). Any non-identical copy of any responsive record, including all drafts and all marked-up copies, are requested.

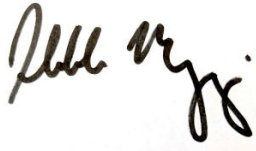
If you determine that some portions of the requested records are exempt from disclosure, please specify the basis for redaction and provide all non-exempt portions of the record. Additionally, if specific data or documents are not available, please provide documents that contain as much of the requested information as is available and/or the closest approximation to this information that is available.

Please send the requested records as electronic PDF’s to Collin Marozzi, [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org), and Brady Bender, [bbender@cov.com](mailto:bbender@cov.com). Please notify us upon receipt of this request if it is not possible to send the requested records electronically.

Pursuant to Ohio Rev. Code § 149.43(B)(1) please provide the requested records promptly. *See also State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002). I am happy to receive records in batches and as they are identified. In any event, all requested records should be provided on or before **August 25, 2021**.

If you have any questions about this request, or if you cannot meet this deadline please email [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org) and [bbender@cov.com](mailto:bbender@cov.com) as soon as possible.

Thank you in advance for your assistance.

A handwritten signature in black ink, appearing to read "J. Collin Marozzi". The signature is written in a cursive style and is set against a light beige rectangular background.

J. Collin Marozzi  
Policy Strategist  
ACLU of Ohio  
1108 City Park Ave.  
Columbus, Ohio 43206  
(614) 586-1972, ext. 2014  
[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)

# COVINGTON

BEIJING BRUSSELS DUBAI FRANKFURT JOHANNESBURG  
LONDON LOS ANGELES NEW YORK PALO ALTO  
SAN FRANCISCO SEOUL SHANGHAI WASHINGTON

Covington & Burling LLP  
One CityCenter  
850 Tenth Street, NW  
Washington, DC 20001-4956  
T +1 202 662 6000

## Via Email

August 17, 2021

Shelly M. Bean  
Ohio University  
Office of Legal Affairs  
1 Ohio University  
19 East Circle Drive  
Building 18, Suite 383  
Athens, Ohio 45701

### **Re: Renewed Redistricting Records Requests**

Dear Ms. Bean:

I write to you on behalf of Mr. J. Collin Marozzi, Policy Strategist at the ACLU of Ohio, regarding public records requests first submitted in June 2021 pertaining to redistricting following the 2020 Census.

First, attached please find supplemental requests that cover the same general topics as those previously submitted, but for records created after the period of time covered by Mr. Marozzi's prior requests, through today's date, as well as a request for certain mapping and data set records provided to the U.S. Census Bureau in March 2020. The supplemental requests cover the final Ohio Common and Unified Redistricting Database (CURD) that we understand was delivered by the Ohio University George Voinovich School of Leadership and Public Affairs (GVS) to the Legislative Service Commission (LSC) on or about August 13, 2021. Mr. Marozzi requests an immediate production of the CURD and any election data sets prepared as part of GVS's work on the CURD, and in whatever form they were provided to the LSC (whether in a database, spreadsheet, or other set of computer files). For the avoidance of any doubt, the requests for such data sets include, without limitation:

- 1.) any block-level datasets developed and/or used by GVS for the CURD, including those that disaggregate precinct or VTD-level election results to the block level;
- 2.) any datasets used to assemble the block-level datasets in (1), including but not limited to:
  - a. census demographic data and shapefiles and
  - b. voter lists of current and previously-registered voters in Ohio;
- 3.) precinct-level or VTD-level election returns from the past 10 years, and corresponding shapefiles;
- 4.) all records related to, or consisting of, the linkage of voter party affiliation to the CURD;



## COVINGTON

Shelly M. Bean  
August 17, 2021  
Page 2

- 5.) all equivalency files and/or datasets considered, used, and/or prepared to aggregate or disaggregate data between different geographic units for purposes of building the CURD, as well as a description of how those equivalency files and/or datasets were used to do the aggregation or disaggregation; and
- 6.) all shapefiles considered, used, and/or prepared for the development of the CURD, including, without limitation, the shapefiles for precincts and/or VTDs as they have existed at the time of each of the state-wide elections that are a part of the CURD.

Second, regarding Mr. Marozzi's requests first submitted in June, we are concerned that your office is considering your response to those requests closed, despite apparent gaps in your provision of responsive records. In particular, our review of the few documents you have provided suggests that there are additional responsive documents that have not been provided. As just two examples:

- The March 2021 progress report provided notes meetings with State officials, including the Secretary of State, regarding the delivery of Census Bureau data, what and how election results would be added to the CURD database, and the progress of the project. Any and all materials developed and circulated surrounding this meeting would be responsive to Mr. Marozzi's requests, including any written reports, communications, datasets, or slide decks, yet we have not received any such documentation.
- The April 2021 progress report provided notes conversations with legal counsel for the Ohio Senate and Minority Caucus regarding what voting history data would be linked to Census data. Again, materials surrounding these meetings would be responsive to Mr. Marozzi's requests, including the above-named categories of documents, yet none of those have been provided. In particular, the report indicates that "GVS began to prepare linkable spreadsheets of voting results for five elections" after these conversations. Those linkable spreadsheets qualify as a responsive record under the language of the request.

There are numerous other examples suggesting the existence of additional responsive materials throughout those materials that have been provided thus far. Given this, we ask that you renew your search for responsive materials.

For the avoidance of any doubt, any e-mails, reports, data sets, computer files, maps, or other documents produced or used in the development of the CURD and the broader redistricting process are presumptively public records under Ohio Public Records Law and are responsive to Mr. Marozzi's prior and/or renewed requests. As Ohio law acknowledges, "open access to government papers is an integral entitlement of the people, to be preserved with vigilance and vigor." *State ex rel. Rogers v. Dep't of Rehab. & Corr.*, 122 N.E.3d 1208, 1217 (Ohio 2018) (quotations omitted). Moreover, "open government serves the public interest and our democratic system." *Id.* at 1211. Few records are more central to the public interest or the democratic system than those developed in the redistricting process. Accordingly, Mr. Marozzi

## COVINGTON

Shelly M. Bean  
August 17, 2021  
Page 3

anticipates vigilantly and vigorously pressing for access to relevant redistricting records in the weeks to come, including by submitting multiple additional requests and litigating, as necessary.

Third, on June 22, 2021, you informed Mr. Marozzi that portions of his request were broad and vague. In Mr. Marozzi's response that day, he asked you to identify those portions and any specific format the requests should be provided in to facilitate timely production. On July 27, you identified the phrase "all records related to" as "an example of the portion of your request that is vague and overbroad." In the first instance, we disagree that any portion of the requests are vague or overbroad. The responses identify specific subjects, specific involved parties, and a specific time period, providing more than adequate narrowing under Ohio law. Moreover, your July 27 response did not provide Mr. Marozzi the opportunity to revise his public records request required under R.C. 149.43(B)(2) or "inform[]the requester of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office's or person's duties" such that he may revise those requests. Nevertheless, as Mr. Marozzi previously offered, we remain willing to discuss whether there are ways to better target these requests. We would appreciate the opportunity to discuss this by phone. In advance of that conversation, we ask that you specifically identify any portions of the request that you are denying based on vagueness or overbreadth objections and provide guidance on how these could be narrowed or a format we could use to enable the records to be timely located.

We would appreciate the opportunity to speak with you regarding the issues outlined above. While we are prepared to take whatever steps that might be required to obtain responsive materials, we would prefer to come to an agreement on these requests and thus avoid further time-intensive negotiations and/or litigation to secure these records. Thank you for your efforts to respect and preserve the principle of open government.

Sincerely,

/s/

L. Brady Bender  
Counsel for J. Collin Marozzi

Attachment

cc: J. Collin Marozzi, ACLU of Ohio

# **EXHIBIT 14**

## Goldrosen, Juliana

---

**From:** Collin Marozzi <CMarozzi@acluohio.org>  
**Sent:** Wednesday, August 18, 2021 12:08 PM  
**To:** rep34@ohiohouse.gov  
**Cc:** Sam.Herd@ohiohouse.gov; Sarah.Cherry@ohiohouse.gov; mindy.spain@ohiohouse.gov; Bender, Brady; Goldrosen, Juliana; William Hughes; Freda Levenson  
**Subject:** 8.18.21 Public Records Request  
**Attachments:** 2021.08.17 - Public Records Requests - E. Sykes.pdf

**[EXTERNAL]**

Hello Leader Sykes,

Attached is a public records request for your office. As stated in the request, I am willing to receive records on a rolling basis. Please respond to this email as an acknowledgment of receipt of the request.

As a general matter, I understand that the redistricting process is active and ongoing, and the timeline is condensed from here on out for you and other Ohio officials. Few records are more central to the public interest or the democratic system than those developed in the redistricting process, and the people of Ohio are entitled to access those records. For example, I understand the Ohio University Voinovich School of Leadership and Public Affairs delivered the Ohio Common Unified Redistricting Database (CURD) developed for the 2020 redistricting process to the Ohio Legislative Service Commission last week. I respectfully request delivery of a copy of the CURD, and any and all related correspondence and/or data sets.

I also write today in hopes that we may come to a mutual agreement regarding my current and future records requests. As the redistricting processes move forward, I hope you'll be amenable to the timely supply of relevant records without requiring successive and time-intensive records requests, negotiation, and the like to secure those records. Such an agreement might reduce the burden upon all of us in the midst of a busy period.

Thank you for your efforts and consideration,

**J. Collin Marozzi, MAP**

Policy Strategist / ACLU of Ohio  
1108 City Park Ave / Columbus, OH 43206  
614.586.1972 ext. 2014  
(he/him/his)



AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION

Ohio

August 17, 2021

Pursuant to Ohio's open records laws, Ohio Revised Code § 149.43(B), the following is a formal request for public records in the possession or control of House Minority Leader Emilia Sykes. **This request is for records created after February 3, 2021, through the date of the receipt of this request.**

We hereby request copies of the following records:

- 1.) Any and all records relating to the Ohio University Voinovich School of Leadership and Public Affairs' development of the Ohio Common and Unified Redistricting Database (CURD), including, without limitation, correspondence and/or data sets, as well as the final CURD delivered to the Legislative Service Commission (LSC) on or about August 13, 2021.
- 2.) Any and all records referring or relating to the convening of the Ohio Redistricting Commission, including, without limitation, plans, minutes, agendas, presentations, or communications.
- 3.) Any and all records consisting of, or referring or relating to, information that could be used for the purposes of redistricting, including, without limitation shape files, other digital files and other information pertaining to precinct names, precinct lines, partisan indexes, population shifts, or changing census block lines, also known as voting district (VTD), for the 2018 election, 2020 election, and upcoming redistricting cycle.
- 4.) Any and all records consisting of, or referring or relating to, any communication with any consultant, firm, or vendor for the purposes of redistricting, including, without limitation, requests for proposals, proposals, and agreements.
- 5.) Any and all records consisting of, or referring or relating to, any communication with any other current or former member of Ohio's General Assembly, their current or former staff, or affiliated political action committee, relating to redistricting.
- 6.) Any and all records consisting of, or referring or relating to, any communication with any current or former member of Ohio's Congressional delegation, their current or former staff, or affiliated political action committee, relating to redistricting.
- 7.) Any and all records consisting of, or referring or relating to, any communication with the Republican National Committee, Ohio Republican Party, National Republican Redistricting Trust, or the National Republican Congressional Committee related to redistricting.
- 8.) Any and all records consisting of, or referring or relating to, any communication with the Democratic National Committee, Ohio Democratic Party, National Democratic Campaign Committee, or the Democratic Congressional Campaign Committee related to redistricting.

For the purposes of this request, the term “public record” shall be defined as in Ohio Rev. Code § 149.43(A)(1). In particular, text messages, instant messages, and records transmitted to or from private email accounts may be “public records.” Any non-identical copy of any responsive record, including all drafts and all marked-up copies, are requested.

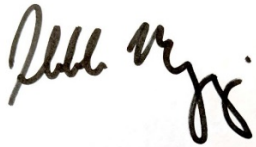
If you determine that some portions of the requested records are exempt from disclosure, please specify the basis for redaction and provide all non-exempt portions of the record. Additionally, if specific data or documents are not available, please provide documents that contain as much of the requested information as is available and/or the closest approximation to this information that is available.

Please send the requested records as electronic PDF’s to Collin Marozzi, [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org), and Brady Bender, [bbender@cov.com](mailto:bbender@cov.com). Please notify us upon receipt of this request if it is not possible to send the requested records electronically.

Pursuant to Ohio Rev. Code § 149.43(B)(1) please provide the requested records promptly. *See also State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002). I am happy to receive records in batches and as they are identified. In any event, all requested records should be provided on or before **August 27, 2021**.

If you have any questions about this request, or if you cannot meet this deadline please email [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org) and [bbender@cov.com](mailto:bbender@cov.com) as soon as possible.

Thank you in advance for your assistance.



J. Collin Marozzi  
Policy Strategist  
ACLU of Ohio  
1108 City Park Ave.  
Columbus, Ohio 43206  
(614) 586-1972, ext. 2014  
[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)

# **EXHIBIT 15**

## Goldrosen, Juliana

---

**From:** Collin Marozzi <cmarozzi@acluohio.org>  
**Sent:** Tuesday, August 24, 2021 2:33 PM  
**To:** Josh.Sabo@ohiohouse.gov; Travis.Butchello@ohiohouse.gov;  
Paul.Disantis@ohiohouse.gov  
**Cc:** Bender, Brady; Goldrosen, Juliana; William Hughes; Freda Levenson  
**Subject:** 8.24.21 Public Records Request  
**Attachments:** 2021.08.24 - Second Renewed Public Records Requests - Ohio House.pdf

**[EXTERNAL]**

Hello Mr. Sabo,

Please see the attached public records request dated August 24, 2021.

Thank you,

**J. Collin Marozzi, MAP**  
Policy Strategist / ACLU of Ohio  
1108 City Park Ave / Columbus, OH 43206  
614.586.1972 ext. 2014  
(*he/him/his*)





August 24, 2021

Following up on my prior records requests dated February 3 and August 3, 2021, and pursuant to Ohio's open records laws, Ohio Revised Code § 149.43(B), the following is a renewed, formal request for public records in the possession or control of House Speaker Bob Cupp, House Majority Floor Leader Bill Seitz, House Chief of Staff Christine Morrison, House Deputy Chief Legal Counsel Heather Blessing, and House Deputy Chief of Staff Sheila Boehner. **This request is for records created after the period of time covered by my prior requests, through the date of this request.**

We hereby request copies of the following records:

- 1.) All records relating to the development of the Ohio Common and Unified Redistricting Database (CURD) by Ohio University Voinovich School of Leadership and Public Affairs (GVS), including, without limitation, communications and/or data sets.
- 2.) All communications, including attachments, with employees of GVS working on the development of the CURD, including, without limitation, Michael Finney, G. Jason Jolley, Robert Wiley, Elkan Kim, Jessica Schaudt, Matt Trainer, and Kyong Lim.
- 3.) All records referring or relating to the convening, meeting, and/or official business of the Ohio Redistricting Commission, including, without limitation, testimony, data sets, maps, and plans submitted to, created by, or otherwise considered by the Commission; minutes, agendas, or presentations from Commission hearings and meetings; and any related communications, including those between Commission members and any/all representatives participating in Commission meetings on behalf of members.
- 4.) All records consisting of, or referring or relating to, assumptions provided, relied upon, and/or used to develop, draw, or otherwise create any congressional or state legislative district maps, including example, potential, or final maps. For the avoidance of doubt, this request includes, but is not limited to, any assumptions or parameters inputted into any map drawing software.
- 5.) All records consisting of, or referring or relating to, information that could be used to draw state legislative or congressional district maps for Ohio, including, without limitation: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes, population shifts, voter affiliation, or changing census block lines (also known as voting district (VTD)) for the 2018 election, 2020 election, and current redistricting cycle.
- 6.) All electronic data necessary to create a state legislative or congressional district map for the purpose of holding elections. See Ohio Const. art. XIX, § 1 ("For the purposes of filing a congressional district plan with the governor or secretary of state under this article, a

congressional district plan shall include . . . all electronic data necessary to create a congressional district map for the purpose of holding congressional elections.”).

- 7.) All records referring or relating to consultants, firms, vendors, or other third parties involved in drawing state legislative or congressional district maps for Ohio, including, without limitation: requests for proposals; proposals; contracts or agreements; email, text, or other recorded communications with such parties; reports; and timesheets.
- 8.) All communications, including attachments, with Wendy Zhan, Emily Wendel, or other staff of the Ohio Legislative Service Commission relating to drawing state legislative or congressional district maps for Ohio, including, without limitation, GVS’s development of the CURD.
- 9.) All communications, including attachments, with any current or former member of Ohio’s General Assembly, affiliated political action committees, or current or former General Assembly staff, relating to drawing state legislative or congressional district maps for Ohio.
- 10.) All communications, including attachments, with any current or former member of Ohio’s Congressional delegation, affiliated political action committees, the delegation’s current or former staff relating to drawing state legislative or congressional district maps for Ohio.
- 11.) All communications, including attachments, with the Republican National Committee, Ohio Republican Party, National Republican Redistricting Trust, or the National Republican Congressional Committee relating to drawing state legislative or congressional district maps for Ohio.
- 12.) All communications, including attachments, with the Democratic National Committee, Ohio Democratic Party, National Democratic Campaign Committee, or the Democratic Congressional Campaign Committee relating to drawing state legislative or congressional district maps for Ohio.

For the purposes of all portions of these requests, the term “public record” shall be defined as in Ohio Rev. Code § 149.43(A)(1). In particular, text messages, instant messages, and records transmitted to or from private email accounts may be “public records.” For all requests, we request records of the following types identified on the House Records Retention Schedule: audiovisual records; calendar appointments; committee and session schedules and notices; committee records (chair and other); communications records (external, internal, and news clips); constituent records; copies and duplicates; correspondence (general and routine); legislative records (not exempt from disclosure under R.C. 101.30(A)(1)); official policies, procedures, manuals, handbooks, and other administrative documents; scheduling documents; subject, research, and reference records; transient documents; payroll and time management records; revenue receipts and accounts receivable; voucher, warrant, and expenditure documents; inactive mailboxes and non-temporary user profile data; project management office files; temporary user profile data; vendor and state contracts reference; legal records; litigation records; public records requests and responses; and other records. Any non-identical copy of any responsive record, including all drafts and all marked-up copies, are requested.

For ease of consideration, we have attached as Appendix A a sample list of search terms that is not meant to be exhaustive but are merely examples of terms that might be used to identify records responsive to the individual requests listed above.

If you determine that some portions of the requested records are exempt from disclosure, please specify the basis for redaction and provide all non-exempt portions of the record. Additionally, if specific data or documents are not available, please provide documents that contain as much of the

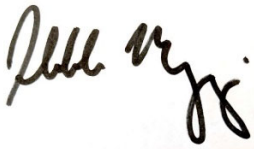
requested information as is available and/or the closest approximation to this information that is available.

Please send the requested records as electronic PDF's to Collin Marozzi, [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org), and Brady Bender, [bbender@cov.com](mailto:bbender@cov.com). Please notify us upon receipt of this request if it is not possible to send the requested records electronically.

Pursuant to Ohio Rev. Code § 149.43(B)(1) please provide the requested records promptly. *See also State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002). I am happy to receive records in batches and as they are identified. In any event, all requested records should be provided on or before **August 31, 2021**.

If you have any questions about this request, or if you cannot meet this deadline please email [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org) and [bbender@cov.com](mailto:bbender@cov.com) as soon as possible.

Thank you in advance for your assistance.

A handwritten signature in black ink, appearing to read "J. Collin Marozzi". The signature is written in a cursive style and is positioned above the typed name and contact information.

J. Collin Marozzi  
Policy Strategist  
ACLU of Ohio  
1108 City Park Ave.  
Columbus, Ohio 43206  
(614) 586-1972, ext. 2014  
[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)

**APPENDIX A**  
**Sample Search Terms**

Redistrict\*  
re-district\*  
"Art\* XI"  
"Art\* XIX"  
"Census Block"  
tract  
"precinct\* lines"  
"precinct\* level"  
"district\* border\*"  
apportion\*  
"Ohio Redistricting Commission"  
"Redistricting Task Force"  
"Legislative Taskforce on Redistricting"  
VTD\*  
"Voting District\*"  
"Geographic Information System\*"  
GIS  
"map drawer\*"  
"draw\* map\*" *(or related phrases, e.g., drawing the map)*  
CURD  
"Common Unified Redistricting Database"  
maptitude  
Caliper  
DISTRICTSolv  
DistrictBuilder  
ArcBridge  
AutoBound (EDGE OR ArcGIS)  
Citygate  
Esri  
iRedistrict  
ZillionInfo  
GVS  
Voinovich  
Michael Finney *(or related phrases, e.g., Finney)*  
G. Jason Jolley  
Robert Wiley  
Elkan Kim  
Jessica Schaudt  
Matt Trainer  
Kyong Lim

# **EXHIBIT 16**

**Goldrosen, Juliana**

---

**From:** Collin Marozzi <cmarozzi@acluohio.org>  
**Sent:** Tuesday, August 24, 2021 2:45 PM  
**To:** wendy.zhan@lsc.ohio.gov  
**Cc:** Bender, Brady; Goldrosen, Juliana; William Hughes; Freda Levenson  
**Subject:** 8.24.21 Public Records Request  
**Attachments:** 2021.08.24 - Public Records Requests - LSC.pdf

**[EXTERNAL]**

Hello Mrs. Zhan,

Please see the attached public records request dated August 24, 2021.

Thank you,

**J. Collin Marozzi, MAP**  
Policy Strategist / ACLU of Ohio  
1108 City Park Ave / Columbus, OH 43206  
614.586.1972 ext. 2014  
(he/him/his)



AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION

Ohio

August 24, 2021

Pursuant to Ohio's open records laws, Ohio Revised Code § 149.43(B), the following is a formal request for public records in the possession or control of Wendy Zhan, Emily Wendel, or the Legislative Service Commission (LSC) broadly. **This request is for records created between February 3, 2021 and the date of the receipt of this request.**

We hereby request copies of the following records:

- 1.) All records related to the development of the Ohio Common and Unified Redistricting Database (CURD) by the Ohio University Voinovich School of Leadership and Public Affairs (GVS) for LSC, including, without limitation:
  - a) monthly progress reports;
  - b) any block-level datasets developed and/or used by GVS for the CURD, including those that disaggregate precinct or VTD-level election results to the block level;
  - c) any datasets used to assemble the block-level datasets in (c), including but not limited to:
    - i. census demographic data and shapefiles and
    - ii. voter lists of current and previously-registered voters in Ohio;
  - d) precinct-level or VTD-level election returns from the past 10 years and corresponding shapefiles;
  - e) all records related to, or consisting of, the linkage of voter party affiliation to the CURD; and
  - f) all equivalency files and/or datasets considered, used, and/or prepared to aggregate or disaggregate data between different geographic units for purposes of building the CURD, as well as a description of how those equivalency files and/or datasets were used to do the aggregation or disaggregation.
- 2.) All shapefiles considered, used, and/or prepared for the development of the CURD, including, without limitation, the shapefiles for precincts and/or VTDs as they have existed at the time of each of the state-wide elections that are a part of the CURD.
- 3.) All records related to contracts, agreements, and contract or agreement modifications between LSC and GVS related to the production and delivery of the CURD by GVS to LSC for the purpose of drawing state legislative or congressional district maps for Ohio.
- 4.) All communications, including attachments between LSC and employees of GVS working on the development of the CURD, including Michael Finney, G. Jason Jolley, Robert Wiley, Elkan Kim, Jessica Schaudt, Matt Trainer, and Kyong Lim, relating to drawing state legislative or congressional district maps for Ohio, including, without limitation, correspondence related to the data being used to develop the CURD, the linkage of voter party affiliation to the CURD, and/or the delivery of the CURD to the LSC.

- 5.) All communications, including attachments, between LSC and members of the Ohio General Assembly, members of the Ohio Redistricting Commission, and/or their respective staffs relating to drawing state legislative or congressional district maps for Ohio, including, without limitation, GVS's development of the CURD.

For the purposes of all portions of this request, the term "public record" shall be defined as in Ohio Rev. Code § 149.43(A)(1). In particular, text messages, instant messages, and records transmitted to or from private email accounts may be "public records." For all requests, we request records of the following types identified on the LSC Records Retention Schedule: redistricting-related documents, official correspondence, minutes of Commission meetings, policy memos to staff, personnel files, budget documents, vouchers, personal service contracts, transient material, public records requests files, and purchase orders. Any non-identical copy of any responsive record, including all drafts and all marked-up copies, are requested.

For ease of consideration, we have attached as Appendix A a sample list of search terms that is not meant to be exhaustive but are merely examples of terms that might be used to identify records responsive to the individual requests listed above.

If you determine that some portions of the requested records are exempt from disclosure, please specify the basis for redaction and provide all non-exempt portions of the record. Additionally, if specific data or documents are not available, please provide documents that contain as much of the requested information as is available and/or the closest approximation to this information that is available.

Please send the requested records as electronic PDF's to Collin Marozzi, [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org), and Brady Bender, [bbender@cov.com](mailto:bbender@cov.com). Please notify us upon receipt of this request if it is not possible to send the requested records electronically.

Pursuant to Ohio Rev. Code § 149.43(B)(1) please provide the requested records promptly. *See also State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002). I am happy to receive records in batches and as they are identified. In any event, all requested records should be provided on or before **September 2, 2021**.

If you have any questions about this request, or if you cannot meet this deadline please email [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org) and [bbender@cov.com](mailto:bbender@cov.com) as soon as possible.

Thank you in advance for your assistance.



J. Collin Marozzi  
Policy Strategist  
ACLU of Ohio  
1108 City Park Ave.  
Columbus, Ohio 43206  
(614) 586-1972, ext. 2014  
[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)



**APPENDIX A**  
**Sample Search Terms**

Redistrict\*  
re-district\*  
"Art\* XI"  
"Art\* XIX"  
"Census Block"  
tract  
"precinct\* lines"  
"precinct\* level"  
"district\* border\*"  
apportion\*  
"Ohio Redistricting Commission"  
"Redistricting Task Force"  
"Legislative Taskforce on Redistricting"  
VTD\*  
"Voting District\*"  
"Geographic Information System\*"  
GIS  
"map drawer\*"  
"draw\* map\*" *(or related phrases, e.g., drawing the map)*  
CURD  
"Common Unified Redistricting Database"  
maptitude  
Caliper  
DISTRICTSolv  
DistrictBuilder  
ArcBridge  
AutoBound (EDGE OR ArcGIS)  
Citygate  
Esri  
iRedistrict  
ZillionInfo  
GVS  
Voinovich  
Michael Finney *(or related phrases, e.g., Finney)*  
G. Jason Jolley  
Robert Wiley  
Elkan Kim  
Jessica Schaudt  
Matt Trainer  
Kyong Lim

# **EXHIBIT 17**

## Goldrosen, Juliana

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**From:** molly.elkins@governor.ohio.gov  
**Sent:** Tuesday, August 31, 2021 6:47 AM  
**To:** Collin Marozzi; Sean.McCullough@governor.ohio.gov  
**Cc:** Bender, Brady; Goldrosen, Juliana; William Hughes; Denuyl, David S  
**Subject:** RE: Public Records Request

**EXTERNAL**

Dear Mr. Marozzi:

We are actively processing the request and will have a response asap.

Molly Elkins  
Legal Assistant/Extradition Coordinator  
77 South High Street, 30<sup>th</sup> Floor  
Columbus, OH 43215  
Direct: (614) 644-0872  
Fax: (614) 995-1767  
[molly.elkins@governor.ohio.gov](mailto:molly.elkins@governor.ohio.gov)  
[www.governor.ohio.gov](http://www.governor.ohio.gov)



*This message and any response to it may constitute a public record and thus may be publicly available to anyone who requests it.*

---

**From:** Collin Marozzi <cmarozzi@acluohio.org>  
**Sent:** Tuesday, August 31, 2021 9:34 AM  
**To:** Elkins, Molly <molly.elkins@governor.ohio.gov>; Mccullough, Sean <Sean.McCullough@governor.ohio.gov>  
**Cc:** Bender, Brady <BBender@cov.com>; Goldrosen, Juliana <JGoldrosen@cov.com>; William Hughes <WHughes@aclu.org>; Denuyl, David S <DDenuyl@cov.com>  
**Subject:** RE: Public Records Request

Hello Ms. Elkins,

I again write to enquire as to the status of my records request dated August 3, 2021. What is the status of my request and when can I expect to begin receiving records. It has now been nearly a month since I submitted the request.

Additionally, I submitted a renewed records request on August 24, 2021, and have yet received an acknowledgment of receipt. As always, I am willing to receive records on a rolling basis and happy to discuss the request by phone.

Regards,

**J. Collin Marozzi, MAP**  
Policy Strategist / ACLU of Ohio  
1108 City Park Ave / Columbus, OH 43206  
614.586.1972 ext. 2014  
(he/him/his)

---

**From:** Collin Marozzi  
**Sent:** Monday, August 16, 2021 3:19 PM  
**To:** [molly.elkins@governor.ohio.gov](mailto:molly.elkins@governor.ohio.gov); [Sean.McCullough@governor.ohio.gov](mailto:Sean.McCullough@governor.ohio.gov)

**Cc:** Bender, Brady <[BBender@cov.com](mailto:BBender@cov.com)>; Goldrosen, Juliana <[JGoldrosen@cov.com](mailto:JGoldrosen@cov.com)>; William Hughes <[WHughes@aclu.org](mailto:WHughes@aclu.org)>

**Subject:** RE: Public Records Request

Ms. Elkins and Mr. McCullough,

I write to follow up on my records requests dated August 3, 2021, as it has been nearly two weeks since the request was submitted.

Could you please advise me as to when I can expect to begin receiving responses? As I stated previously, I am happy to receive the records in batches and as they are identified. As you likely know, Ohio law requires public officials to respond to requests for public records within a reasonable period of time. Ohio Rev. Code Ann. § 149.43(B)(7). Indeed, courts have found delays of as few as six days to be unreasonable. *See State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Ed.*, 776 N.E.2d 82, 91 (Ohio 2002). Given the great public interest in records developed in the current, fast-moving redistricting process, I anticipate vigilantly and vigorously pressing for timely responses in the weeks to come.

As always, I am happy to get on the phone to discuss further. I would also be eager to discuss the possibility of coming to an agreement about records provisions going forward.

Best,

**J. Collin Marozzi, MAP**

Policy Strategist / ACLU of Ohio

1108 City Park Ave / Columbus, OH 43206

614.586.1972 ext. 2014

(he/him/his)

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**From:** [molly.elkins@governor.ohio.gov](mailto:molly.elkins@governor.ohio.gov) [<mailto:molly.elkins@governor.ohio.gov>]

**Sent:** Thursday, August 5, 2021 5:41 PM

**To:** Collin Marozzi <[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)>

**Subject:** Public Records Request

Dear Mr. Marozzi:

Please find attached a letter of acknowledgment regarding your recent public records request.

Sincerely,

Molly

Molly Elkins  
Legal Assistant/Extradition Coordinator  
77 South High Street, 30<sup>th</sup> Floor  
Columbus, OH 43215  
Direct: (614) 644-0872  
Fax: (614) 995-1767  
[molly.elkins@governor.ohio.gov](mailto:molly.elkins@governor.ohio.gov)  
[www.governor.ohio.gov](http://www.governor.ohio.gov)



*This message and any response to it may constitute a public record and thus may be publicly available to anyone who requests it.*

**CAUTION:** This is an external email and may not be safe. If the email looks suspicious, please do not click links or open attachments and forward the email to [csc@ohio.gov](mailto:csc@ohio.gov) or click the Phish Alert Button if available.

# **EXHIBIT 18**

## Goldrosen, Juliana

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**From:** Collin Marozzi <cmarozzi@acluohio.org>  
**Sent:** Friday, September 3, 2021 10:55 AM  
**To:** Josh.Sabo@ohiohouse.gov; Paul.Disantis@ohiohouse.gov  
**Cc:** Bender, Brady; Goldrosen, Juliana; William Hughes; Freda Levenson  
**Subject:** 9.3.21 Renewed Public Records Request  
**Attachments:** 2021.09.03 Third Renewed Public Records Requests - Ohio House.pdf

**[EXTERNAL]**

Hello Josh and Paul,

Please see the attached public records request dated September 3, 2021. For the avoidance of doubt, we seek—and requests 5, 6, and 9 cover—all draft or final maps that may be developed, used, or circulated by or amongst members of General Assembly caucuses or their staff.

Thank you,

**J. Collin Marozzi, MAP**  
Policy Strategist / ACLU of Ohio  
1108 City Park Ave / Columbus, OH 43206  
614.586.1972 ext. 2014  
(*he/him/his*)



AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION

Ohio

September 3, 2021

Following up on my prior records requests dated February 3, August 3, and August 24, 2021, and pursuant to Ohio's open records laws, Ohio Revised Code § 149.43(B), the following is a renewed, formal request for public records in the possession or control of House Speaker Bob Cupp, House Majority Floor Leader Bill Seitz, House Chief of Staff Christine Morrison, House Deputy Chief Legal Counsel Heather Blessing, and House Deputy Chief of Staff Sheila Boehner. **This request is for records created after the period of time covered by my prior requests, through the date of this request.**

We hereby request copies of the following records:

- 1.) All records relating to the development of the Ohio Common and Unified Redistricting Database (CURD) by Ohio University Voinovich School of Leadership and Public Affairs (GVS), including, without limitation, communications and/or data sets.
- 2.) All communications, including attachments, with employees of GVS working on the development of the CURD, including, without limitation, Michael Finney, G. Jason Jolley, Robert Wiley, Elkan Kim, Jessica Schaudt, Matt Trainer, and Kyong Lim.
- 3.) All records referring or relating to the convening, meeting, and/or official business of the Ohio Redistricting Commission, including, without limitation, testimony, data sets, maps, and plans submitted to, created by, or otherwise considered by the Commission; minutes, agendas, or presentations from Commission hearings and meetings; and any related communications, including those between Commission members and any/all representatives participating in Commission meetings on behalf of members.
- 4.) All records consisting of, or referring or relating to, assumptions provided, relied upon, and/or used to develop, draw, or otherwise create any congressional or state legislative district maps, including example, potential, or final maps. For the avoidance of doubt, this request includes, but is not limited to, any assumptions or parameters inputted into any map drawing software.
- 5.) All records consisting of, or referring or relating to, information that could be used to draw state legislative or congressional district maps for Ohio, including, without limitation: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes, population shifts, voter affiliation, or changing census block lines (also known as voting district (VTD)) for the 2018 election, 2020 election, and current redistricting cycle.
- 6.) All electronic data necessary to create a state legislative or congressional district map for the purpose of holding elections. See Ohio Const. art. XIX, § 1 ("For the purposes of filing a congressional district plan with the governor or secretary of state under this article, a



congressional district plan shall include . . . all electronic data necessary to create a congressional district map for the purpose of holding congressional elections.”).

- 7.) All records referring or relating to consultants, firms, vendors, or other third parties involved in drawing state legislative or congressional district maps for Ohio, including, without limitation: requests for proposals; proposals; contracts or agreements; email, text, or other recorded communications with such parties; reports; and timesheets.
- 8.) All communications, including attachments, with Wendy Zhan, Emily Wendel, or other staff of the Ohio Legislative Service Commission relating to drawing state legislative or congressional district maps for Ohio, including, without limitation, GVS’s development of the CURD.
- 9.) All communications, including attachments, with any current or former member of Ohio’s General Assembly, affiliated political action committees, or current or former General Assembly staff, relating to drawing state legislative or congressional district maps for Ohio.
- 10.) All communications, including attachments, with any current or former member of Ohio’s Congressional delegation, affiliated political action committees, the delegation’s current or former staff relating to drawing state legislative or congressional district maps for Ohio.
- 11.) All communications, including attachments, with the Republican National Committee, Ohio Republican Party, National Republican Redistricting Trust, or the National Republican Congressional Committee relating to drawing state legislative or congressional district maps for Ohio.
- 12.) All communications, including attachments, with the Democratic National Committee, Ohio Democratic Party, National Democratic Campaign Committee, or the Democratic Congressional Campaign Committee relating to drawing state legislative or congressional district maps for Ohio.

For the purposes of all portions of these requests, the term “public record” shall be defined as in Ohio Rev. Code § 149.43(A)(1). In particular, text messages, instant messages, and records transmitted to or from private email accounts may be “public records.” For all requests, we request records of the following types identified on the House Records Retention Schedule: audiovisual records; calendar appointments; committee and session schedules and notices; committee records (chair and other); communications records (external, internal, and news clips); constituent records; copies and duplicates; correspondence (general and routine); legislative records (not exempt from disclosure under R.C. 101.30(A)(1)); official policies, procedures, manuals, handbooks, and other administrative documents; scheduling documents; subject, research, and reference records; transient documents; payroll and time management records; revenue receipts and accounts receivable; voucher, warrant, and expenditure documents; inactive mailboxes and non-temporary user profile data; project management office files; temporary user profile data; vendor and state contracts reference; legal records; litigation records; public records requests and responses; and other records. Any non-identical copy of any responsive record, including all drafts and all marked-up copies, are requested.

For ease of consideration, we have attached as Appendix A a sample list of search terms that is not meant to be exhaustive but are merely examples of terms that might be used to identify records responsive to the individual requests listed above.

If you determine that some portions of the requested records are exempt from disclosure, please specify the basis for redaction and provide all non-exempt portions of the record. Additionally, if specific data or documents are not available, please provide documents that contain as much of the

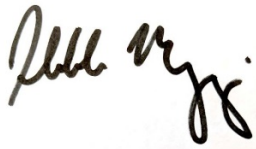
requested information as is available and/or the closest approximation to this information that is available.

Please send the requested records as electronic PDF's to Collin Marozzi, [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org), and Brady Bender, [bbender@cov.com](mailto:bbender@cov.com). Please notify us upon receipt of this request if it is not possible to send the requested records electronically.

Pursuant to Ohio Rev. Code § 149.43(B)(1) please provide the requested records promptly. *See also State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002). I am happy to receive records in batches and as they are identified. In any event, all requested records should be provided on or before **September 10, 2021**.

If you have any questions about this request, or if you cannot meet this deadline please email [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org) and [bbender@cov.com](mailto:bbender@cov.com) as soon as possible.

Thank you in advance for your assistance.

A handwritten signature in black ink, appearing to read "Collin Marozzi". The signature is written in a cursive style with a large, stylized "C" and "M".

J. Collin Marozzi  
Policy Strategist  
ACLU of Ohio  
1108 City Park Ave.  
Columbus, Ohio 43206  
(614) 586-1972, ext. 2014  
[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)

**APPENDIX A**  
**Sample Search Terms**

Redistrict\*  
re-district\*  
"Art\* XI"  
"Art\* XIX"  
"Census Block"  
tract  
"precinct\* lines"  
"precinct\* level"  
"district\* border\*"  
apportion\*  
"Ohio Redistricting Commission"  
"Redistricting Task Force"  
"Legislative Taskforce on Redistricting"  
VTD\*  
"Voting District\*"  
"Geographic Information System\*"  
GIS  
"map drawer\*"  
"draw\* map\*" *(or related phrases, e.g., drawing the map)*  
CURD  
"Common Unified Redistricting Database"  
maptitude  
Caliper  
DISTRICTSolv  
DistrictBuilder  
ArcBridge  
AutoBound (EDGE OR ArcGIS)  
Citygate  
Esri  
iRedistrict  
ZillionInfo  
GVS  
Voinovich  
Michael Finney *(or related phrases, e.g., Finney)*  
G. Jason Jolley  
Robert Wiley  
Elkan Kim  
Jessica Schaudt  
Matt Trainer  
Kyong Lim

# **EXHIBIT 19**

## Goldrosen, Juliana

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**From:** Collin Marozzi <cmarozzi@acluohio.org>  
**Sent:** Friday, September 3, 2021 10:55 AM  
**To:** rep34@ohiohouse.gov  
**Cc:** Sarah.Cherry@ohiohouse.gov; samantha.herd@ohiohouse.gov; Bender, Brady; Goldrosen, Juliana; Freda Levenson; William Hughes; mindy.spain@ohiohouse.gov  
**Subject:** 9.3.21 Renewed Public Records Request  
**Attachments:** 2021.09.03 Renewed Public Records Requests - E. Sykes.pdf

**[EXTERNAL]**

Hello Leader Sykes,

Please see the attached public records request dated September 3, 2021. For the avoidance of doubt, we seek—and requests 5, 6, and 9 cover—all draft or final maps that may be developed, used, or circulated by or amongst members of General Assembly caucuses or their staff.

Thank you,

**J. Collin Marozzi, MAP**  
Policy Strategist / ACLU of Ohio  
1108 City Park Ave / Columbus, OH 43206  
614.586.1972 ext. 2014  
(*he/him/his*)



AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION

Ohio

September 3, 2021

Following up on my prior records request dated August 17, 2021, and pursuant to Ohio's open records laws, Ohio Revised Code § 149.43(B), the following is a formal request for public records in the possession or control of House Minority Leader Emilia Sykes. **This request is for records created after the period of time covered by my prior request, through the date of this request.**

We hereby request copies of the following records:

- 1.) All records relating to the development of the Ohio Common and Unified Redistricting Database (CURD) by Ohio University Voinovich School of Leadership and Public Affairs (GVS), including, without limitation, communications and/or data sets.
- 2.) All communications, including attachments, with employees of GVS working on the development of the CURD, including, without limitation, Michael Finney, G. Jason Jolley, Robert Wiley, Elkan Kim, Jessica Schaudt, Matt Trainer, and Kyong Lim.
- 3.) All records referring or relating to the convening, meeting, and/or official business of the Ohio Redistricting Commission, including, without limitation, testimony, data sets, maps, and plans submitted to, created by, or otherwise considered by the Commission; minutes, agendas, or presentations from Commission hearings and meetings; and any related communications, including those between Commission members and any/all representatives participating in Commission meetings on behalf of members.
- 4.) All records consisting of, or referring or relating to, assumptions provided, relied upon, and/or used to develop, draw, or otherwise create any congressional or state legislative district maps, including example, potential, or final maps. For the avoidance of doubt, this request includes, but is not limited to, any assumptions or parameters inputted into any map drawing software.
- 5.) All records consisting of, or referring or relating to, information that could be used to draw state legislative or congressional district maps for Ohio, including, without limitation: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes, population shifts, voter affiliation, or changing census block lines (also known as voting district (VTD)) for the 2018 election, 2020 election, and current redistricting cycle.
- 6.) All electronic data necessary to create a state legislative or congressional district map for the purpose of holding elections. See Ohio Const. art. XIX, § 1 ("For the purposes of filing a congressional district plan with the governor or secretary of state under this article, a congressional district plan shall include . . . all electronic data necessary to create a congressional district map for the purpose of holding congressional elections.").

- 7.) All records referring or relating to consultants, firms, vendors, or other third parties involved in drawing state legislative or congressional district maps for Ohio, including, without limitation: requests for proposals; proposals; contracts or agreements; email, text, or other recorded communications with such parties; reports; and timesheets.
- 8.) All communications, including attachments, with Wendy Zhan, Emily Wendel, or other staff of the Ohio Legislative Service Commission relating to drawing state legislative or congressional district maps for Ohio, including, without limitation, GVS's development of the CURD.
- 9.) All communications, including attachments, with any current or former member of Ohio's General Assembly, affiliated political action committees, or current or former General Assembly staff, relating to drawing state legislative or congressional district maps for Ohio.
- 10.) All communications, including attachments, with any current or former member of Ohio's Congressional delegation, affiliated political action committees, or the delegation's current or former staff, relating to drawing state legislative or congressional district maps for Ohio.
- 11.) All communications, including attachments, with the Republican National Committee, Ohio Republican Party, National Republican Redistricting Trust, or the National Republican Congressional Committee relating to drawing state legislative or congressional district maps for Ohio.
- 12.) All communications, including attachments, with the Democratic National Committee, Ohio Democratic Party, National Democratic Campaign Committee, or the Democratic Congressional Campaign Committee relating to drawing state legislative or congressional district maps for Ohio.

For the purposes of all portions of these requests, the term "public record" shall be defined as in Ohio Rev. Code § 149.43(A)(1). In particular, text messages, instant messages, and records transmitted to or from private email accounts may be "public records." Any non-identical copy of any responsive record, including all drafts and all marked-up copies, are requested.

For ease of consideration, we have attached as Appendix A a sample list of search terms that is not meant to be exhaustive but are merely examples of terms that might be used to identify records responsive to the individual requests listed above.

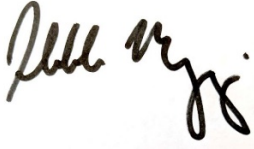
If you determine that some portions of the requested records are exempt from disclosure, please specify the basis for redaction and provide all non-exempt portions of the record. Additionally, if specific data or documents are not available, please provide documents that contain as much of the requested information as is available and/or the closest approximation to this information that is available.

Please send the requested records as electronic PDF's to Collin Marozzi, [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org), and Brady Bender, [bbender@cov.com](mailto:bbender@cov.com). Please notify us upon receipt of this request if it is not possible to send the requested records electronically.

Pursuant to Ohio Rev. Code § 149.43(B)(1) please provide the requested records promptly. See *also State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002). I am happy to receive records in batches and as they are identified. In any event, all requested records should be provided on or before **September 10, 2021**.

If you have any questions about this request, or if you cannot meet this deadline please email [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org) and [bbender@cov.com](mailto:bbender@cov.com) as soon as possible.

Thank you in advance for your assistance.

A handwritten signature in black ink, appearing to read "J. Collin Marozzi". The signature is written in a cursive style and is positioned above the typed name.

J. Collin Marozzi  
Policy Strategist  
ACLU of Ohio  
1108 City Park Ave.  
Columbus, Ohio 43206  
(614) 586-1972, ext. 2014  
[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)



**APPENDIX A**  
**Sample Search Terms**

Redistrict\*  
re-district\*  
"Art\* XI"  
"Art\* XIX"  
"Census Block"  
tract  
"precinct\* lines"  
"precinct\* level"  
"district\* border\*"  
apportion\*  
"Ohio Redistricting Commission"  
"Redistricting Task Force"  
"Legislative Taskforce on Redistricting"  
VTD\*  
"Voting District\*"  
"Geographic Information System\*"  
GIS  
"map drawer\*"  
"draw\* map\*" *(or related phrases, e.g., drawing the map)*  
CURD  
"Common Unified Redistricting Database"  
maptitude  
Caliper  
DISTRICTSolv  
DistrictBuilder  
ArcBridge  
AutoBound (EDGE OR ArcGIS)  
Citygate  
Esri  
iRedistrict  
ZillionInfo  
GVS  
Voinovich  
Michael Finney *(or related phrases, e.g., Finney)*  
G. Jason Jolley  
Robert Wiley  
Elkan Kim  
Jessica Schaudt  
Matt Trainer  
Kyong Lim

# **EXHIBIT 20**

## Goldrosen, Juliana

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**From:** Collin Marozzi <cmarozzi@acluohio.org>  
**Sent:** Thursday, September 9, 2021 3:35 PM  
**To:** Josh.Sabo@ohiohouse.gov; Paul.Disantis@ohiohouse.gov  
**Cc:** Bender, Brady; Goldrosen, Juliana; Alora Thomas; Freda Levenson  
**Subject:** 9.9.21 Renewed Public Records Request  
**Attachments:** 2021.09.09 Fourth Renewed Public Records Requests - Ohio House.pdf

**[EXTERNAL]**

Hello Mr. Sabo and Mr. DeSantis,

Please see the attached public records request dated September 9, 2021. For the avoidance of doubt, we request—and at least requests 4 and 9 cover—any directions given by members of the Ohio Redistricting Commission and/or the General Assembly to individuals drawing maps for consideration by the Commission. This includes any directions provided to Mr. Ray DiRossi, who testified at today's Commission meeting that map drawers "didn't consider racial data or demographic data in our maps" because "we were directed not to use that data by the legislative leaders . . . ."

Thank you,

**J. Collin Marozzi, MAP**  
Policy Strategist / ACLU of Ohio  
1108 City Park Ave / Columbus, OH 43206  
614.586.1972 ext. 2014  
(*he/him/his*)



AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION

Ohio

September 9, 2021

Following up on my prior records requests dated February 3, August 3, August 24, and September 3, 2021, and pursuant to Ohio's open records laws, Ohio Revised Code § 149.43(B), the following is a renewed, formal request for public records in the possession or control of House Speaker Bob Cupp, House Majority Floor Leader Bill Seitz, House Chief of Staff Christine Morrison, House Deputy Chief Legal Counsel Heather Blessing, and House Deputy Chief of Staff Sheila Boehner. **This request is for records created after the period of time covered by my prior requests, through the date of this request.**

We hereby request copies of the following records:

- 1.) All records relating to the development of the Ohio Common and Unified Redistricting Database (CURD) by Ohio University Voinovich School of Leadership and Public Affairs (GVS), including, without limitation, communications and/or data sets.
- 2.) All communications, including attachments, with employees of GVS working on the development of the CURD, including, without limitation, Michael Finney, G. Jason Jolley, Robert Wiley, Elkan Kim, Jessica Schaudt, Matt Trainer, and Kyong Lim.
- 3.) All records referring or relating to the convening, meeting, and/or official business of the Ohio Redistricting Commission, including, without limitation, testimony, data sets, maps, and plans submitted to, created by, or otherwise considered by the Commission; minutes, agendas, or presentations from Commission hearings and meetings; and any related communications, including those between Commission members and any/all representatives participating in Commission meetings on behalf of members.
- 4.) All records consisting of, or referring or relating to, assumptions or directions provided, relied upon, and/or used to develop, draw, or otherwise create any congressional or state legislative district maps, including example, potential, or final maps. *See Test. of R. DiRossi before the Ohio Redistricting Comm'n (Sept. 9, 2021) ("Well, I said we didn't consider racial data or demographic data in our maps, but we were directed not to use that data by the legislative leaders . . .").* For the avoidance of doubt, this request includes, but is not limited to, any assumptions or parameters inputted into any map drawing software.
- 5.) All records consisting of, or referring or relating to, information that could be used to draw state legislative or congressional district maps for Ohio, including, without limitation: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes, population shifts, voter affiliation, or changing census block lines (also known as voting district (VTD)) for the 2018 election, 2020 election, and current redistricting cycle.

- 6.) All electronic data necessary to create a state legislative or congressional district map for the purpose of holding elections. See Ohio Const. art. XIX, § 1 (“For the purposes of filing a congressional district plan with the governor or secretary of state under this article, a congressional district plan shall include . . . all electronic data necessary to create a congressional district map for the purpose of holding congressional elections.”).
- 7.) All records referring or relating to consultants, firms, vendors, or other third parties involved in drawing state legislative or congressional district maps for Ohio, including, without limitation: requests for proposals; proposals; contracts or agreements; email, text, or other recorded communications with such parties; reports; and timesheets.
- 8.) All communications, including attachments, with Wendy Zhan, Emily Wendel, or other staff of the Ohio Legislative Service Commission relating to drawing state legislative or congressional district maps for Ohio, including, without limitation, GVS’s development of the CURD.
- 9.) All communications, including attachments, with any current or former member of Ohio’s General Assembly, affiliated political action committees, or current or former General Assembly staff, relating to drawing state legislative or congressional district maps for Ohio.
- 10.) All communications, including attachments, with any current or former member of Ohio’s Congressional delegation, affiliated political action committees, the delegation’s current or former staff relating to drawing state legislative or congressional district maps for Ohio.
- 11.) All communications, including attachments, with the Republican National Committee, Ohio Republican Party, National Republican Redistricting Trust, or the National Republican Congressional Committee relating to drawing state legislative or congressional district maps for Ohio.
- 12.) All communications, including attachments, with the Democratic National Committee, Ohio Democratic Party, National Democratic Campaign Committee, or the Democratic Congressional Campaign Committee relating to drawing state legislative or congressional district maps for Ohio.

For the purposes of all portions of these requests, the term “public record” shall be defined as in Ohio Rev. Code § 149.43(A)(1). In particular, text messages, instant messages, and records transmitted to or from private email accounts may be “public records.” For all requests, we request records of the following types identified on the House Records Retention Schedule: audiovisual records; calendar appointments; committee and session schedules and notices; committee records (chair and other); communications records (external, internal, and news clips); constituent records; copies and duplicates; correspondence (general and routine); legislative records (not exempt from disclosure under R.C. 101.30(A)(1)); official policies, procedures, manuals, handbooks, and other administrative documents; scheduling documents; subject, research, and reference records; transient documents; payroll and time management records; revenue receipts and accounts receivable; voucher, warrant, and expenditure documents; inactive mailboxes and non-temporary user profile data; project management office files; temporary user profile data; vendor and state contracts reference; legal records; litigation records; public records requests and responses; and other records. Any non-identical copy of any responsive record, including all drafts and all marked-up copies, are requested.

For ease of consideration, we have attached as Appendix A a sample list of search terms that is not meant to be exhaustive but are merely examples of terms that might be used to identify records responsive to the individual requests listed above.

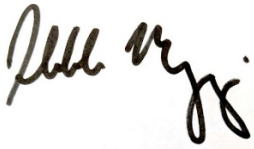
If you determine that some portions of the requested records are exempt from disclosure, please specify the basis for redaction and provide all non-exempt portions of the record. Additionally, if specific data or documents are not available, please provide documents that contain as much of the requested information as is available and/or the closest approximation to this information that is available.

Please send the requested records as electronic PDF's to Collin Marozzi, [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org), and Brady Bender, [bbender@cov.com](mailto:bbender@cov.com). Please notify us upon receipt of this request if it is not possible to send the requested records electronically.

Pursuant to Ohio Rev. Code § 149.43(B)(1) please provide the requested records promptly. *See also State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002). I am happy to receive records in batches and as they are identified. In any event, all requested records should be provided on or before **September 16, 2021**.

If you have any questions about this request, or if you cannot meet this deadline please email [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org) and [bbender@cov.com](mailto:bbender@cov.com) as soon as possible.

Thank you in advance for your assistance.

A handwritten signature in black ink, appearing to read "Collin Marozzi". The signature is written in a cursive style and is positioned above the typed name and contact information.

J. Collin Marozzi  
Policy Strategist  
ACLU of Ohio  
1108 City Park Ave.  
Columbus, Ohio 43206  
(614) 586-1972, ext. 2014  
[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)

**APPENDIX A**  
**Sample Search Terms**

Redistrict\*  
re-district\*  
"Art\* XI"  
"Art\* XIX"  
"Census Block"  
tract  
"precinct\* lines"  
"precinct\* level"  
"district\* border\*"  
apportion\*  
"Ohio Redistricting Commission"  
"Redistricting Task Force"  
"Legislative Taskforce on Redistricting"  
VTD\*  
"Voting District\*"  
"Geographic Information System\*"  
GIS  
"map drawer\*"  
"draw\* map\*" *(or related phrases, e.g., drawing the map)*  
CURD  
"Common Unified Redistricting Database"  
maptitude  
Caliper  
DISTRICTSolv  
DistrictBuilder  
ArcBridge  
AutoBound (EDGE OR ArcGIS)  
Citygate  
Esri  
iRedistrict  
ZillionInfo  
GVS  
Voinovich  
Michael Finney *(or related phrases, e.g., Finney)*  
G. Jason Jolley  
Robert Wiley  
Elkan Kim  
Jessica Schaudt  
Matt Trainer  
Kyong Lim

# **EXHIBIT 21**



## Goldrosen, Juliana

---

**From:** Collin Marozzi <cmarozzi@acluohio.org>  
**Sent:** Thursday, September 9, 2021 3:35 PM  
**To:** rep34@ohiohouse.gov  
**Cc:** Sarah.Cherry@ohiohouse.gov; samantha.herd@ohiohouse.gov; mindy.spain@ohiohouse.gov; Bender, Brady; Goldrosen, Juliana; Alora Thomas; Freda Levenson  
**Subject:** 9.9.21 Renewed Public Records Request  
**Attachments:** 2021.09.09 - Second Renewed Public Records Requests - E. Sykes.pdf

**[EXTERNAL]**

Hello Leader Sykes,

Please see the attached public records request dated September 9, 2021. For the avoidance of doubt, we request—and at least requests 4 and 9 cover—any directions given by members of the Ohio Redistricting Commission and/or the General Assembly to individuals drawing maps for consideration by the Commission.

Thank you,

**J. Collin Marozzi, MAP**  
Policy Strategist / ACLU of Ohio  
1108 City Park Ave / Columbus, OH 43206  
614.586.1972 ext. 2014  
(*he/him/his*)



AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION

Ohio

September 9, 2021

Following up on my prior records requests dated August 17 and September 3, 2021, and pursuant to Ohio's open records laws, Ohio Revised Code § 149.43(B), the following is a formal request for public records in the possession or control of House Minority Leader Emilia Sykes. **This request is for records created after the period of time covered by my prior request, through the date of this request.**

We hereby request copies of the following records:

- 1.) All records relating to the development of the Ohio Common and Unified Redistricting Database (CURD) by Ohio University Voinovich School of Leadership and Public Affairs (GVS), including, without limitation, communications and/or data sets.
- 2.) All communications, including attachments, with employees of GVS working on the development of the CURD, including, without limitation, Michael Finney, G. Jason Jolley, Robert Wiley, Elkan Kim, Jessica Schaudt, Matt Trainer, and Kyong Lim.
- 3.) All records referring or relating to the convening, meeting, and/or official business of the Ohio Redistricting Commission, including, without limitation, testimony, data sets, maps, and plans submitted to, created by, or otherwise considered by the Commission; minutes, agendas, or presentations from Commission hearings and meetings; and any related communications, including those between Commission members and any/all representatives participating in Commission meetings on behalf of members.
- 4.) All records consisting of, or referring or relating to, assumptions or directions provided, relied upon, and/or used to develop, draw, or otherwise create any congressional or state legislative district maps, including example, potential, or final maps. *See* Test. of R. DiRossi before the Ohio Redistricting Comm'n (Sept. 9, 2021) ("Well, I said we didn't consider racial data or demographic data in our maps, but we were directed not to use that data by the legislative leaders . . ."). For the avoidance of doubt, this request includes, but is not limited to, any assumptions or parameters inputted into any map drawing software.
- 5.) All records consisting of, or referring or relating to, information that could be used to draw state legislative or congressional district maps for Ohio, including, without limitation: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct names, precinct lines, partisan indexes, population shifts, voter affiliation, or changing census block lines (also known as voting district (VTD)) for the 2018 election, 2020 election, and current redistricting cycle.
- 6.) All electronic data necessary to create a state legislative or congressional district map for the purpose of holding elections. *See* Ohio Const. art. XIX, § 1 ("For the purposes of filing a congressional district plan with the governor or secretary of state under this article, a

congressional district plan shall include . . . all electronic data necessary to create a congressional district map for the purpose of holding congressional elections.”).

- 7.) All records referring or relating to consultants, firms, vendors, or other third parties involved in drawing state legislative or congressional district maps for Ohio, including, without limitation: requests for proposals; proposals; contracts or agreements; email, text, or other recorded communications with such parties; reports; and timesheets.
- 8.) All communications, including attachments, with Wendy Zhan, Emily Wendel, or other staff of the Ohio Legislative Service Commission relating to drawing state legislative or congressional district maps for Ohio, including, without limitation, GVS’s development of the CURD.
- 9.) All communications, including attachments, with any current or former member of Ohio’s General Assembly, affiliated political action committees, or current or former General Assembly staff, relating to drawing state legislative or congressional district maps for Ohio.
- 10.) All communications, including attachments, with any current or former member of Ohio’s Congressional delegation, affiliated political action committees, or the delegation’s current or former staff, relating to drawing state legislative or congressional district maps for Ohio.
- 11.) All communications, including attachments, with the Republican National Committee, Ohio Republican Party, National Republican Redistricting Trust, or the National Republican Congressional Committee relating to drawing state legislative or congressional district maps for Ohio.
- 12.) All communications, including attachments, with the Democratic National Committee, Ohio Democratic Party, National Democratic Campaign Committee, or the Democratic Congressional Campaign Committee relating to drawing state legislative or congressional district maps for Ohio.

For the purposes of all portions of these requests, the term “public record” shall be defined as in Ohio Rev. Code § 149.43(A)(1). In particular, text messages, instant messages, and records transmitted to or from private email accounts may be “public records.” Any non-identical copy of any responsive record, including all drafts and all marked-up copies, are requested.

For ease of consideration, we have attached as Appendix A a sample list of search terms that is not meant to be exhaustive but are merely examples of terms that might be used to identify records responsive to the individual requests listed above.

If you determine that some portions of the requested records are exempt from disclosure, please specify the basis for redaction and provide all non-exempt portions of the record. Additionally, if specific data or documents are not available, please provide documents that contain as much of the requested information as is available and/or the closest approximation to this information that is available.

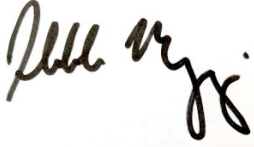
Please send the requested records as electronic PDF’s to Collin Marozzi, [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org), and Brady Bender, [bbender@cov.com](mailto:bbender@cov.com). Please notify us upon receipt of this request if it is not possible to send the requested records electronically.

Pursuant to Ohio Rev. Code § 149.43(B)(1) please provide the requested records promptly. See *also State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65

(2002). I am happy to receive records in batches and as they are identified. In any event, all requested records should be provided on or before **September 16, 2021**.

If you have any questions about this request, or if you cannot meet this deadline please email [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org) and [bbender@cov.com](mailto:bbender@cov.com) as soon as possible.

Thank you in advance for your assistance.

A handwritten signature in black ink, appearing to read "J. Collin Marozzi". The signature is written in a cursive style and is positioned above the typed name and contact information.

J. Collin Marozzi  
Policy Strategist  
ACLU of Ohio  
1108 City Park Ave.  
Columbus, Ohio 43206  
(614) 586-1972, ext. 2014  
[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)

**APPENDIX A**  
**Sample Search Terms**

Redistrict\*  
re-district\*  
"Art\* XI"  
"Art\* XIX"  
"Census Block"  
tract  
"precinct\* lines"  
"precinct\* level"  
"district\* border\*"  
apportion\*  
"Ohio Redistricting Commission"  
"Redistricting Task Force"  
"Legislative Taskforce on Redistricting"  
VTD\*  
"Voting District\*"  
"Geographic Information System\*"  
GIS  
"map drawer\*"  
"draw\* map\*" *(or related phrases, e.g., drawing the map)*  
CURD  
"Common Unified Redistricting Database"  
maptitude  
Caliper  
DISTRICTSolv  
DistrictBuilder  
ArcBridge  
AutoBound (EDGE OR ArcGIS)  
Citygate  
Esri  
iRedistrict  
ZillionInfo  
GVS  
Voinovich  
Michael Finney *(or related phrases, e.g., Finney)*  
G. Jason Jolley  
Robert Wiley  
Elkan Kim  
Jessica Schaudt  
Matt Trainer  
Kyong Lim

# **EXHIBIT 22**

## Goldrosen, Juliana

---

**From:** Collin Marozzi <cmarozzi@acluohio.org>  
**Sent:** Wednesday, September 22, 2021 6:53 AM  
**To:** Josh.Sabo@ohiohouse.gov; Paul.Disantis@ohiohouse.gov  
**Cc:** Bender, Brady; Goldrosen, Juliana; Freda Levenson; kmiller1@aclu.org  
**Subject:** 9.22.2021 Renewed Public Records Request  
**Attachments:** 2021.09.22 Fifth Renewed Public Records Requests - Ohio House.pdf

**[EXTERNAL]**

Hello Mr. Sabo,

Please see the attached renewed public records request for September 22, 2021. For the avoidance of doubt, these requests cover all records consisting of or referring to the Ohio Redistricting Commission's deliberations, including but not limited to, its preparation, consideration, and adoption of the reapportionment plans for Ohio's House and Senate General Assembly districts that the Commission adopted by a 5-2 vote on September 16, 2021.

Thank you,

**J. Collin Marozzi, MAP**

Policy Strategist / ACLU of Ohio

1108 City Park Ave / Columbus, OH 43206

614.586.1972 ext. 2014

*(he/him/his)*



September 22, 2021

Following up on my prior records requests dated February 3, August 3, August 24, September 3, and September 9, 2021, and pursuant to Ohio's open records laws, Ohio Revised Code § 149.43(B), the following is a renewed, formal request for public records in the possession or control of House Speaker Bob Cupp, House Majority Floor Leader Bill Seitz, House Chief of Staff Christine Morrison, House Deputy Chief Legal Counsel Heather Blessing, and House Deputy Chief of Staff Sheila Boehner. **This request is for records created after the period of time covered by my prior requests, through the date of this request.** For the avoidance of doubt, these requests cover all records consisting of or referring to the Ohio Redistricting Commission's deliberations, including but not limited to, its preparation, consideration, and adoption of the reapportionment plans for Ohio's House and Senate General Assembly districts that the Commission adopted by a 5-2 vote on September 16, 2021.

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- 2.) All communications, including attachments, with employees of GVS working on the development of the CURD, including, without limitation, Michael Finney, G. Jason Jolley, Robert Wiley, Elkan Kim, Jessica Schaudt, Matt Trainer, and Kyong Lim.
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- 4.) All records consisting of, or referring or relating to, assumptions or directions provided, relied upon, and/or used to develop, draw, or otherwise create any congressional or state legislative district maps, including example, potential, or final maps. See Test. of R. DiRossi before the Ohio Redistricting Comm'n (Sept. 9, 2021) ("Well, I said we didn't consider racial data or demographic data in our maps, but we were directed not to use that data by the legislative leaders . . ."). For the avoidance of doubt, this request includes, but is not limited to, any assumptions or parameters inputted into any map drawing software.
- 5.) All records consisting of, or referring or relating to, information that could be used to draw state legislative or congressional district maps for Ohio, including, without limitation: shapefiles; all files or data sets used in Maptitude or other mapping software; and files pertaining to precinct



names, precinct lines, partisan indexes, population shifts, voter registration, voter affiliation, or changing census block lines (also known as voting district (VTD)) for the 2018 election, 2020 election, and current redistricting cycle.

- 6.) All electronic data necessary to create a state legislative or congressional district map for the purpose of holding elections. See Ohio Const. art. XIX, § 1 (“For the purposes of filing a congressional district plan with the governor or secretary of state under this article, a congressional district plan shall include . . . all electronic data necessary to create a congressional district map for the purpose of holding congressional elections.”).
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- 8.) All communications, including attachments, with Wendy Zhan, Emily Wendel, or other staff of the Ohio Legislative Service Commission relating to drawing state legislative or congressional district maps for Ohio, including, without limitation, GVS’s development of the CURD.
- 9.) All communications, including attachments, with any current or former member of Ohio’s General Assembly, affiliated political action committees, or current or former General Assembly staff, relating to drawing state legislative or congressional district maps for Ohio.
- 10.) All communications, including attachments, with any current or former member of Ohio’s Congressional delegation, affiliated political action committees, the delegation’s current or former staff relating to drawing state legislative or congressional district maps for Ohio.
- 11.) All communications, including attachments, with the Republican National Committee, Ohio Republican Party, National Republican Redistricting Trust, or the National Republican Congressional Committee relating to drawing state legislative or congressional district maps for Ohio.
- 12.) All communications, including attachments, with the Democratic National Committee, Ohio Democratic Party, National Democratic Campaign Committee, or the Democratic Congressional Campaign Committee relating to drawing state legislative or congressional district maps for Ohio.

For the purposes of all portions of these requests, the term “public record” shall be defined as in Ohio Rev. Code § 149.43(A)(1). In particular, text messages, instant messages, and records transmitted to or from private email accounts may be “public records.” For all requests, we request records of the following types identified on the House Records Retention Schedule: audiovisual records; calendar appointments; committee and session schedules and notices; committee records (chair and other); communications records (external, internal, and news clips); constituent records; copies and duplicates; correspondence (general and routine); legislative records (not exempt from disclosure under R.C. 101.30(A)(1)); official policies, procedures, manuals, handbooks, and other administrative documents; scheduling documents; subject, research, and reference records; transient documents; payroll and time management records; revenue receipts and accounts receivable; voucher, warrant, and expenditure documents; inactive mailboxes and non-temporary user profile data; project management office files; temporary user profile data; vendor and state contracts reference; legal records; litigation records; public records requests and responses; and other records. Any non-identical copy of any responsive record, including all drafts and all marked-up copies, are requested.

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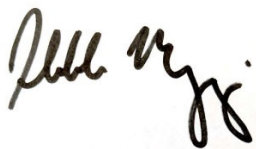
If you determine that some portions of the requested records are exempt from disclosure, please specify the basis for redaction and provide all non-exempt portions of the record. Additionally, if specific data or documents are not available, please provide documents that contain as much of the requested information as is available and/or the closest approximation to this information that is available.

Please send the requested records as electronic PDF's to Collin Marozzi, [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org), and Brady Bender, [bbender@cov.com](mailto:bbender@cov.com). Please notify us upon receipt of this request if it is not possible to send the requested records electronically.

Pursuant to Ohio Rev. Code § 149.43(B)(1) please provide the requested records promptly. *See also State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002). I am happy to receive records in batches and as they are identified. In any event, all requested records should be provided on or before **September 29, 2021**.

If you have any questions about this request, or if you cannot meet this deadline please email [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org) and [bbender@cov.com](mailto:bbender@cov.com) as soon as possible.

Thank you in advance for your assistance.

A handwritten signature in black ink, appearing to read "Collin Marozzi", is placed over a light-colored rectangular background.

J. Collin Marozzi  
Policy Strategist  
ACLU of Ohio  
1108 City Park Ave.  
Columbus, Ohio 43206  
(614) 586-1972, ext. 2014  
[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)

**APPENDIX A**  
**Sample Search Terms**

Redistrict\*  
re-district\*  
"Art\* XI"  
"Art\* XIX"  
"Census Block"  
tract  
"precinct\* lines"  
"precinct\* level"  
"district\* border\*"  
apportion\*  
"Ohio Redistricting Commission"  
"Redistricting Task Force"  
"Legislative Taskforce on Redistricting"  
VTD\*  
"Voting District\*"  
"Geographic Information System\*"  
GIS  
"map drawer\*"  
"draw\* map\*" *(or related phrases, e.g., drawing the map)*  
CURD  
"Common Unified Redistricting Database"  
maptitude  
Caliper  
DISTRICTSolv  
DistrictBuilder  
ArcBridge  
AutoBound (EDGE OR ArcGIS)  
Citygate  
Esri  
iRedistrict  
ZillionInfo  
GVS  
Voinovich  
Michael Finney *(or related phrases, e.g., Finney)*  
G. Jason Jolley  
Robert Wiley  
Elkan Kim  
Jessica Schaudt  
Matt Trainer  
Kyong Lim

# **EXHIBIT 23**

## Goldrosen, Juliana

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**From:** Collin Marozzi <cmarozzi@acluohio.org>  
**Sent:** Wednesday, September 22, 2021 6:53 AM  
**To:** rep34@ohiohouse.gov  
**Cc:** Sarah.Cherry@ohiohouse.gov; samantha.herd@ohiohouse.gov; mindy.spain@ohiohouse.gov; Bender, Brady; Goldrosen, Juliana; Freda Levenson; kmiller1@aclu.org  
**Subject:** 9.21.2021 Renewed Public Records Request  
**Attachments:** 2021.09.22 Third Renewed Public Records Requests - E. Sykes.pdf

**[EXTERNAL]**

Hello Leader Sykes,

Please see the attached public records request for September 22, 2021. For the avoidance of doubt, these requests cover all records consisting of or referring to the Ohio Redistricting Commission's deliberations, including but not limited to, its preparation, consideration, and adoption of the reapportionment plans for Ohio's House and Senate General Assembly districts that the Commission adopted by a 5-2 vote on September 16, 2021.

Thank you,

**J. Collin Marozzi, MAP**  
Policy Strategist / ACLU of Ohio  
1108 City Park Ave / Columbus, OH 43206  
614.586.1972 ext. 2014  
(he/him/his)



Ohio

September 22, 2021

Following up on my prior records requests dated August 17, September 3, and September 9, 2021, and pursuant to Ohio's open records laws, Ohio Revised Code § 149.43(B), the following is a formal request for public records in the possession or control of House Minority Leader Emilia Sykes. **This request is for records created after the period of time covered by my prior request, through the date of this request.** For the avoidance of doubt, these requests cover all records consisting of or referring to the Ohio Redistricting Commission's deliberations, including but not limited to, its preparation, consideration, and adoption of the reapportionment plans for Ohio's House and Senate General Assembly districts that the Commission adopted by a 5-2 vote on September 16, 2021.

We hereby request copies of the following records:

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- 3.) All records referring or relating to the convening, meeting, and/or official business of the Ohio Redistricting Commission, including, without limitation, testimony, data sets, maps, and plans submitted to, created by, or otherwise considered by the Commission; minutes, agendas, or presentations from Commission hearings and meetings; and any related communications, including those between Commission members and any/all representatives participating in Commission meetings on behalf of members.
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changing census block lines (also known as voting district (VTD)) for the 2018 election, 2020 election, and current redistricting cycle.

- 6.) All electronic data necessary to create a state legislative or congressional district map for the purpose of holding elections. See Ohio Const. art. XIX, § 1 (“For the purposes of filing a congressional district plan with the governor or secretary of state under this article, a congressional district plan shall include . . . all electronic data necessary to create a congressional district map for the purpose of holding congressional elections.”).
- 7.) All records referring or relating to consultants, firms, vendors, or other third parties involved in drawing state legislative or congressional district maps for Ohio, including, without limitation: requests for proposals; proposals; contracts or agreements; email, text, or other recorded communications with such parties; reports; and timesheets.
- 8.) All communications, including attachments, with Wendy Zhan, Emily Wendel, or other staff of the Ohio Legislative Service Commission relating to drawing state legislative or congressional district maps for Ohio, including, without limitation, GVS’s development of the CURD.
- 9.) All communications, including attachments, with any current or former member of Ohio’s General Assembly, affiliated political action committees, or current or former General Assembly staff, relating to drawing state legislative or congressional district maps for Ohio.
- 10.) All communications, including attachments, with any current or former member of Ohio’s Congressional delegation, affiliated political action committees, or the delegation’s current or former staff, relating to drawing state legislative or congressional district maps for Ohio.
- 11.) All communications, including attachments, with the Republican National Committee, Ohio Republican Party, National Republican Redistricting Trust, or the National Republican Congressional Committee relating to drawing state legislative or congressional district maps for Ohio.
- 12.) All communications, including attachments, with the Democratic National Committee, Ohio Democratic Party, National Democratic Campaign Committee, or the Democratic Congressional Campaign Committee relating to drawing state legislative or congressional district maps for Ohio.

For the purposes of all portions of these requests, the term “public record” shall be defined as in Ohio Rev. Code § 149.43(A)(1). In particular, text messages, instant messages, and records transmitted to or from private email accounts may be “public records.” Any non-identical copy of any responsive record, including all drafts and all marked-up copies, are requested.

For ease of consideration, we have attached as Appendix A a sample list of search terms that is not meant to be exhaustive but are merely examples of terms that might be used to identify records responsive to the individual requests listed above.

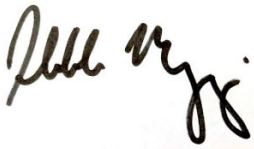
If you determine that some portions of the requested records are exempt from disclosure, please specify the basis for redaction and provide all non-exempt portions of the record. Additionally, if specific data or documents are not available, please provide documents that contain as much of the requested information as is available and/or the closest approximation to this information that is available.

Please send the requested records as electronic PDF's to Collin Marozzi, [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org), and Brady Bender, [bbender@cov.com](mailto:bbender@cov.com). Please notify us upon receipt of this request if it is not possible to send the requested records electronically.

Pursuant to Ohio Rev. Code § 149.43(B)(1) please provide the requested records promptly. *See also State ex rel. Consumer News Serv., Inc. v. Worthington City Bd. of Educ.*, 97 Ohio St. 3d 58, 65 (2002). I am happy to receive records in batches and as they are identified. In any event, all requested records should be provided on or before **September 29, 2021**.

If you have any questions about this request, or if you cannot meet this deadline please email [cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org) and [bbender@cov.com](mailto:bbender@cov.com) as soon as possible.

Thank you in advance for your assistance.

A handwritten signature in black ink, appearing to read "Collin Marozzi". The signature is written in a cursive style and is positioned above the typed name and contact information.

J. Collin Marozzi  
Policy Strategist  
ACLU of Ohio  
1108 City Park Ave.  
Columbus, Ohio 43206  
(614) 586-1972, ext. 2014  
[cmarozzi@acluohio.org](mailto:cmarozzi@acluohio.org)



## APPENDIX A Sample Search Terms

Redistrict\*  
re-district\*  
"Art\* XI"  
"Art\* XIX"  
"Census Block"  
tract  
"precinct\* lines"  
"precinct\* level"  
"district\* border\*"  
apportion\*  
"Ohio Redistricting Commission"  
"Redistricting Task Force"  
"Legislative Taskforce on Redistricting"  
VTD\*  
"Voting District\*"  
"Geographic Information System\*"  
GIS  
"map drawer\*"  
"draw\* map\*" *(or related phrases, e.g., drawing the map)*  
CURD  
"Common Unified Redistricting Database"  
maptitude  
Caliper  
DISTRICTSolv  
DistrictBuilder  
ArcBridge  
AutoBound (EDGE OR ArcGIS)  
Citygate  
Esri  
iRedistrict  
ZillionInfo  
GVS  
Voinovich  
Michael Finney *(or related phrases, e.g., Finney)*  
G. Jason Jolley  
Robert Wiley  
Elkan Kim  
Jessica Schaudt  
Matt Trainer  
Kyong Lim