

STATE OF NORTH CAROLINA

COUNTY OF WAKE

NORTH CAROLINA LEAGUE OF
CONSERVATION VOTERS, et al.,

Plaintiffs,

and

COMMON CAUSE,
Plaintiff-Intervenor,

vs.

REPRESENTATIVE DESTIN HALL, in his
official capacity as Chair of the House Standing
Committee on Redistricting, et al.,

Defendants.

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
21 CVS 015426

FILED
2022 MAY 12 PM 3:40
WAKE CO., C.S.C.
BY SCJ

STATE OF NORTH CAROLINA

COUNTY OF WAKE

REBECCA HARPER, et al.,
Plaintiffs,

vs.

REPRESENTATIVE DESTIN HALL, in his
official capacity as Chair of the House
Standing Committee on Redistricting, et al.,

Defendants.

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
21 CVS 500085

**NOTICE OF THE COURT'S INTENT TO ASSESS COSTS RELATING TO THE
SERVICES OF THE COURT-APPOINTED SPECIAL MASTERS**

Pursuant to the undersigned three-judge panel's prior Order Appointing Special Masters,
entered February 16, 2022, the Court notifies the parties that it intends to enter an Order

allocating amongst the parties the reasonable costs and expenses of the Special Masters, including the Special Masters and the Special Masters' assistants and advisors. These costs and expenses are reflected in the invoices in Attachment One. The Court invites comments from the parties as to the allocation of the costs and expenses. The parties shall have thirty (30) days from the entry of this notice within which to file their comments. The parties shall forward filed copies of the comments to Rachel Posey at rachel.g.posey@nccourts.org.

This 12th day of May, 2022.


A. Graham Shirley, Superior Court Judge


Nathaniel J. Poovey, Superior Court Judge


Dawn M. Layton, Superior Court Judge

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served on the persons indicated below via electronic transmission by e-mail addressed as follows:

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Counsel for State Board Defendants

Service is made upon local counsel for all attorneys who have been granted pro hac vice admission, with the same effect as if personally made on a foreign attorney within this state.

This the 12th day of May 2022.



Kellie Z. Myers
Court Administrator - 10th Judicial District
Kellie.Z.Myers@nccourts.org

ATTACHMENT ONE

Special Master and Assistant Expenses

<u>Hours</u>	<u>Rate/hr</u>	<u>Final Invoice Amount</u>	<u>Other Expenses (Travel, Lodging, and Food)</u>
<u>Special Masters</u>			
Robert F. Orr	43.25 \$	690.00 \$	29,842.50
Robert H. Edmunds, Jr.	61.9 \$	690.00 \$	42,711.00 \$ 323.68
Thomas Ross	59.5 \$	690.00 \$	41,055.00 \$ 859.64
<u>Assistants</u>			
Dr. Bernard N. Groffman	61.5 \$	450.00 \$	27,675.00
Zachary R. Griggy	22 \$	75.00 \$	1,650.00
Dr. Tyler Jarvis	46.5 \$	450.00 \$	20,925.00
Dr. Jarvis' Research			
Assistants	73.25 \$	75.00 \$	5,493.75
Dr. Jarvis' Supercomputer	56 \$	0.72 \$	40.32
Dr. Samuel Wang	27.75 \$	450.00 \$	12,487.50
Dr. Eric McGhee	26.83 \$	450.00 \$	12,075.00
Total		\$	193,955.07 \$ 1,183.32
Final Total			\$ 195,138.39

Hours worked as court-appointed special master on the cases of North Carolina League of Conservation Voters, Inc. *et al.*, v. Representative Dustin Hall, *et al.*, 21 CVS 015426, and Rebecca Harper, *et al.*, v. Representative Dustin Hall, *et al.*, 21 CVS 500085

- February 16, 2022: Discussions with special master Robert Orr and Judge Shirley regarding appointment. Research and print out pertinent redistricting cases, review and respond to draft of appointment order, review special master Tom Ross's response to draft appointment order, review final court order, conference call with special masters Orr and Ross. 2.9 hours
- February 17, 2022: Read and annotate opinion of Supreme Court of North Carolina in *Harper v. Hall*, 413 PA 21 (Feb. 14, 2022) and the earlier Order issued by Supreme Court of North Carolina on February 4, 2022. Conference call with special masters Orr and Ross. 3.9 hours
- February 18, 2022: Continue to read and annotate opinion of Supreme Court of North Carolina in *Harper v. Hall*, print out and read and annotate pertinent prior redistricting opinions of the Supreme Court of North Carolina, discussion with special master Tom Ross, conference call with special masters Ross and Orr, download materials submitted by parties, print out pertinent materials submitted by parties, complete and submit to Administrative Office of Courts form for computer use. 6.2 hours
- February 19, 2022: Print out, read, and annotate additional materials submitted by the parties. Conference call with special masters Orr and Ross. 8.5 hours
- February 20, 2022: Continue reading and annotating materials, print out and work on material submitted by the parties today, prepare notes for work with special masters Orr and Ross, drive to Cary, meeting with special masters Ross and Orr, return to Greensboro. 7.1 hours, 140 miles.
- February 21, 2022: Drive to Administrative Office of the Courts in Raleigh, meet with special masters Orr and Ross, meet with AOC staff, confer, review materials submitted by the parties and various experts and specialists, review map proposals, discussions with other special masters, work on draft report, discuss materials submitted by parties, return to Greensboro, download, print, and read materials submitted by the parties during the day. 15.9 hours, 146 miles
- February 22, 2022: Drive to AOC in Raleigh, meet with other masters, review and discuss materials most recently submitted by the parties, work on report, consult with experts engaged by the special masters, consult

with the judicial panel, edit drafts of report, return to Greensboro. 13.3 hours, 146 miles

February 23, 2022: Drive to Raleigh, meet with special masters Orr and Ross, final review and editing of report, conference call with judicial panel, signing and submitting of report, return to Greensboro. 4.1 hours, 146 miles.

Total hours: 61.9

Total miles (expenses): 578 miles

Robert H. Edmunds, Jr.

Robert H. Edmunds, Jr.

March 2, 2022

Date

Biographical information

- 1971: BA from Vassar College, with honors
- 1975: JD from University of North Carolina School of Law, Chapel Hill, NC
- 1975-77: United States Navy
- 1978-1982: Assistant District Attorney, Guilford County
- 1982-1986: Assistant United States Attorney, Middle District of North Carolina
- 1986-1993: United States Attorney, Middle District of North Carolina
- 1993-1998: Partner, Stern & Klepfer, LLP, Greensboro, North Carolina. Board certified specialist in state and federal criminal law; board certified specialist in appellate practice.
- 1999-2001: Judge, North Carolina Court of Appeals
- 2001-2016: Associate Justice, Supreme Court of North Carolina
- 2004: LLM (Masters in Judicial Studies), University of Virginia School of Law
- 2017-present: Of counsel with Smith Moore Leatherwood, which has merged with Fox Rothschild, LLP
- Current legal activities: President of the Appellate Judges Education Institute, Member and former Chair of American Bar Association's Appellate Judges Conference, Chair of North Carolina Bar Association's Judicial Independence and Integrity Committee, Education Committee of National Judicial College.

Robert F. Orr
Attorney at Law
PLLC

INVOICE
 #202296

BILLING DATE
 04/18/22

3434 Edwards Mill Rd.
 Suite 112-372
 Raleigh NC 27612
 919-608-5335
 orr@rforrlaw.com

Judge Graham Shirley
 Wake County Courthouse
 PO Box 352
 Raleigh NC 276902

Hours: February 16, 2022 through February 23, 2022
 North Carolina Redistricting

DATE	BY	SERVICE SUMMARY	HRS	RATE	AMOUNT
02/16/22	RFO	Calls and Emails w/ Judge Shirley; Review of proposed order; Calls w/ Bob Edmunds (BE) and Tom Ross (TR); Read material	3.25		
02/17/22	RFO	Meeting w/ Judge Shirley and support staff; Call w/ BE and TR; Research and reading	2.25		
02/18/22	RFO	Telephone conference w/ BE and TR; Emails; Begin reviewing the files and material	4.75		
02/19/22	RFO	Call w/ BE and TR; Continue reading documents and research	6.25		
02/20/22	RFO	Continue reading materials; Meeting w/ BE and TR; Call w/ Judge Shirley	6		
02/21/22	RFO	Meeting w/ BE and TR and staff to review the Experts' reports	8.5		
02/21/22	RFO	Prepare for redrawing of congressional map	1.25		
02/22/22	RFO	Work on redrawing congressional map w/ expert and with BE and TR	9.5		
02/23/22	RFO	Review draft Report; Meet w/ 3 judge panel and staff to discuss the Report	1.5		
Total			43.25		
Robert F. Orr - Attorney at Law PLLC INVOICE #202296					

Thomas Ross Time Sheet - Special Master Activity 2022

Date	Hours	Activities
2/16/2022	0.5	Conversation with Justice Orr
2/16/2022	0.5	Research potential experts to assist in analysis
2/16/2022	6	Read NC Supreme Court 2 4 2022 order and 2 15 2022 and review of Stevenson I and Stevenson II opinions
2/16/2022	0.5	Review draft and final order appointing the special master
2/16/2022	0.25	Review and respond to email from Adam Steele
2/16/2022	0.5	Conversation with Justices Orr and Edmunds
2/17/2022	7.5	Prepare and send emails to potential experts; further research on potential experts; Conversations with two potential experts; send materials to potential experts; review of court filings and expert reports;
2/17/2022	0.5	Conversation with Justices Orr and Edmunds
2/18/2022	1	Conversation with Potential expert, emails to potential experts
2/18/2022	0.5	Conversation with Justice Orr and separate call with Edmunds
2/18/2022	1.5	Call with two potential advisors and email sending materials to them and Adam
2/18/2022	0.5	Make hotel reservations and other travel arrangements
2/18/2022	0.25	Email to Advisor Grofman
2/18/2022	0.25	Find and send Advisor CVs to Adam and the Justices
2/18/2022	0.25	Complete IT form, scan and email it to Adam
2/18/2022	0.5	Conversation with Justices Orr and Edmunds; emails
2/19/2022	1.5	Correspondence with advisors; download and begin review of submissions
2/19/2022	1	Review of submissions of the parties
2/19/2022	0.5	Conversation with Justices Orr and Edmunds
2/20/2022	2	Draft Letter of Engagement for Advisors; emails; conversation with Advisor
2/20/2022	1	Review of McGhee Metric memo and Congressional Map Memo; Review of suggestions to Advisor Engagement Letter and email.
2/20/2022	0.75	Prepare and send letters of engagement to each Advisor
2/20/2022	3	Drive from Davidson to Raleigh
2/20/2022	0.25	read and respond to emails
2/20/2022	2	Dinner Conversation with Justices Orr and Edmunds
2/21/2022	8.5	Review of Expert reports, reports of Advisor, discussions with Justices Orr and Edmunds;

	Review of metrics; discussion related to constitutionality of three submitted remedial plans; Meeting with trial judges to discuss preliminary conclusion; emails with Advisors; read additional submissions; review additional reports from Advisors; Discussions with several Advisor; discuss conclusions with Justices Orr and Edmunds
2/22/2022	9.5 Review initial template map provided by Advisor Grofman; become familiar with Dave's resistricting software; print Advisor reports and other submissions for Justices Orr and Edmunds; Discuss alternative maps with Justices Orr and Edmunds; Provide instructions to Advisor Grofman to produce three additional maps; Review three maps with Grofman and Justices Orr and Edmunds; discard two maps and instruct Advisor Grofman of modifications requested in third map; Review third map and discuss it with Justices Orr and Edmunds; Reach conclusion to recommend the third map and instruct Advisor Grofman to even out population numbers in each district and conduct efficiency gap, mean/median difference, and partisan symmetry analysis; Edit and re-write portions of Special Master's report; Meet with Judges to discuss map selected by Special Masters; Review and discuss emails from Advisors to party experts; Obtain emails from Advisors;
2/23/2022	2 Review and edit Special Master's report; incorporate edits to the report from Justices Orr and Edmunds; Finalize, print, sign final report of the Special Masters; Meet with Trial Judges to discuss the Special Master's report, questions regarding confidentiality while the case is pending; Email to Advisors re: confidentiality; Discussion with trial judges changes to map as a result of equalizing the population in each district.
2/23/2022	3 Drive from Raleigh to Davidson;
2/23/2022	0.5 Review of Final Court Order
2/23/2022	1 Review all emails, organize documents and correspondence for retention; conversations with Adam Steele re: Stat Pack; conversation with Dr. Grofman re: block data
2/24/2022	1.5 Emails to Advisors, Judicial Fellow; Review of court order; organize documents and correspondence for retention
2/28/2022	0.5 Prepare expense report and finalize time sheet
Total Hours	59.5

Thomas Ross Expenses

Date	Expense	Amount
2/20/2022	Dinner for Orr, Edmunds and Ross - Bonefish Grill	\$174.48
2/21/2022	Lunch for Orr, Edmunds, Ross and Steele - Lady Justice Café	\$57.20
2/21/2022	Dinner for Ross - Backyard Bistro (lost receipt) Same salad as 2/22	\$27.73
2/22/2022	Lunch for Ross (no receipt)	\$7.25
2/22/2022	Dinner for Ross - Backyard Bistro	\$27.73
2/23/2022	Lunch for Ross - Cook Out	\$6.80
2/20/2022-2/22/2022	Hotel for Ross - Four Points Sheraton - 3 nights	\$351.81
2/20/2022-2/23/2022	Mieage to and from Davidson and local to and from Justice Center, etc. 369 miles X .56	\$206.64
	Total Expenses	\$859.64

Dr. Grofman Invoice

date	hours	time	work
18-Feb	11	9am-1pm; 4pm-8pm, 9pm-midnight	careful reading of the Harper v. Hall Supreme Court opinion and legal briefs, instructions to research assistant to prepare information on demography and electoral geography in North Carolina, review past maps to familiarize myself with the geography, including the county clusters, informally work on maps to see the range of possible outcomes; read or skim all the previous expert witness reports, instructions to research assistant to load new proposed maps on DRA; brief examination of whether/how newly proposed maps might be improved
19-Feb	11.25	6.30 am-11.30 am, 12.30pm-6.45 pm	develop chart comparing proposed maps on multiple metrics, begin work on my Report, reread carefully some previous expert witness reports (esp. Duchin, Chen, Magleby), very short phone call to Ross re feasibility of communications with other experts, further instructions to research assistant to examine potential alternative congressional maps, more work on my Report.
20-Feb	13	7am-11.45 am, 1.30pm-7.45pm,9.30pm-11pm	work on my report, give further instructions to my research assistant re replicating charts in Chen and Duchin reports; calls to research assistant re what I thought were needed corrections to Table 1 in my Report but which turned out not to be, further work on my report
21-Feb	7	3.45am-10.45am	work on revisions to my Report
21-Feb	8.5	2.30 pm-8.30 pm, 9.30pm-midnight	call from Tom Ross that starts me working on ideas for revising the submitted congressional map to deal with constitutional issues;development of illustrative plans bg2 and further iterations (bg3, bg4A); instructions to research assistant for further work, resulting in bg4B (and alternative map bg 4C),very partial skim of supplemental materials forwarded by Adam Steele
22-Feb	4.25	6.45am-11am	review of maps, video conference call with special masters and work on alternative maps under their direction, call to my research assistant with instructions from the special masters
22-Feb	3.75	11.30am-12.30pm , 1pm-2.45pm	work with RA on zeroing out process; briefly discuss Lewis Report with special masters; work on SM2 map.

Dr. Grofman Invoice

		review data files;instructions to research assistant, responses to Steele, preparation of SM2 color map and population data; sending of shape files and block equivalency list to Steele in .pdf format; send e-mail to Griggy's instructor to ask that Griggy be given a one day extensions on his paper deadline since he is working to help me meet the NC Court's midnight deadline for preparing map visualizations. Work on issues of local shape files with Griggy and issues of CDP and city splits.
22-Feb	6.45pm-8.05pm; 8.20 pm-8.30 pm 9.30-2.75 9.45pm;11.55pm-12.55am	
23-Feb	1.25 8.30am-9.45pm, 10.20pm-	further work on maps and data file re requests from Steele, instructions to RA re color maps and need to correct corrupt block equivalency file.
TOTAL	61.50 \$450/hour	\$27,675.00

Tyler J. Jarvis, PhD
811 E 2680 N
Provo, UT 84604

25 February 2022

VIA EMAIL
Attn: Adam Steele

Invoice for Work and Expenses

This invoice covers my hours and expenses during the period February 18–22, 2022 for redistricting data analysis and support as an advisor to the North Carolina Special Masters in *Harper v. Hall* and *NCLCV v. Hall*. Four research assistants supported the project, working under my direction.

	Hours	Rate	Total
Tyler Jarvis	46.50	\$450/hr	\$20,925.00
Research assistants	73.25	\$75/hr	\$5,493.75
Supercomputer time	56.00	72¢/hr	\$40.32
Total due			\$26,459.07


Tyler J. Jarvis

INVOICE

Eric McGhee
5807 Morpeth St
Oakland, CA 94618
emcghee73@gmail.com
510.725.8020 c

Date: Feb 24, 2022
Due Date: Mar 24, 2022
Invoice Number: 001

Total Due: \$12,075.00

DATE	DESCRIPTION	CHARGES
Feb. 18-20, 2022	Evaluation of initial remedial maps in <i>NCLCV v Hall and Harper v Hall</i> 26.83 hours @ \$450/hr	\$ 12,075.00

Payment due 30 days from invoice date

Total Due: \$12,075.00

Please include invoice number with payment

INVOICE

Dr. Wang Invoice

NC Harper			
Date	Activity	Start	Hours
18-Feb-2022	Review plans	7:30 PM	3.50
19-Feb-2022	Design analysis	6:00 AM	2.00
19-Feb-2022	Design analysis	8:00 AM	1.50
19-Feb-2022	Perform analysis	10:00 AM	1.00
19-Feb-2022	Perform analysis	11:00 AM	3.00
19-Feb-2022	Perform analysis	2:30 PM	0.75
19-Feb-2022	Perform analysis	4:00 PM	6.00
20-Feb-2022	Perform analysis	10:00 AM	5.00
21-Feb-2022	Prepare report	4:30 AM	5.00
		Total hours	27.75
		rate	\$450 /hr
		Total due	\$12,487.50

TIME SHEET IN HARPER V. HALL FOR ZACHARY R. GRIGGY

zgriggy@uci.edu

Date	Time In	Time out	Hours	Task
2/18/22	1:15 PM	5:00 PM	3:45	Phone call with Dr. Grofman to receive direction; preparing illustrative congressional and legislative district maps
2/18/22	6:30 PM	9:15 PM	2:45	Phone call with Dr. Grofman; inputting proposed plans into DRA mapping software
2/18/22	10:30 PM	12:00 AM	1:30	Inputting plans into DRA, phone call with Dr. Grofman.
2/19/22	10:00 AM	11:30 AM	1:30	Creating table with district statistics
2/19/22	4:30 PM	5:00 PM	0:30	Finalizing tables
2/19/22	5:30 PM	7:45 PM	2:15	Phone call with Dr. Grofman and preparing seat share table
2/20/22	9:30 AM	11:30 AM	2:00	Preparing district rank-order chart; phone call with Dr. Grofman
2/20/22	3:30 PM	3:45 PM	0:15	Phone call with Dr. Grofman to receive direction
2/20/22	5:30 PM	7:45 PM	2:15	Phone call with Dr. Grofman; preparing uniform swing analysis
2/20/22	10:00 PM	11:00 PM	1:00	Phone call with Dr. Grofman and correcting uniform swing analysis
2/21/22	3:00 PM	3:30 PM	0:30	Phone call with Dr. Grofman to receive direction
2/21/22	10:00 PM	11:30 PM	1:30	Phone call with Dr. Grofman to receive direction; making illustrative changes to congressional map
2/22/22	10:30 AM	2:30 PM	4	Several phone calls with Dr. Grofman to receive direction, zeroing out district population deviation in draft SM Map, making slight modifications to reflect Dr. Grofman's directions; mapping incumbent addresses
2/22/22	7:15 PM	8:30 PM	1:15	Generating SM Map block assignment file and shapefile
2/23/22	12:00 AM	1:00 AM	1:00	Phone call with Dr. Grofman to receive direction, generating shapefiles
Total:			22:00	at \$75/hour
				\$1,650.00