

January 23, 2012

BY HAND DELIVERY AND E-MAIL

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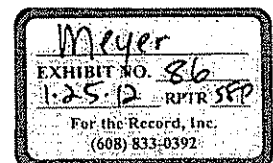
Baldus et al. v. Brennan et al.
Milwaukee County Circuit Court
Case No. 11-CV-562

Counsel:

We write as a follow up to our discussions last Wednesday, January 18th, during a break in the deposition of Dr. Morrison, and to the stipulation that we subsequently reached and submitted to the Court regarding the production of documents and materials by the defendants. Specifically, we have agreed to make a preliminary attempt to narrow and focus the scope of documents and information sought in Plaintiffs' Second Set of Interrogatories and Second Request for Production of Documents that were the subject of defendants' motion for protective order, now withdrawn pursuant to the stipulation.

We provide the following initial descriptions of documents and information that we are seeking:

- 1) Any documents, communications or data regarding the Government Accountability Board's ("GAB") projection for the timing or substance of a final resolution of the "anomalies" identified in the November 10, 2011 and January 13, 2012 memoranda.
- 2) Estimates of the number of people affected or potentially affected by the misalignment of municipal boundaries and legislative or congressional districts, including all



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communications to or from GAB regarding this misalignment of municipal boundaries and legislative or congressional districts.

3) Communications between GAB and anyone else regarding the causes and effects of the misalignments in the case of legislative or congressional districts.

4) Any materials related to estimates or discussions of the total population of the areas affected by the misalignment of municipal boundaries and legislative and congressional districts and the effects this has or may have on the respective population of affected or potentially affected legislative and congressional districts.

5) Materials regarding any registered voters whose geolocation in the SVRS places or may place them in a different district than the district established for them on the face of Acts 43 and/or 44.

6) The degree to which there has been discussion with anyone about "corrective" legislation.

7) Any communications with any legal counsel (other than GAB's own counsel, the Department of Justice and Reinhart Boerner Van Duren) about the issues identified in the November 10 and January 13 memoranda.

As a further means by which plaintiffs are willing to narrow and focus their discovery requests, we do not request information related solely to any jurisdiction (ward, school district, aldermanic districts) that is not a legislative or congressional district, except to the extent they affect legislative or congressional districts.

These requests also extend to documents and information in the possession, custody, or control of the Legislative Technology Services Bureau ("LTSB"). If you are not able to produce materials from LTSB, please let us know so that we can issue a deposition subpoena for LTSB to cover these materials.

Finally, it is our understanding that defendants will produce a witness for deposition this Wednesday, January 25th, at 9 a.m. at the offices of Reinhart Boerner Van Duren in Madison. The purpose of the deposition is to further attempt to focus and narrow plaintiffs' discovery requests by gathering information about the materials in GAB's possession, custody, or control relating to the issues discussed in the November 10 and January 13 memoranda. Given the nature of the deposition, we have prepared and served with this letter a notice of deposition but not a formal subpoena. If you would prefer that we serve a subpoena, please let us know and we will do so.

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GODFREY & KAHN, S.C.



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Encl.

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