

ORIGINAL

IN THE SUPREME COURT OF OHIO

12-0019

Charles E. Wilson, et al.

Realtors,

v.

Governor John Kasich, et al.

Respondents.

NOTICE OF FILING SUBPOENAS

Relators, by and through counsel, hereby give notice of filing of the following subpoenas and corresponding dates served, a copy of each having been served upon counsel for Respondents contemporaneously with service upon the persons subject to subpoena.

1) Heather Mann

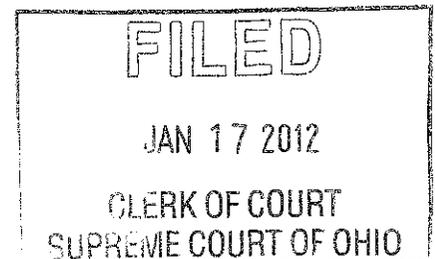
- a. Subpoena *Duces Tecum* – served January 16, 2012 (Exhibit 1)
- b. Subpoena *Duces Tecum* – served January 10, 2012 (Exhibit 2)
- c. Subpoena for Deposition – served January 10, 2012 (Exhibit 3)

2) Raymond DiRossi

- a. Subpoena *Duces Tecum* – served January 16, 2012 (Exhibit 4)
- b. Subpoena *Duces Tecum* – served January 10, 2012 (Exhibit 5)
- c. Subpoena for Deposition – served January 10, 2012 (Exhibit 6)

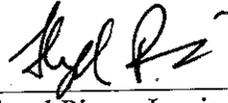
3) Jim Slagle

- a. Subpoena *Duces Tecum* – served January 14, 2012 (Exhibit 7)



4) Michael Lenzo

- a. Subpoena *Duces Tecum* – served January 11, 2012 (Exhibit 8)
- b. Subpoena *Duces Tecum* – served January 17, 2012 (Exhibit 9)



Lloyd Pierre-Louis (Bar # 0068086)
Wesp/Barwell/Pierre-Louis Co., LLC
6400 Riverside Drive, Suite D
Dublin, OH 43017
Phone: (614) 341-7576 ext. 4
Fax: (614) 388-5693
lpl@wesplaw.com

Dennis E. Murray, Jr. (Bar # 0038509)
Murray & Murray Co., L.P.A.
111 East Shoreline Drive
Sandusky, OH 44870-2517
Phone: (419) 624-3000
Fax: (419) 624-0707
DMJ@murrayandmurray.com

Counsel for Relators

CERTIFICATE OF SERVICE

A copy of the foregoing was served via e-mail and regular U.S. Mail this 17th day of January 2012, upon the following:

Aaron Epstein
Richard Coglianese
Pearl Chin
Jeannine R. Lesperance
Assistant Attorneys General
Constitutional Offices
Ohio Attorney General
30 East Broad Street, 14th Floor
Columbus, Ohio 43215
aaron.epstein@ohioattorneygeneral.gov
Jeannine.Lesperance@OhioAttorneyGeneral.gov
richard.coglianese@ohioattorneygeneral.gov
pearl.chin@ohioattorneygeneral.gov

Counsel for State Respondents

Robert Tucker
Baker Hostetler
65 E. State Street, Suite 2100
Columbus, Ohio 43215
rtucker@bakerlaw.com

Special Counsel for State Respondents



Lloyd Pierre-Louis (Bar # 0068086)
Wesp/Barwell/Pierre-Louis Co., LLC

Counsel for Relators

IN THE SUPREME COURT OF OHIO

CHARLES E. WILSON, <i>et al.</i>	:	
	:	Original Action
Relators,	:	
	:	
vs.	:	
	:	Case No. 2012-0019
GOVERNOR JOHN KASICH, in his	:	
capacity as a Member of the Ohio	:	
Apportionment Board, <i>et al.</i>	:	
	:	
Respondents.	:	

CIVIL SUBPOENA DUCES TECUM

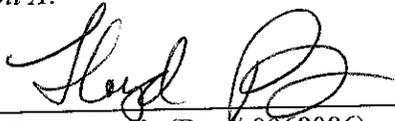
TO: Heather Mann
827 City Park Avenue, Unit B
Columbus, Ohio 43206

Pursuant to Rule 45 of the Ohio Rules of Civil Procedure, you are hereby commanded to:

_____ Attend and give testimony at DEPOSITION on _____, **January __, 2012** at ___:___ a.m./p.m., at 6400 Riverside Drive, Suite D, Dublin, Ohio 43017 and to remain at such location until released from this subpoena.

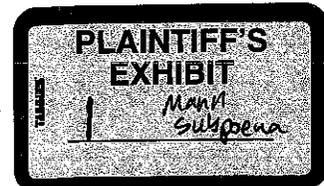
X Produce a copy of documents on **Tuesday, January 17, 2012 on or before 12:00 p.m.**, at 6400 Riverside Drive, Suite D, Dublin, Ohio 43017 referenced and described in the attached *Exhibit A*.

January 16, 2012



 Lloyd Pierre-Louis (Bar # 0068086)
 Wesp/Barwell/Pierre-Louis Co., LLC
 6400 Riverside Drive, Suite D
 Dublin, OH 43017
 Phone: (614) 341-7576 ext. 4
 Fax: (614) 388-5693
lpl@wesplaw.com

and



Dennis E. Murray, Jr. (Bar # 0038509)
Murray & Murray Co., L.P.A.
111 East Shoreline Drive
Sandusky, OH 44870-2517
Phone: (419) 624-3000
Fax: (419) 624-0707
DMJ@murrayandmurray.com

Attorneys for Relators

**NOTE: READ ALL INFORMATION BELOW
CONCERNING THIS SUBPOENA**

Supreme Court Case No. 2012-0019

Civ. R. 45(C) Protection of persons subject to subpoenas

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena.

(2) (a) A person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule need not appear in person at the place of production or inspection unless commanded to attend and give testimony at a deposition, hearing, or trial.

(b) Subject to division (D)(2) of this rule, a person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule may, within fourteen days after service of the subpoena or before the time specified for compliance if such time is less than fourteen days after service, serve upon the party or attorney designated in the subpoena written objections to production. If objection is made, the party serving the subpoena shall not be entitled to production except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena, upon notice to the person commanded to produce, may move at any time for an order to compel the production. An order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the production commanded.

(3) On timely motion, the court from which the subpoena was issued shall quash or modify the subpoena, or order appearance or production only under specified conditions, if the subpoena does any of the following:

(a) Fails to allow reasonable time to comply;

(b) Requires disclosure of privileged or otherwise protected matter and no exception or waiver applies;

(c) Requires disclosure of a fact known or opinion held by an expert not retained or specially employed by any party in anticipation of litigation or preparation for trial as described by Civ.R. 26(B)(4), if the fact or opinion does not describe specific events or occurrences in dispute and results from study by that expert that was not made at the request of any party;

(d) Subjects a person to undue burden.

(4) Before filing a motion pursuant to division (C)(3)(d) of this rule, a person resisting discovery under this rule shall attempt to resolve any claim of undue burden through discussions with the issuing attorney. A motion filed pursuant to division (C)(3)(d) of this rule shall be supported by an affidavit of the subpoenaed person or a certificate of that person's attorney of the efforts made to resolve any claim of undue burden.

(5) If a motion is made under division (C)(3)(c) or (C)(3)(d) of this rule, the court shall quash or modify the subpoena unless the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated.

(D) Duties in responding to subpoena.

(1) A person responding to a subpoena to produce documents shall, at the person's option, produce them as they are kept in the usual course of business or organized and labeled to correspond with the categories in the subpoena. A person producing documents or electronically stored information pursuant to a subpoena for them shall permit their inspection and copying by all parties present at the time and place set in the subpoena for inspection and copying.

(2) If a request does not specify the form or forms for producing electronically stored information, a person responding to a subpoena may produce the information in a form or forms in which the information is ordinarily maintained if that form is

reasonably useable, or in any form that is reasonably useable. Unless ordered by the court or agreed to by the person subpoenaed, a person responding to a subpoena need not produce the same electronically stored information in more than one form.

(3) A person need not provide discovery of electronically stored information when the production imposes undue burden or expense. On motion to compel discovery or for a protective order, the person from whom electronically stored information is sought must show that the information is not reasonably accessible because of undue burden or expense. If a showing of undue burden or expense is made, the court may nonetheless order production of electronically stored information if the requesting party shows good cause. The court shall consider the factors in Civ. R. 26(B)(4) when determining if good cause exists. In ordering production of electronically stored information, the court may specify the format, extent, timing, allocation of expenses and other conditions for the discovery of the electronically stored information.

(4) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

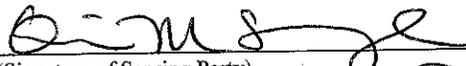
(5) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a receiving party must promptly return, sequester, or destroy the specified information and any copies within the party's possession, custody or control. A party may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim of privilege or of protection as trial-preparation material. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

Civ.R. 45(E) Sanctions

Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. A subpoenaed person or that person's attorney who frivolously resists discovery under this rule may be required by the court to pay the reasonable expenses, including reasonable attorney's fees, of the party seeking the discovery. The court from which a subpoena was issued may impose upon a party or attorney in breach of the duty imposed by division (C)(1) of this rule an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fees.

******RETURN OF SERVICE ******

I received this subpoena on 1/16/12, and served the party named
on the reverse hereof by leaving it a person's residence on 1/16/12
I was unable to complete service for the following reason: _____


(Signature of Serving Party)
Circle One: Deputy Sheriff Attorney
Process Server Deputy Clerk
Other QUINN M. SCHLIEGE 0085638

SUBPOENA *DUCES TECUM* EXHIBIT A

Produce a copy of all documents discussing, describing or reflecting the following categories:

1. Weekly meetings of any subset of Apportionment Board members and/or staff.
2. Alternative district maps for the Ohio House and Senate (“maps”).
3. Criteria used for creating, preparing and/or evaluating any maps.
4. Any draft maps submitted to Mark Braden and/or John Morgan before adoption of the final Ohio Apportionment Plan, and any reports, communications or synopses – oral or written – provided by said individuals.
5. The Ohio Apportionment Plan, as amended and engrossed on September 30, 2011 for Years 2012-2022.
6. All written communications between the secretaries for the Apportionment Board and any of its members or the members’ staff regarding reapportionment.
7. All written communications among any of the members of the Apportionment Board regarding reapportionment.
8. Participation in debates of each of the members of the Apportionment Board.
9. Consideration given by the Apportionment Board to any public input, including from the Ohio Campaign for Accountable Redistricting.
10. The role of campaign financing or fundraising in establishing districts.
11. The application of any tests to any draft maps to measure compactness, the number of political subdivision splits, competitiveness and/or political indexes of voters.
12. Contractual and financial relationships between and/or among Policy Widgets, LLC, Capital Advantage, LLC, the Apportionment Board, and any of its members

or any caucus(es) of any member, including, but not limited to the Legislative Task Force established in ORC 103.51.

13. The identity of all employees of Policy Widgets, LLC and Capital Advantage, LCC who provided services to the Apportionment Board, any of its members or any caucus(es) to which any member belongs.
14. The uses and purposes of a hotel room(s) in relation to redistricting and reapportionment between July 2011 and October 2011.
15. Attendance at any meeting(s) in 2011 with John Morgan.
16. Use of political indices in reapportionment process.

IN THE SUPREME COURT OF OHIO

CHARLES E. WILSON, *et al.* :
: Original Action
Relators, :
: vs. :
: Case No. 2012-0019
GOVERNOR JOHN KASICH, in his :
capacity as a Member of the Ohio :
Apportionment Board, *et al.* :
: Respondents. :
:

CIVIL SUBPOENA *DUCES TECUM*

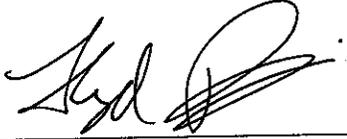
TO: Heather Mann
827 City Park Avenue, Unit B
Columbus, Ohio 43206

Pursuant to Rule 45 of the Ohio Rules of Civil Procedure, you are hereby commanded to:

_____ Attend and give testimony at DEPOSITION on _____, **January __, 2012** at __:__ a.m./p.m., at 6400 Riverside Drive, Suite D, Dublin, Ohio 43017 and to remain at such location until released from this subpoena.

Attend and produce documents at a DEPOSITION on **Wednesday, January 11, 2012 at 3:00 p.m.**, at 6400 Riverside Drive, Suite D, Dublin, Ohio 43017 and to remain at such location until released from this subpoena. The documents to produce are described in the attached *Exhibit A*, and should be in electronic format to the extent possible.

January 10, 2012



Lloyd Pierre-Louis (Bar # 0068086)
Wesp/Barwell/Pierre-Louis Co., LLC
6400 Riverside Drive, Suite D
Dublin, OH 43017
Phone: (614) 341-7576 ext. 4
Fax: (614) 388-5693
lpl@wesplaw.com



Dennis E. Murray, Jr. (Bar # 0038509)
Murray & Murray Co., L.P.A.
111 East Shoreline Drive
Sandusky, OH 44870-2517
Phone: (419) 624-3000
Fax: (419) 624-0707
DMJ@murrayandmurray.com

Attorneys for Relators

****Your attendance at the deposition is for the date and time specified above unless contacted otherwise by Relators' counsel.**

**NOTE: READ ALL INFORMATION BELOW
CONCERNING THIS SUBPOENA**

Supreme Court Case No. 2012-0019

Civ. R. 45(C) Protection of persons subject to subpoenas

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena.
- (2)(a) A person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule need not appear in person at the place of production or inspection unless commanded to attend and give testimony at a deposition, hearing, or trial.
- (b) Subject to division (D)(2) of this rule, a person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule may, within fourteen days after service of the subpoena or before the time specified for compliance if such time is less than fourteen days after service, serve upon the party or attorney designated in the subpoena written objections to production. If objection is made, the party serving the subpoena shall not be entitled to production except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena, upon notice to the person commanded to produce, may move at any time for an order to compel the production. An order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the production commanded.
- (3) On timely motion, the court from which the subpoena was issued shall quash or modify the subpoena, or order appearance or production only under specified conditions, if the subpoena does any of the following:
- (a) Fails to allow reasonable time to comply;
 - (b) Requires disclosure of privileged or otherwise protected matter and no exception or waiver applies;
 - (c) Requires disclosure of a fact known or opinion held by an expert not retained or specially employed by any party in anticipation of litigation or preparation for trial as described by Civ.R.26(B)(4), if the fact or opinion does not describe specific events or occurrences in dispute and results from study by that expert that was not made at the request of any party;
 - (d) Subjects a person to undue burden.
- (4) Before filing a motion pursuant to division (C)(3)(d) of this rule, a person resisting discovery under this rule shall attempt to resolve any claim of undue burden through discussions with the issuing attorney. A motion filed pursuant to division (C)(3)(d) of this rule shall be supported by an affidavit of the subpoenaed person or a certificate of that person's attorney of the efforts made to resolve any claim of undue burden.
- (5) If a motion is made under division (C)(3)(c) or (C)(3)(d) of this rule, the court shall quash or modify the subpoena unless the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated.

Civ.R. 45(D) Duties in responding to subpoena

- (1) A person responding to a subpoena to produce documents shall, at the person's option, produce them as they are kept in the usual course of business or organized and labeled to correspond with the categories in the subpoena. A person producing

documents pursuant to a subpoena for them shall permit their inspection and copying by all parties present at the time and place set in the subpoena for inspection and copying.

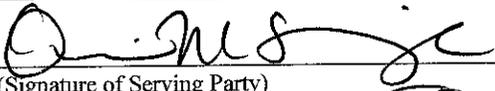
(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials under Civ.R.26(B)(3) or (4), the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

Civ.R. 45(E) Sanctions

Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. A subpoenaed person or that person's attorney who frivolously resists discovery under this rule may be required by the court to pay the reasonable expenses, including reasonable attorney's fees, of the party seeking the discovery. The court from which a subpoena was issued may impose upon a party or attorney in breach of the duty imposed by division (C)(1) of this rule an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fees.

******RETURN OF SERVICE ******

I received this subpoena on 1/10/12, and served the party named
on the reverse hereof by hand delivery/residential service on 1/10/12
I was unable to complete service for the following reason: _____


(Signature of Serving Party)
Circle One: Deputy Sheriff Attorney
Process Server Deputy Clerk
Other QUINN H SCHLIEGE
0085638

SUBPOENA *DUCES TECUM* EXHIBIT A

Bring all documents discussing, describing or reflecting the following categories with you to the deposition:

1. Weekly meetings of any subset of Apportionment Board members and/or staff.
2. Alternative district maps for the Ohio House and Senate (“maps”).
3. Criteria used for creating, preparing and/or evaluating any maps.
4. Any draft maps submitted to Mark Braden and/or John Morgan before adoption of the final Ohio Apportionment Plan, and any reports, communications or synopses – oral or written – provided by said individuals.
5. The Ohio Apportionment Plan, as amended and engrossed on September 30, 2011 for Years 2012-2022.
6. All written communications between the secretaries for the Apportionment Board and any of its members or the members’ staff regarding reapportionment.
7. All written communications among any of the members of the Apportionment Board regarding reapportionment.
8. Participation in debates of each of the members of the Apportionment Board.
9. Consideration given by the Apportionment Board to any public input, including from the Ohio Campaign for Accountable Redistricting.
10. The role of campaign financing or fundraising in establishing districts.
11. The application of any tests to any draft maps to measure compactness, the number of political subdivision splits, competitiveness and/or political indexes of voters.
12. Contractual and financial relationships between and/or among Policy Widgets, LLC, Capital Advantage, LLC, the Apportionment Board, and any of its members

or any caucus(es) of any member, including, but not limited to the Legislative Task Force established in ORC 103.51.

13. The identity of all employees of Policy Widgets, LLC and Capital Advantage, LCC who provided services to the Apportionment Board, any of its members or any caucus(es) to which any member belongs.
14. The uses and purposes of a hotel room(s) in relation to redistricting and reapportionment between July 2011 and October 2011.
15. Attendance at any meeting(s) in 2011 with John Morgan.
16. Use of political indices in reapportionment process.

IN THE SUPREME COURT OF OHIO

CHARLES E. WILSON, *et al.* :
 : Original Action
Relators, :
 :
vs. :
 : Case No. 2012-0019
GOVERNOR JOHN KASICH, in his :
capacity as a Member of the Ohio :
Apportionment Board, *et al.* :
 :
Respondents. :

CIVIL SUBPOENA

TO: Heather Mann
827 City Park Avenue, Unit B
Columbus, Ohio 43206

Pursuant to Rule 45 of the Ohio Rules of Civil Procedure, you are hereby commanded to:

 X Attend and give testimony at DEPOSITION on **Friday, January 13, 2012 at 9:00 a.m.**, at 65 East State Street, Suite 2100, Columbus, Ohio 43215 and to remain at such location until released from this subpoena.

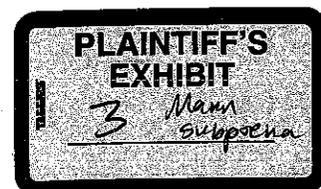
 Attend and produce documents at a DEPOSITION on , **January** , **2012 at** : **a.m./p.m.**, at 6400 Riverside Drive, Suite D, Dublin, Ohio 43017 and to remain at such location until released from this subpoena. The documents to produce are described in the attached *Exhibit A*.

January 12, 2012



Lloyd Pierre-Louis (Bar # 0068086)
Wesp/Barwell/Pierre-Louis Co., LLC
6400 Riverside Drive, Suite D
Dublin, OH 43017
Phone: (614) 341-7576 ext. 4
Fax: (614) 388-5693
lpl@wesplaw.com

and



Dennis E. Murray, Jr. (Bar # 0038509)
Murray & Murray Co., L.P.A.
111 East Shoreline Drive
Sandusky, OH 44870-2517
Phone: (419) 624-3000
Fax: (419) 624-0707
DMJ@murrayandmurray.com

Attorneys for Relators

****Your attendance at the deposition is for the date and time specified above unless contacted otherwise by Relators' counsel.**

**NOTE: READ ALL INFORMATION BELOW
CONCERNING THIS SUBPOENA**

Supreme Court Case No. 2012-0019

Civ. R. 45(C) Protection of persons subject to subpoenas

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena.
- (2)(a) A person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule need not appear in person at the place of production or inspection unless commanded to attend and give testimony at a deposition, hearing, or trial.
- (b) Subject to division (D)(2) of this rule, a person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule may, within fourteen days after service of the subpoena or before the time specified for compliance if such time is less than fourteen days after service, serve upon the party or attorney designated in the subpoena written objections to production. If objection is made, the party serving the subpoena shall not be entitled to production except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena, upon notice to the person commanded to produce, may move at any time for an order to compel the production. An order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the production commanded.
- (3) On timely motion, the court from which the subpoena was issued shall quash or modify the subpoena, or order appearance or production only under specified conditions, if the subpoena does any of the following:
- (a) Fails to allow reasonable time to comply;
- (b) Requires disclosure of privileged or otherwise protected matter and no exception or waiver applies;
- (c) Requires disclosure of a fact known or opinion held by an expert not retained or specially employed by any party in anticipation of litigation or preparation for trial as described by Civ.R.26(B)(4), if the fact or opinion does not describe specific events or occurrences in dispute and results from study by that expert that was not made at the request of any party;
- (d) Subjects a person to undue burden.
- (4) Before filing a motion pursuant to division (C)(3)(d) of this rule, a person resisting discovery under this rule shall attempt to resolve any claim of undue burden through discussions with the issuing attorney. A motion filed pursuant to division (C)(3)(d) of this rule shall be supported by an affidavit of the subpoenaed person or a certificate of that person's attorney of the efforts made to resolve any claim of undue burden.
- (5) If a motion is made under division (C)(3)(c) or (C)(3)(d) of this rule, the court shall quash or modify the subpoena unless the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated.

Civ.R. 45(D) Duties in responding to subpoena

- (1) A person responding to a subpoena to produce documents shall, at the person's option, produce them as they are kept in the usual course of business or organized and labeled to correspond with the categories in the subpoena. A person producing

documents pursuant to a subpoena for them shall permit their inspection and copying by all parties present at the time and place set in the subpoena for inspection and copying.

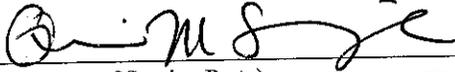
(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials under Civ.R.26(B)(3) or (4), the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

Civ.R. 45(E) Sanctions

Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. A subpoenaed person or that person's attorney who frivolously resists discovery under this rule may be required by the court to pay the reasonable expenses, including reasonable attorney's fees, of the party seeking the discovery. The court from which a subpoena was issued may impose upon a party or attorney in breach of the duty imposed by division (C)(1) of this rule an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fees.

*****RETURN OF SERVICE *****

I received this subpoena on 1/10/12, and served the party named
on the reverse hereof by residential hand service/delivery on 1/10/12
I was unable to complete service for the following reason: _____



(Signature of Serving Party)

Circle One: Deputy Sheriff

Process Server

Other

Attorney
Deputy Clerk

QUINN M SCHMIEGE

0055638

IN THE SUPREME COURT OF OHIO

CHARLES E. WILSON, <i>et al.</i>	:	
	:	Original Action
Relators,	:	
	:	
vs.	:	Case No. 2012-0019
	:	
GOVERNOR JOHN KASICH, in his capacity as a Member of the Ohio Apportionment Board, <i>et al.</i>	:	
	:	
Respondents.	:	

CIVIL SUBPOENA DUCES TECUM

TO: Raymond E. DiRossi
5732 Springburn Drive
Dublin, Ohio 43017

Pursuant to Rule 45 of the Ohio Rules of Civil Procedure, you are hereby commanded to:

_____ Attend and give testimony at DEPOSITION on _____, January __, 2012 at __:__ a.m./p.m., at 6400 Riverside Drive, Suite D, Dublin, Ohio 43017 and to remain at such location until released from this subpoena.

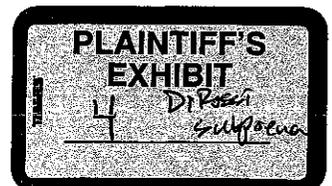
X Produce a copy of documents on **Tuesday, January 17, 2012 on or before 12:00 p.m.**, at 6400 Riverside Drive, Suite D, Dublin, Ohio 43017 referenced and described in the attached *Exhibit A*.

January 16, 2012



 Lloyd Pierre-Louis (Bar # 0068086)
 Wesp/Barwell/Pierre-Louis Co., LLC
 6400 Riverside Drive, Suite D
 Dublin, OH 43017
 Phone: (614) 341-7576 ext. 4
 Fax: (614) 388-5693
lpl@wesplaw.com

and



Dennis E. Murray, Jr. (Bar # 0038509)
Murray & Murray Co., L.P.A.
111 East Shoreline Drive
Sandusky, OH 44870-2517
Phone: (419) 624-3000
Fax: (419) 624-0707
DMJ@murrayandmurray.com

Attorneys for Relators

**NOTE: READ ALL INFORMATION BELOW
CONCERNING THIS SUBPOENA**

Supreme Court Case No. 2012-0019

Civ. R. 45(C) Protection of persons subject to subpoenas

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena.
- (2) (a) A person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule need not appear in person at the place of production or inspection unless commanded to attend and give testimony at a deposition, hearing, or trial.
- (b) Subject to division (D)(2) of this rule, a person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule may, within fourteen days after service of the subpoena or before the time specified for compliance if such time is less than fourteen days after service, serve upon the party or attorney designated in the subpoena written objections to production. If objection is made, the party serving the subpoena shall not be entitled to production except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena, upon notice to the person commanded to produce, may move at any time for an order to compel production. An order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the production commanded.
- (3) On timely motion, the court from which the subpoena was issued shall quash or modify the subpoena, or order appearance or production only under specified conditions, if the subpoena does any of the following:
- (a) Fails to allow reasonable time to comply;
 - (b) Requires disclosure of privileged or otherwise protected matter and no exception or waiver applies;
 - (c) Requires disclosure of a fact known or opinion held by an expert not retained or specially employed by any party in anticipation of litigation or preparation for trial as described by Civ.R. 26(B)(4), if the fact or opinion does not describe specific events or occurrences in dispute and results from study by that expert that was not made at the request of any party;
 - (d) Subjects a person to undue burden.
- (4) Before filing a motion pursuant to division (C)(3)(d) of this rule, a person resisting discovery under this rule shall attempt to resolve any claim of undue burden through discussions with the issuing attorney. A motion filed pursuant to division (C)(3)(d) of this rule shall be supported by an affidavit of the subpoenaed person or a certificate of that person's attorney of the efforts made to resolve any claim of undue burden.
- (5) If a motion is made under division (C)(3)(c) or (C)(3)(d) of this rule, the court shall quash or modify the subpoena unless the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated.

(D) Duties in responding to subpoena.

- (1) A person responding to a subpoena to produce documents shall, at the person's option, produce them as they are kept in the usual course of business or organized and labeled to correspond with the categories in the subpoena. A person producing documents or electronically stored information pursuant to a subpoena for them shall permit their inspection and copying by all parties present at the time and place set in the subpoena for inspection and copying.
- (2) If a request does not specify the form or forms for producing electronically stored information, a person responding to a subpoena may produce the information in a form or forms in which the information is ordinarily maintained if that form is

reasonably useable, or in any form that is reasonably useable. Unless ordered by the court or agreed to by the person subpoenaed, a person responding to a subpoena need not produce the same electronically stored information in more than one form.

(3) A person need not provide discovery of electronically stored information when the production imposes undue burden or expense. On motion to compel discovery or for a protective order, the person from whom electronically stored information is sought must show that the information is not reasonably accessible because of undue burden or expense. If a showing of undue burden or expense is made, the court may nonetheless order production of electronically stored information if the requesting party shows good cause. The court shall consider the factors in Civ. R. 26(B)(4) when determining if good cause exists. In ordering production of electronically stored information, the court may specify the format, extent, timing, allocation of expenses and other conditions for the discovery of the electronically stored information.

(4) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

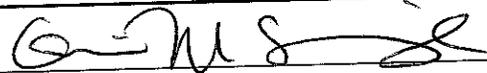
(5) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a receiving party must promptly return, sequester, or destroy the specified information and any copies within the party's possession, custody or control. A party may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim of privilege or of protection as trial-preparation material. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

Civ.R. 45(E) Sanctions

Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. A subpoenaed person or that person's attorney who frivolously resists discovery under this rule may be required by the court to pay the reasonable expenses, including reasonable attorney's fees, of the party seeking the discovery. The court from which a subpoena was issued may impose upon a party or attorney in breach of the duty imposed by division (C)(1) of this rule an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fees.

******RETURN OF SERVICE ******

I received this subpoena on 1/16/12, and served the party named
on the reverse hereof by leaving it at person's residence 1/16/12
I was unable to complete service for the following reason: _____



(Signature of Serving Party)

Circle One: Deputy Sheriff

Process Server

Other

Attorney

Deputy Clerk

QUINN M. SCHMIEGE 0085638

SUBPOENA *DUCES TECUM* EXHIBIT A

Produce a copy of all documents discussing, describing or reflecting the following categories:

1. Weekly meetings of any subset of Apportionment Board members and/or staff.
2. Alternative district maps for the Ohio House and Senate (“maps”).
3. Criteria used for creating, preparing and/or evaluating any maps.
4. Any draft maps submitted to Mark Braden and/or John Morgan before adoption of the final Ohio Apportionment Plan, and any reports, communications or synopses – oral or written – provided by said individuals.
5. The Ohio Apportionment Plan, as amended and engrossed on September 30, 2011 for Years 2012-2022.
6. All written communications between the secretaries for the Apportionment Board and any of its members or the members’ staff regarding reapportionment.
7. All written communications among any of the members of the Apportionment Board regarding reapportionment.
8. Participation in debates of each of the members of the Apportionment Board.
9. Consideration given by the Apportionment Board to any public input, including from the Ohio Campaign for Accountable Redistricting.
10. The role of campaign financing or fundraising in establishing districts.
11. The application of any tests to any draft maps to measure compactness, the number of political subdivision splits, competitiveness and/or political indexes of voters.
12. Contractual and financial relationships between and/or among Policy Widgets, LLC, Capital Advantage, LLC, the Apportionment Board, and any of its members

or any caucus(es) of any member, including, but not limited to the Legislative Task Force established in ORC 103.51.

13. The identity of all employees of Policy Widgets, LLC and Capital Advantage, LCC who provided services to the Apportionment Board, any of its members or any caucus(es) to which any member belongs.

14. The uses and purposes of a hotel room(s) in relation to redistricting and reapportionment between July 2011 and October 2011.

15. Attendance at any meeting(s) in 2011 with John Morgan.

16. Use of political indices in reapportionment process.

IN THE SUPREME COURT OF OHIO

CHARLES E. WILSON, <i>et al.</i>	:	
	:	Original Action
Relators,	:	
	:	
vs.	:	
	:	Case No. 2012-0019
GOVERNOR JOHN KASICH, in his	:	
capacity as a Member of the Ohio	:	
Apportionment Board, <i>et al.</i>	:	
	:	
Respondents.	:	

CIVIL SUBPOENA *DUCES TECUM*

TO: Raymond E. DiRossi
5732 Springburn Drive
Dublin, Ohio 43017

Pursuant to Rule 45 of the Ohio Rules of Civil Procedure, you are hereby commanded to:

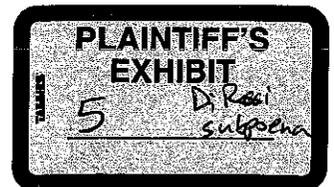
_____ Attend and give testimony at DEPOSITION on _____, **January __, 2012** at __:__ **a.m./p.m.**, at 6400 Riverside Drive, Suite D, Dublin, Ohio 43017 and to remain at such location until released from this subpoena.

X Attend and produce documents at a DEPOSITION on **Wednesday, January 11, 2012 at 3:00 p.m.**, at 6400 Riverside Drive, Suite D, Dublin, Ohio 43017 and to remain at such location until released from this subpoena. The documents to produce are described in the attached *Exhibit A*, and should be in electronic format to the extent possible.

January 10, 2012



 Lloyd Pierre-Louis (Bar # 0068086)
 Wesp/Barwell/Pierre-Louis Co., LLC
 6400 Riverside Drive, Suite D
 Dublin, OH 43017
 Phone: (614) 341-7576 ext. 4
 Fax: (614) 388-5693
 lpl@wesplaw.com



and
Dennis E. Murray, Jr. (Bar # 0038509)
Murray & Murray Co., L.P.A.
111 East Shoreline Drive
Sandusky, OH 44870-2517
Phone: (419) 624-3000
Fax: (419) 624-0707
DMJ@murrayandmurray.com

Attorneys for Relators

****Your attendance at the deposition is for the date and time specified above unless contacted otherwise by Relators' counsel.**

**NOTE: READ ALL INFORMATION BELOW
CONCERNING THIS SUBPOENA**

Supreme Court Case No. 2012-0019

Civ. R. 45(C) Protection of persons subject to subpoenas

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena.
- (2)(a) A person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule need not appear in person at the place of production or inspection unless commanded to attend and give testimony at a deposition, hearing, or trial.
- (b) Subject to division (D)(2) of this rule, a person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule may, within fourteen days after service of the subpoena or before the time specified for compliance if such time is less than fourteen days after service, serve upon the party or attorney designated in the subpoena written objections to production. If objection is made, the party serving the subpoena shall not be entitled to production except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena, upon notice to the person commanded to produce, may move at any time for an order to compel the production. An order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the production commanded.
- (3) On timely motion, the court from which the subpoena was issued shall quash or modify the subpoena, or order appearance or production only under specified conditions, if the subpoena does any of the following:
- (a) Fails to allow reasonable time to comply;
 - (b) Requires disclosure of privileged or otherwise protected matter and no exception or waiver applies;
 - (c) Requires disclosure of a fact known or opinion held by an expert not retained or specially employed by any party in anticipation of litigation or preparation for trial as described by Civ.R.26(B)(4), if the fact or opinion does not describe specific events or occurrences in dispute and results from study by that expert that was not made at the request of any party;
 - (d) Subjects a person to undue burden.
- (4) Before filing a motion pursuant to division (C)(3)(d) of this rule, a person resisting discovery under this rule shall attempt to resolve any claim of undue burden through discussions with the issuing attorney. A motion filed pursuant to division (C)(3)(d) of this rule shall be supported by an affidavit of the subpoenaed person or a certificate of that person's attorney of the efforts made to resolve any claim of undue burden.
- (5) If a motion is made under division (C)(3)(c) or (C)(3)(d) of this rule, the court shall quash or modify the subpoena unless the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated.

Civ.R. 45(D) Duties in responding to subpoena

- (1) A person responding to a subpoena to produce documents shall, at the person's option, produce them as they are kept in the usual course of business or organized and labeled to correspond with the categories in the subpoena. A person producing

documents pursuant to a subpoena for them shall permit their inspection and copying by all parties present at the time and place set in the subpoena for inspection and copying.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials under Civ.R.26(B)(3) or (4), the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

Civ.R. 45(E) Sanctions

Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. A subpoenaed person or that person's attorney who frivolously resists discovery under this rule may be required by the court to pay the reasonable expenses, including reasonable attorney's fees, of the party seeking the discovery. The court from which a subpoena was issued may impose upon a party or attorney in breach of the duty imposed by division (C)(1) of this rule an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fees.

******RETURN OF SERVICE ******

I received this subpoena on 1/10/12, and served the party named
on the reverse hereof by hand delivery to residence on 1/10/12
I was unable to complete service for the following reason: _____


(Signature of Serving Party)
Circle One: Deputy Sheriff Attorney
Process Server Deputy Clerk
Other _____ **QUINN M SCHMIEGEL**
0085638

SUBPOENA *DUCES TECUM* EXHIBIT A

Bring all documents discussing, describing or reflecting the following categories with you to the deposition:

1. Weekly meetings of any subset of Apportionment Board members and/or staff.
2. Alternative district maps for the Ohio House and Senate (“maps”).
3. Criteria used for creating, preparing and/or evaluating any maps.
4. Any draft maps submitted to Mark Braden and/or John Morgan before adoption of the final Ohio Apportionment Plan, and any reports, communications or synopses – oral or written – provided by said individuals.
5. The Ohio Apportionment Plan, as amended and engrossed on September 30, 2011 for Years 2012-2022.
6. All written communications between the secretaries for the Apportionment Board and any of its members or the members’ staff regarding reapportionment.
7. All written communications among any of the members of the Apportionment Board regarding reapportionment.
8. Participation in debates of each of the members of the Apportionment Board.
9. Consideration given by the Apportionment Board to any public input, including from the Ohio Campaign for Accountable Redistricting.
10. The role of campaign financing or fundraising in establishing districts.
11. The application of any tests to any draft maps to measure compactness, the number of political subdivision splits, competitiveness and/or political indexes of voters.
12. Contractual and financial relationships between and/or among Policy Widgets, LLC, Capital Advantage, LLC, the Apportionment Board, and any of its members

or any caucus(es) of any member, including, but not limited to the Legislative Task Force established in ORC 103.51.

13. The identity of all employees of Policy Widgets, LLC and Capital Advantage, LLC who provided services to the Apportionment Board, any of its members or any caucus(es) to which any member belongs.
14. The uses and purposes of a hotel room(s) in relation to redistricting and reapportionment between July 2011 and October 2011.
15. Attendance at any meeting(s) in 2011 with John Morgan.
16. Use of political indices in reapportionment process.

IN THE SUPREME COURT OF OHIO

CHARLES E. WILSON, <i>et al.</i>	:	
	:	Original Action
Relators,	:	
	:	
vs.	:	
	:	Case No. 2012-0019
GOVERNOR JOHN KASICH, in his	:	
capacity as a Member of the Ohio	:	
Apportionment Board, <i>et al.</i>	:	
	:	
Respondents.	:	

CIVIL SUBPOENA

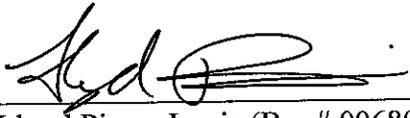
TO: Raymond E. DiRossi
5732 Springburn Drive
Dublin, Ohio 43017

Pursuant to Rule 45 of the Ohio Rules of Civil Procedure, you are hereby commanded to:

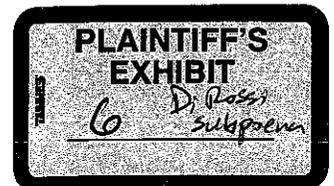
 X Attend and give testimony at DEPOSITION on **Thursday, January 12, 2012 at 9:00 a.m.**, at 65 East State Street, Suite 2100, Columbus, Ohio 43215 and to remain at such location until released from this subpoena.

 Attend and produce documents at a DEPOSITION on _____, **January __, 2012 at __: __ a.m./p.m.**, at 6400 Riverside Drive, Suite D, Dublin, Ohio 43017 and to remain at such location until released from this subpoena. The documents to produce are described in the attached *Exhibit A*.

January 10, 2012



 Lloyd Pierre-Louis (Bar # 0068086)
 Wesp/Barwell/Pierre-Louis Co., LLC
 6400 Riverside Drive, Suite D
 Dublin, OH 43017
 Phone: (614) 341-7576 ext. 4
 Fax: (614) 388-5693
lpl@wesplaw.com



and

Dennis E. Murray, Jr. (Bar # 0038509)
Murray & Murray Co., L.P.A.
111 East Shoreline Drive
Sandusky, OH 44870-2517
Phone: (419) 624-3000
Fax: (419) 624-0707
DMJ@murrayandmurray.com

Attorneys for Relators

****Your attendance at the deposition is for the date and time specified above unless contacted otherwise by Relators' counsel.**

**NOTE: READ ALL INFORMATION BELOW
CONCERNING THIS SUBPOENA**

Supreme Court Case No. 2012-0019

Civ. R. 45(C) Protection of persons subject to subpoenas

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena.
- (2)(a) A person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule need not appear in person at the place of production or inspection unless commanded to attend and give testimony at a deposition, hearing, or trial.
- (b) Subject to division (D)(2) of this rule, a person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule may, within fourteen days after service of the subpoena or before the time specified for compliance if such time is less than fourteen days after service, serve upon the party or attorney designated in the subpoena written objections to production. If objection is made, the party serving the subpoena shall not be entitled to production except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena, upon notice to the person commanded to produce, may move at any time for an order to compel the production. An order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the production commanded.
- (3) On timely motion, the court from which the subpoena was issued shall quash or modify the subpoena, or order appearance or production only under specified conditions, if the subpoena does any of the following:
- (a) Fails to allow reasonable time to comply;
 - (b) Requires disclosure of privileged or otherwise protected matter and no exception or waiver applies;
 - (c) Requires disclosure of a fact known or opinion held by an expert not retained or specially employed by any party in anticipation of litigation or preparation for trial as described by Civ.R.26(B)(4), if the fact or opinion does not describe specific events or occurrences in dispute and results from study by that expert that was not made at the request of any party;
 - (d) Subjects a person to undue burden.
- (4) Before filing a motion pursuant to division (C)(3)(d) of this rule, a person resisting discovery under this rule shall attempt to resolve any claim of undue burden through discussions with the issuing attorney. A motion filed pursuant to division (C)(3)(d) of this rule shall be supported by an affidavit of the subpoenaed person or a certificate of that person's attorney of the efforts made to resolve any claim of undue burden.
- (5) If a motion is made under division (C)(3)(c) or (C)(3)(d) of this rule, the court shall quash or modify the subpoena unless the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated.

Civ.R. 45(D) Duties in responding to subpoena

- (1) A person responding to a subpoena to produce documents shall, at the person's option, produce them as they are kept in the usual course of business or organized and labeled to correspond with the categories in the subpoena. A person producing

documents pursuant to a subpoena for them shall permit their inspection and copying by all parties present at the time and place set in the subpoena for inspection and copying.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials under Civ.R.26(B)(3) or (4), the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

Civ.R. 45(E) Sanctions

Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. A subpoenaed person or that person's attorney who frivolously resists discovery under this rule may be required by the court to pay the reasonable expenses, including reasonable attorney's fees, of the party seeking the discovery. The court from which a subpoena was issued may impose upon a party or attorney in breach of the duty imposed by division (C)(1) of this rule an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fees.

******RETURN OF SERVICE ******

I received this subpoena on 1/10/12, and served the party named
on the reverse hereof by hand delivery to residence on 1/10/12
I was unable to complete service for the following reason: _____



(Signature of Serving Party)

Circle One: Deputy Sheriff

Process Server

Other

Attorney

Deputy Clerk

QUINN M SCHMALZGE

0085638

IN THE SUPREME COURT OF OHIO

CHARLES E. WILSON, <i>et al.</i>	:	
	:	Original Action
Relators,	:	
	:	
vs.	:	
	:	Case No. 2012-0019
GOVERNOR JOHN KASICH, in his	:	
capacity as a Member of the Ohio	:	
Apportionment Board, <i>et al.</i>	:	
	:	
Respondents.	:	

CIVIL SUBPOENA DUCES TECUM

TO: Jim Slagle, Manager
Ohio Campaign for Accountable Redistricting
85 East Gay Street, Suite 713
Columbus, Ohio 43215

Pursuant to Rule 45 of the Ohio Rules of Civil Procedure, you are hereby commanded to:

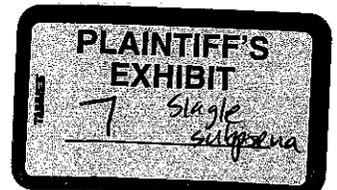
_____ Attend and give testimony at DEPOSITION on _____, **January __, 2012** at ___:___ **a.m./p.m.**, at 6400 Riverside Drive, Suite D, Dublin, Ohio 43017 and to remain at such location until released from this subpoena.

X Produce and permit inspection and copying of documents or electronically stored information responsive to the matters referenced in the attached *Exhibit A* that are in your possession, custody or control by **Tuesday, January 17, 2012 at 9:00 a.m.**, at 6400 Riverside Drive, Suite D, Dublin, Ohio 43017. The documents to produce are described in the attached *Exhibit A*, and should be in electronic format to the extent possible.

January 13, 2012



 Lloyd Pierre-Louis (Bar # 0068086)
 Wesp/Barwell/Pierre-Louis Co., LLC
 6400 Riverside Drive, Suite D
 Dublin, OH 43017
 Phone: (614) 341-7576 ext. 4
 Fax: (614) 388-5693
lpl@wesplaw.com



and

Dennis E. Murray, Jr. (Bar # 0038509)
Murray & Murray Co., L.P.A.
111 East Shoreline Drive
Sandusky, OH 44870-2517
Phone: (419) 624-3000
Fax: (419) 624-0707
DMJ@murrayandmurray.com

Attorneys for Relators

****Your attendance at the deposition is for the date and time specified above unless contacted otherwise by Relators' counsel.**

**NOTE: READ ALL INFORMATION BELOW
CONCERNING THIS SUBPOENA**

Supreme Court Case No. 2012-0019

Civ. R. 45(C) Protection of persons subject to subpoenas

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena.
- (2)(a) A person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule need not appear in person at the place of production or inspection unless commanded to attend and give testimony at a deposition, hearing, or trial.
- (b) Subject to division (D)(2) of this rule, a person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule may, within fourteen days after service of the subpoena or before the time specified for compliance if such time is less than fourteen days after service, serve upon the party or attorney designated in the subpoena written objections to production. If objection is made, the party serving the subpoena shall not be entitled to production except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena, upon notice to the person commanded to produce, may move at any time for an order to compel the production. An order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the production commanded.
- (3) On timely motion, the court from which the subpoena was issued shall quash or modify the subpoena, or order appearance or production only under specified conditions, if the subpoena does any of the following:
 - (a) Fails to allow reasonable time to comply;
 - (b) Requires disclosure of privileged or otherwise protected matter and no exception or waiver applies;
 - (c) Requires disclosure of a fact known or opinion held by an expert not retained or specially employed by any party in anticipation of litigation or preparation for trial as described by Civ.R.26(B)(4), if the fact or opinion does not describe specific events or occurrences in dispute and results from study by that expert that was not made at the request of any party;
 - (d) Subjects a person to undue burden.
- (4) Before filing a motion pursuant to division (C)(3)(d) of this rule, a person resisting discovery under this rule shall attempt to resolve any claim of undue burden through discussions with the issuing attorney. A motion filed pursuant to division (C)(3)(d) of this rule shall be supported by an affidavit of the subpoenaed person or a certificate of that person's attorney of the efforts made to resolve any claim of undue burden.
- (5) If a motion is made under division (C)(3)(c) or (C)(3)(d) of this rule, the court shall quash or modify the subpoena unless the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated.

Civ.R. 45(D) Duties in responding to subpoena

(1) A person responding to a subpoena to produce documents shall, at the person's option, produce them as they are kept in the usual course of business or organized and labeled to correspond with the categories in the subpoena. A person producing documents pursuant to a subpoena for them shall permit their inspection and copying by all parties present at the time and place set in the subpoena for inspection and copying.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials under Civ.R.26(B)(3) or (4), the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

Civ.R. 45(E) Sanctions

Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. A subpoenaed person or that person's attorney who frivolously resists discovery under this rule may be required by the court to pay the reasonable expenses, including reasonable attorney's fees, of the party seeking the discovery. The court from which a subpoena was issued may impose upon a party or attorney in breach of the duty imposed by division (C)(1) of this rule an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fees.

******RETURN OF SERVICE ******

I received this subpoena on January 13, 2012, and served the party named
on the reverse hereof by overnight express mail, return receipt on January 14, 2012
I was unable to complete service for the following reason: attached



(Signature of Serving Party)

Circle One: Deputy Sheriff

Process Server

Other _____

Attorney

Deputy Clerk

0008086

SUBPOENA *DUCES TECUM* EXHIBIT A

Produce a copy of all documents that were sent to you in response to the public records requests you issued to the Ohio Apportionment Board Members and their staff member(s) in relation to the reapportionment and redistricting of Ohio for 2011 as well as records you reviewed in preparation for your testimony before the Ohio Apportionment Board.



Date: 01/15/2012

LLOYD PIERRE-LOUIS:

The following is in response to your 01/15/2012 request for delivery information on your Express Mail(R) item number EG86 4778 188U S. The delivery record shows that this item was delivered on 01/14/2012 at 11:52 AM in MARION, OH 43302 to J SLAGLE. The scanned image of the recipient information is provided below.

Signature of Recipient:

Delivery Record	
Signature	
Name	J. Slagle

Address of Recipient:

Address	523 King Ave Marion, OH 43302
---------	-------------------------------

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service

IN THE SUPREME COURT OF OHIO

CHARLES E. WILSON, <i>et al.</i>	:	
	:	Original Action
Relators,	:	
	:	
vs.	:	
	:	Case No. 2012-0019
GOVERNOR JOHN KASICH, in his	:	
capacity as a Member of the Ohio	:	
Apportionment Board, <i>et al.</i>	:	
	:	
Respondents.	:	

CIVIL SUBPOENA *DUCES TECUM*

TO: Michael Lenzo, Majority Caucus Counsel
Ohio House of Representatives,
77 South High Street, 14th Floor
Columbus, Ohio 43215

Pursuant to Rule 45 of the Ohio Rules of Civil Procedure, you are hereby commanded to:

_____ Attend and give testimony at DEPOSITION on _____, **January __, 2012** at __:__ **a.m./p.m.**, at 6400 Riverside Drive, Suite D, Dublin, Ohio 43017 and to remain at such location until released from this subpoena.

X Produce and permit inspection and copying of documents or electronically stored information responsive to the matters referenced in the attached *Exhibit A* that are in your possession, custody or control by **Thursday, January 12, 2012 at 9:00 a.m.**, at 6400 Riverside Drive, Suite D, Dublin, Ohio 43017. The documents to produce are described in the attached *Exhibit A*, and should be in electronic format to the extent possible.

January 11, 2012



 Lloyd Pierre-Louis (Bar # 0068086)
 Wesp/Barwell/Pierre-Louis Co., LLC
 6400 Riverside Drive, Suite D
 Dublin, OH 43017
 Phone: (614) 341-7576 ext. 4
 Fax: (614) 388-5693
lpl@wesplaw.com



and
Dennis E. Murray, Jr. (Bar # 0038509)
Murray & Murray Co., L.P.A.
111 East Shoreline Drive
Sandusky, OH 44870-2517
Phone: (419) 624-3000
Fax: (419) 624-0707
DMJ@murrayandmurray.com

Attorneys for Relators

****Your attendance at the deposition is for the date and time specified above unless contacted otherwise by Relators' counsel.**

**NOTE: READ ALL INFORMATION BELOW
CONCERNING THIS SUBPOENA**

Supreme Court Case No. 2012-0019

Civ. R. 45(C) Protection of persons subject to subpoenas

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena.
- (2)(a) A person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule need not appear in person at the place of production or inspection unless commanded to attend and give testimony at a deposition, hearing, or trial.
- (b) Subject to division (D)(2) of this rule, a person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule may, within fourteen days after service of the subpoena or before the time specified for compliance if such time is less than fourteen days after service, serve upon the party or attorney designated in the subpoena written objections to production. If objection is made, the party serving the subpoena shall not be entitled to production except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena, upon notice to the person commanded to produce, may move at any time for an order to compel the production. An order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the production commanded.
- (3) On timely motion, the court from which the subpoena was issued shall quash or modify the subpoena, or order appearance or production only under specified conditions, if the subpoena does any of the following:
- (a) Fails to allow reasonable time to comply;
 - (b) Requires disclosure of privileged or otherwise protected matter and no exception or waiver applies;
 - (c) Requires disclosure of a fact known or opinion held by an expert not retained or specially employed by any party in anticipation of litigation or preparation for trial as described by Civ.R.26(B)(4), if the fact or opinion does not describe specific events or occurrences in dispute and results from study by that expert that was not made at the request of any party;
 - (d) Subjects a person to undue burden.
- (4) Before filing a motion pursuant to division (C)(3)(d) of this rule, a person resisting discovery under this rule shall attempt to resolve any claim of undue burden through discussions with the issuing attorney. A motion filed pursuant to division (C)(3)(d) of this rule shall be supported by an affidavit of the subpoenaed person or a certificate of that person's attorney of the efforts made to resolve any claim of undue burden.
- (5) If a motion is made under division (C)(3)(c) or (C)(3)(d) of this rule, the court shall quash or modify the subpoena unless the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated.

Civ.R. 45(D) Duties in responding to subpoena

(1) A person responding to a subpoena to produce documents shall, at the person's option, produce them as they are kept in the usual course of business or organized and labeled to correspond with the categories in the subpoena. A person producing documents pursuant to a subpoena for them shall permit their inspection and copying by all parties present at the time and place set in the subpoena for inspection and copying.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials under Civ.R.26(B)(3) or (4), the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

Civ.R. 45(E) Sanctions

Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. A subpoenaed person or that person's attorney who frivolously resists discovery under this rule may be required by the court to pay the reasonable expenses, including reasonable attorney's fees, of the party seeking the discovery. The court from which a subpoena was issued may impose upon a party or attorney in breach of the duty imposed by division (C)(1) of this rule an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fees.

******RETURN OF SERVICE ******

I received this subpoena on 1/11/12, and served the party named on the reverse hereof by hand delivery on 1/11/12
I was unable to complete service for the following reason: _____

[Signature]
(Signature of Serving Party)
Circle One: Deputy Sheriff Attorney
Process Server Deputy Clerk
Other _____

Lloyd Pierre-Louis
0068086

SUBPOENA *DUCES TECUM* EXHIBIT A

Produce an unredacted copy of all documents that were responsive to the October 7, 2011 public records requests received from Jim Slagle and that you withheld as described in your letters dated November 21, 2011 (Exhibit A-1 attached hereto) and December 20, 2011 (Exhibit A-2 attached hereto).

Ohio House of Representatives



November 21, 2011

Jim Slagle
Ohio Campaign for Accountable Redistricting
85 East Gay Street, #713
Columbus, Ohio 43215

Dear Mr. Slagle:

Recently you had made a public records request to Ray DiRossi and Heather Mann, Joint Secretaries to the Ohio Apportionment Board and contractors for the Legislative Task Force on Redistricting, Reapportionment, and Demographic Research, for records related to redistricting and reapportionment. Specifically, you had asked for:

- Transcript of the September 30, 2011 Apportionment Board meeting.
- All written communication with members of the Apportionment Board or their staff relevant to redistricting or reapportionment during the period between July 1, 2011 and October 5, 2011.
- All written communication with members of the Ohio legislature or their staff relevant to redistricting or reapportionment during the period between July 1, 2011 and October 5, 2011.
- All documentation of comments, suggestions, request for changes, or other input on proposed legislative districts, draft redistricting maps, or final maps, other than what was provided during public hearings or meetings.
- News release issued by Rep. Williams on or about September 28 or 29, 2011 regarding the proposed changes to Senate Districts 21 and 25, as well as any other documentation of communication with or from Rep. Williams, her staff, Ray Miller, or representatives of the NAACP which pertained to redistricting.
- Copies of all draft maps and redistricting or reapportionment plans, whether for the entire state, portions of the state, or individual districts, which were prepared by you or others.
- All documentation pertaining to the dissemination of draft maps or plans and all documentation regarding any responses to the draft maps or plans.

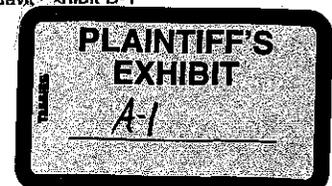
As discussed during our phone conversation on the afternoon of November 21, 2011, the first installment of records is being released to you. The responsive records are voluminous and will need further time to be reviewed.

→ Pursuant to Revised Code Section 149.43(A)(1)(v), documents protected by common law attorney-client privilege and legislative legal counsel privilege under Revised Code Section 101.301(B) have been withheld.

Ohio House of Representatives 77 South High Street, 12th Floor Columbus, OH 43215 6111
Office (614) 466-3716
mike.lenzo@ohio.state.gov

39

McDonald Affidavit Exhibit B-1



If you have any further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Michael Lenzo".

Michael Lenzo
House Republican Legal Counsel

Ohio House of Representatives



December 20, 2011

Jim Slagle
Ohio Campaign for Accountable Redistricting
85 East Gay Street, #713
Columbus, Ohio 43215

Dear Mr. Slagle:

Recently you had made a public records request to Mike Dittoe, Majority Caucus Director of Communications for the Ohio House of Representatives, for records related to redistricting and reapportionment. Specifically, you had asked for:

- All written communication with members of the Apportionment Board or their staffs (including the Joint Secretaries) relevant to redistricting or reapportionment during the period between July 1, 2011 and October 5, 2011.
- All written communication with members of the Ohio legislature or their staff relevant to redistricting or reapportionment during the period between July 1, 2011 and October 5, 2011.
- All documentation related to the release of redistricting or reapportionment maps or plans to selected representatives of the media prior to said maps or plans being publicly released.

Provided with this letter are records responsive to your request and a DVD of the larger email attachments.

Pursuant to Revised Code Sections 149.43(A)(1)(v), 101.301(B), and 149.433, documents protected by common law attorney-client privilege, legislative legal counsel privilege, and infrastructure records have been withheld or redacted.

If you have any further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Michael Lenzo".

Michael Lenzo
House Republican Legal Counsel



IN THE SUPREME COURT OF OHIO

CHARLES E. WILSON, <i>et al.</i>	:	
	:	Original Action
Relators,	:	
	:	
vs.	:	
	:	Case No. 2012-0019
GOVERNOR JOHN KASICH, in his	:	
capacity as a Member of the Ohio	:	
Apportionment Board, <i>et al.</i>	:	
	:	
Respondents.	:	

CIVIL SUBPOENA *DUCES TECUM*

TO: Michael Lenzo, Majority Caucus Counsel
Ohio House of Representatives
77 South High Street, 14th Floor
Columbus, Ohio 43215

Pursuant to Rule 45 of the Ohio Rules of Civil Procedure, you are hereby commanded to:

_____ Attend and give testimony at DEPOSITION on _____, **January __, 2012** at __:__ **a.m./p.m.**, at 6400 Riverside Drive, Suite D, Dublin, Ohio 43017 and to remain at such location until released from this subpoena.

X Produce and permit inspection and copying of documents or electronically stored information responsive to the matters referenced in the attached *Exhibit A* that are in your possession, custody or control by **Tuesday, January 17, 2012 at 3:00 p.m.**, at 6400 Riverside Drive, Suite D, Dublin, Ohio 43017. The documents to produce are described in the attached *Exhibit A*, and should be in electronic format to the extent possible.

January 16, 2012



 Lloyd Pierre-Louis (Bar # 0068086)
 Wesp/Barwell/Pierre-Louis Co., LLC
 6400 Riverside Drive, Suite D
 Dublin, OH 43017
 Phone: (614) 341-7576 ext. 4
 Fax: (614) 388-5693
lpl@wesplaw.com



and

Dennis E. Murray, Jr. (Bar # 0038509)
Murray & Murray Co., L.P.A.
111 East Shoreline Drive
Sandusky, OH 44870-2517
Phone: (419) 624-3000
Fax: (419) 624-0707
DMJ@murrayandmurray.com

Attorneys for Relators

****Your attendance at the deposition is for the date and time specified above unless contacted otherwise by Relators' counsel.**

**NOTE: READ ALL INFORMATION BELOW
CONCERNING THIS SUBPOENA**

Supreme Court Case No. 2012-0019

Civ. R. 45(C) Protection of persons subject to subpoenas

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena.

(2) (a) A person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule need not appear in person at the place of production or inspection unless commanded to attend and give testimony at a deposition, hearing, or trial.

(b) Subject to division (D)(2) of this rule, a person commanded to produce under divisions (A)(1)(b)(ii), (iii), (iv), or (v) of this rule may, within fourteen days after service of the subpoena or before the time specified for compliance if such time is less than fourteen days after service, serve upon the party or attorney designated in the subpoena written objections to production. If objection is made, the party serving the subpoena shall not be entitled to production except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena, upon notice to the person commanded to produce, may move at any time for an order to compel the production. An order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the production commanded.

(3) On timely motion, the court from which the subpoena was issued shall quash or modify the subpoena, or order appearance or production only under specified conditions, if the subpoena does any of the following:

(a) Fails to allow reasonable time to comply;

(b) Requires disclosure of privileged or otherwise protected matter and no exception or waiver applies;

(c) Requires disclosure of a fact known or opinion held by an expert not retained or specially employed by any party in anticipation of litigation or preparation for trial as described by Civ.R. 26(B)(4), if the fact or opinion does not describe specific events or occurrences in dispute and results from study by that expert that was not made at the request of any party;

(d) Subjects a person to undue burden.

(4) Before filing a motion pursuant to division (C)(3)(d) of this rule, a person resisting discovery under this rule shall attempt to resolve any claim of undue burden through discussions with the issuing attorney. A motion filed pursuant to division (C)(3)(d) of this rule shall be supported by an affidavit of the subpoenaed person or a certificate of that person's attorney of the efforts made to resolve any claim of undue burden.

(5) If a motion is made under division (C)(3)(c) or (C)(3)(d) of this rule, the court shall quash or modify the subpoena unless the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated.

(D) Duties in responding to subpoena.

(1) A person responding to a subpoena to produce documents shall, at the person's option, produce them as they are kept in the usual course of business or organized and labeled to correspond with the categories in the subpoena. A person producing documents or electronically stored information pursuant to a subpoena for them shall permit their inspection and copying by all parties present at the time and place set in the subpoena for inspection and copying.

(2) If a request does not specify the form or forms for producing electronically stored information, a person responding to a subpoena may produce the information in a form or forms in which the information is ordinarily maintained if that form is reasonably useable, or in any form that is reasonably useable. Unless ordered by the court or agreed to by the person subpoenaed, a person responding to a subpoena need not produce the same electronically stored information in more than one form.

(3) A person need not provide discovery of electronically stored information when the production imposes undue burden or expense. On motion to compel discovery or for a protective order, the person from whom electronically stored information is sought must show that the information is not reasonably accessible because of undue burden or expense. If a showing of undue burden or expense is made, the court may nonetheless order production of electronically stored information if the requesting party shows good cause. The court shall consider the factors in Civ. R. 26(B)(4) when determining if good cause exists. In ordering production of electronically stored information, the court may specify the format, extent, timing, allocation of expenses and other conditions for the discovery of the electronically stored information.

(4) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

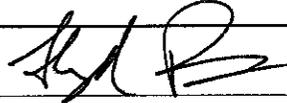
(5) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a receiving party must promptly return, sequester, or destroy the specified information and any copies within the party's possession, custody or control. A party may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim of privilege or of protection as trial-preparation material. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

Civ.R. 45(E) Sanctions

Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. A subpoenaed person or that person's attorney who frivolously resists discovery under this rule may be required by the court to pay the reasonable expenses, including reasonable attorney's fees, of the party seeking the discovery. The court from which a subpoena was issued may impose upon a party or attorney in breach of the duty imposed by division (C)(1) of this rule an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fees.

******RETURN OF SERVICE ******

I received this subpoena on 1/16/12, and served the party named
on the reverse hereof by personal residence w/copy to e-mail on 1/17/12
I was unable to complete service for the following reason: _____



(Signature of Serving Party)
Circle One: Deputy Sheriff
Process Server
Other _____

Attorney
Deputy Clerk

0068086

SUBPOENA *DUCES TECUM* EXHIBIT A

Produce an unredacted copy of all documents that were responsive to the October 7, 2011 public records requests received from Jim Slagle and that you withheld as described in your letters dated November 21, 2011 (Exhibit A-1 attached hereto) and December 20, 2011 (Exhibit A-2 attached hereto).

Ohio House of Representatives



2

3

November 21, 2011

Jim Slagle
Ohio Campaign for Accountable Redistricting
85 East Gay Street, #713
Columbus, Ohio 43215

Dear Mr. Slagle:

Recently you had made a public records request to Ray DiRossi and Heather Mann, Joint Secretaries to the Ohio Apportionment Board and contractors for the Legislative Task Force on Redistricting, Reapportionment, and Demographic Research, for records related to redistricting and reapportionment. Specifically, you had asked for:

- Transcript of the September 30, 2011 Apportionment Board meeting.
- All written communication with members of the Apportionment Board or their staff relevant to redistricting or reapportionment during the period between July 1, 2011 and October 5, 2011.
- All written communication with members of the Ohio legislature or their staff relevant to redistricting or reapportionment during the period between July 1, 2011 and October 5, 2011.
- All documentation of comments, suggestions, request for changes, or other input on proposed legislative districts, draft redistricting maps, or final maps, other than what was provided during public hearings or meetings.
- News release issued by Rep. Williams on or about September 28 or 29, 2011 regarding the proposed changes to Senate Districts 21 and 25, as well as any other documentation of communication with or from Rep. Williams, her staff, Ray Miller, or representatives of the NAACP which pertained to redistricting.
- Copies of all draft maps and redistricting or reapportionment plans, whether for the entire state, portions of the state, or individual districts, which were prepared by you or others.
- All documentation pertaining to the dissemination of draft maps or plans and all documentation regarding any responses to the draft maps or plans.

As discussed during our phone conversation on the afternoon of November 21, 2011, the first installment of records is being released to you. The responsive records are voluminous and will need further time to be reviewed.

→ Pursuant to Revised Code Section 149.43(A)(1)(v), documents protected by common law attorney-client privilege and legislative legal counsel privilege under Revised Code Section 101.301(B) have been withheld.

Ohio House of Representatives 77 South High Street, 14th Floor Columbus, OH 43215 6111
Office (614) 466-3716
mike.tenno@ohio.state.gov

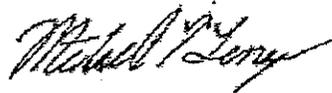
39

McDonald Affidavit Exhibit B-1



If you have any further questions, please do not hesitate to contact me.

Sincerely,



Michael Lenzo
House Republican Legal Counsel

Ohio House of Representatives



December 20, 2011

Jim Slagle
Ohio Campaign for Accountable Redistricting
85 East Gay Street, #713
Columbus, Ohio 43215

Dear Mr. Slagle:

Recently you had made a public records request to Mike Dittoe, Majority Caucus Director of Communications for the Ohio House of Representatives, for records related to redistricting and reapportionment. Specifically, you had asked for:

- All written communication with members of the Apportionment Board or their staffs (including the Joint Secretaries) relevant to redistricting or reapportionment during the period between July 1, 2011 and October 5, 2011.
- All written communication with members of the Ohio legislature or their staff relevant to redistricting or reapportionment during the period between July 1, 2011 and October 5, 2011.
- All documentation related to the release of redistricting or reapportionment maps or plans to selected representatives of the media prior to said maps or plans being publicly released.

Provided with this letter are records responsive to your request and a DVD of the larger email attachments.

Pursuant to Revised Code Sections 149.43(A)(1)(v), 101.301(B), and 149.433, documents protected by common law attorney-client privilege, legislative legal counsel privilege, and infrastructure records have been withheld or redacted.

If you have any further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Michael Lenzo".

Michael Lenzo
House Republican Legal Counsel

Ohio House of Representatives • 77 South High Street, 14th Floor • Columbus, OH 43215-6111
Office: (614) 466-3716
mike.lenzo@ohio.state.oh.us

