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SENIOR COUNSEL

† Also admitted to practice in Washington

January 15, 2021

Anne Rierson
Deputy County Counsel
County of Santa Barbara
105 E. Anapamu Street
Santa Barbara, CA 93010

Via email to arierson@co.santa-barbara.ca.us

Re: Strumwasser & Woocher LLP Response to Request for Statement of Qualifications and Proposal to Serve as Independent Legal Counsel for the County of Santa Barbara Citizens' Independent Redistricting Commission

Dear Ms. Rierson:

Strumwasser & Woocher LLP ("S&W") is pleased to present the following response to the County of Santa Barbara Citizens' Independent Redistricting Commission ("Commission") and Santa Barbara County Office of County Counsel's request for qualifications and proposal to serve as independent legal counsel ("Legal Counsel") for the Commission. Strumwasser & Woocher's attorneys have extensive experience in the legal areas that the Commission will encounter, both in the substance of redistricting and on the procedural laws that govern Commissioners' activities and meetings, as discussed in Section 2 below. In addition, this proposal includes the services of Professor Justin Levitt of Loyola Law School, a nationally-recognized expert in the law of redistricting, who has agreed to work with S&W and the Commission in an advisory capacity if selected as Legal Counsel to the Commission.

The following sections are numbered consistent with the "Proposal Requirements" section of the Request for Statement of Qualifications.

1. Firm Description: About Strumwasser & Woocher

Strumwasser & Woocher is well known in California for its work in the public sector and its successful trial and appellate litigation of major public-policy and public-interest matters. Since its founding in 1991, the firm has litigated landmark cases regarding local and state government law, constitutional law, election law, education law, land use issues, economic regulation, taxation, environmental protection, civil rights, consumer protection, and workers' rights. For nearly thirty years, Strumwasser & Woocher has earned a wide array of victories in

path-making litigation — including more than 50 published appellate decisions — and has advised clients on many of the most compelling issues of the day.

2. Assigned Personnel: Proposed Team of Attorneys

The firm proposes that Fredric Woocher, who served as the lead attorney representing Santa Barbara County in the challenges to the 2001 redistricting plan, will serve alongside Andrea Sheridan Ordin, as the primary attorneys to advise the Commission. Like Mr. Woocher, Ms. Ordin has strong, relevant experience in redistricting. As noted above, Los Angeles County's 2010 redistricting plan that was overseen by Ms. Ordin was successfully developed and implemented without legal challenge by citizens or the federal government. Both Mr. Woocher and Ms. Ordin are familiar with the substantive legal standards that govern redistricting, as well as the way in which sensitive local and political issues present themselves in the context of redistricting plans. Ms. Ordin also regularly advises public entities on compliance with their obligations under the Brown Act and other applicable governance laws. Mr. Woocher also has extensive litigation experience in both state and federal courts, should litigation arise concerning the Commission's activities.

The senior attorneys will be assisted by Partner Dale Larson, who regularly advises the Los Angeles Unified School District on compliance with the Brown Act and other laws governing public meetings in the politically sensitive context of ballot measure campaigns. Mr. Larson has represented several other school districts and multiple cities in complex public law issues. The firm also is proud of its extremely capable and well-qualified junior attorneys, who will be utilized as appropriate to reduce the costs of the firm's representation. S&W believes it has the expertise to guide the Commission through this process and while enabling it to develop defensible districts.

In addition to the firm's own expertise, S&W has arranged for Professor Justin Levitt of Loyola Law School, a nationally-recognized expert in redistricting law, to serve as an advisor for this engagement. Mr. Levitt's deep expertise and breadth of knowledge in the area of redistricting will ensure that the Commission receives the most comprehensive advice on the legal contours of redistricting.

Attorney Biographies

A full resume or curriculum vitae for the principal attorneys proposed to be included in this representation is enclosed as Attachment A. A short biographical paragraph for each of the principal attorneys is below.

Fredric D. Woocher

In Mr. Woocher's 40 years of practice, he has successfully argued before both the United States and California Supreme Courts, many appellate and trial courts, and has been counsel of record in more than 40 published appellate decisions. Widely known as an expert in local and state government law, constitutional law, election law, municipal and land use litigation, and government regulation, Mr. Woocher has been named one of California's "100 Most Influential Lawyers," and described by the *Los Angeles Daily Journal* as the "go to guy" for election law disputes. Before co-founding Strumwasser & Woocher, Mr. Woocher served as law clerk to Chief Judge David L. Bazelon of the U.S.

Court of Appeals for the D.C. Circuit and to U.S. Supreme Court Justice William J. Brennan, Jr. After spending another year in Washington as Special Assistant to Secretary of Defense Harold Brown, Mr. Woocher moved to Los Angeles and worked for seven years as a staff attorney with the non-profit Center for Law in the Public Interest, litigating a broad range of public interest issues involving election law, land use law, environmental law, hazardous substances regulation, First Amendment protections, and civil rights cases. Mr. Woocher also served as Special Counsel to California Attorney General John Van de Kamp, representing the State of California in high-impact public interest litigation. Mr. Woocher advises clients on the limits of government and initiative powers, including his successful representation of the California Legislature in 2016. Mr. Woocher successfully defended Santa Barbara County's 2001 redistricting from challenges in both state and federal courts.

He is a graduate of Yale University and received both a Ph.D. and a J.D. from Stanford University, where he was President of the *Stanford Law Review*.

Andrea Sheridan Ordín

Ms. Ordín is a legal trailblazer, having served as the first female United States Attorney for the Central District of California and only the third woman in American history ever appointed a U.S. Attorney. Ms. Ordín has extensive appellate experience in the California and federal appellate courts, personally arguing more than 40 criminal and civil cases, including seven in the California Supreme Court and one in the United States Supreme Court. Before joining Strumwasser & Woocher, Ms. Ordín was Chief Assistant Attorney General, heading the Public Rights Division of the California Department of Justice for eight years under the leadership of John Van de Kamp; under her guidance the Office won landmark decisions in civil rights, environmental, land-use and antitrust law on behalf of the state and a broad range of state agencies, to which she was a counsel and advisor. Ms. Ordín served as Los Angeles County Counsel from 2010 to 2012. Ms. Ordín was also partner at Morgan, Lewis & Bockius, where she handled major litigation, including the aftermath of the 1994 Orange County bankruptcy, and conducted a number of independent investigations for corporate clients. Today, Ms. Ordín serves as Special Master and Independent Monitor appointed by U.S. District Court Judge Dolly Gee to monitor compliance with the Flores Settlement Agreement, a federal consent decree that sets standards for the care and treatment of migrant children in federal custody.

As County Counsel, Ms. Ordín advised the Board and Department Heads of the County as they initiated and developed policies and procedures. In 2010-2011, under Ms. Ordín's supervision, County Counsel formed a team of lawyers from County Counsel's Government Services Division, aided by outside counsel, to provide research and on-going advice to the Board and the County Executive Officer on a redistricting plan compliant with state law and the federal Voting Rights Act. The County previously had been found to have violated the Voting Rights Act through intentionally diluting the effect of the Hispanic vote in future elections, and was required to obtain United States Department of Justice preclearance of its future redistricting plans. The 2010-2011 redistricting plan was the first redistricting plan since the lifting of the preclearance requirement. After months of study, outreach, and controversy, the Committee submitted a divided report to the Board of Supervisors, recommending two alternate plans to the Board. The Board, by a divided vote, chose the plan which made minimal changes in

existing boundaries, and, as adopted, the 2010-2011 redistricting plan was not challenged by any citizen or the federal government.

Professor Justin Levitt

Professor Justin Levitt is a nationally recognized expert on constitutional law and the law of democracy at LMU Loyola Law School, Los Angeles. He served from 2015-17 as a Deputy Assistant Attorney General at the U.S. Department of Justice, helping to lead the Civil Rights Division's work on redistricting, voting rights, and employment discrimination, and supported activity on more than 120 cases (including 20 in the U.S. Supreme Court). Mr. Levitt is the author or co-author of more than 30 monographs, book chapters, and academic articles, including pieces in the flagship law reviews at Harvard, Columbia, and Georgetown, and the flagship online journals at Yale and NYU; he has served as a visiting faculty member at the Yale Law School, the USC Gould School of Law, and Caltech. He maintains the All About Redistricting website, and he has been invited to testify as an expert before committees of the U.S. Senate and House, the U.S. Civil Rights Commission, multiple state legislative bodies, and federal and state courts, including on matters specific to state and federal redistricting law. Mr. Levitt has a professional relationship with the National Demographic Corporation,¹ and is familiar with their work on redistricting.

Before entering academia, Mr. Levitt worked at several nonpartisan nonprofits (including the Brennan Center at NYU) and served several presidential campaigns, including as the National Voter Protection Counsel, helping to ensure that tens of millions of eligible citizens could vote and have those votes counted. He has advised, represented, and sued officials of both major political parties and neither, and those whose partisan preference he does not know. Mr. Levitt served as a law clerk to the Honorable Stephen Reinhardt of the U.S. Court of Appeals for the Ninth Circuit. He graduated magna cum laude with law, public administration, and bachelor's degrees from Harvard University.

Dale K. Larson

Mr. Larson's practice focuses on government, election, and education law. Before joining the Firm, Mr. Larson was an associate at Morrison & Foerster. Mr. Larson served as a Law Clerk for the Honorable Consuelo B. Marshall of the U.S. District Court for the Central District of California. Mr. Larson received his J.D. from the UCLA School of Law, where he was an Emil J. Stache Public Interest Law Scholar, a graduate of the Epstein Program in Public Interest Law and Policy, a senior editor on the *UCLA Law Review*, and published three articles in legal journals and law reviews on public interest issues. Before that, Mr. Larson received a B.A. from Duke University in Political Science and Mathematics. Mr. Larson has taught *Legal Research, Writing, and Analysis for LLM Students* at UCLA School of Law for four years.

In addition to Mr. Woocher, Ms. Ordin, Mr. Larson, and Mr. Levitt, the following associates may assist with this representation as appropriate:

Caroline Chiappetti

In her public interest litigation practice, Ms. Chiappetti represents local governments, public agencies, public officials, and school districts in a variety of government,

¹ For clarity, Professor Levitt is entirely unrelated to Justin Levitt of NDC; they simply have identical names.

education, administrative, and election law matters. Ms. Chiappetti has significant motion practice with discovery and trial experience. Before joining Strumwasser & Woocher, Ms. Chiappetti was an associate at O'Melveny & Myers, where she balanced gaining significant complex commercial litigation experience in state and federal court—including drafting trial court and appellate briefs, managing discovery, participating in settlement negotiations and at trial—with maintaining an active pro bono practice. Ms. Chiappetti graduated *cum laude* from Harvard Law School, where she was an editor of the *Harvard Journal of Law & Gender* and co-president of *Law Students for Reproductive Justice*. While in law school, Ms. Chiappetti published a note in the *Harvard Civil Rights – Civil Liberties Law Review* concerning the historical origins of sex discrimination under the 14th Amendment.

Julia Michel

Ms. Michel has experience in appellate practice, consumer and civil rights class actions, and legislative advocacy. Ms. Michel joined Strumwasser & Woocher after clerking for the Honorable N. R. Smith of the United States Court of Appeals for the Ninth Circuit. She is a graduate of the University of Washington School of Law, where she was elected to the Order of the Coif national honor society. Prior to law school, Ms. Michel was an advocate in the state of Vermont for laws relating to campaign finance, elections, voting rights, and government transparency.

Salvador E. Pérez

Mr. Pérez joined Strumwasser & Woocher after clerkships on the U.S. Court of Appeals for the Ninth Circuit and the U.S. District Court for the Southern District of Texas as well as several years of practice at Manatt, Phelps & Phillips LLP, where he focused on government and land use matters. During his time at Manatt, he was part of a litigation team which successfully challenged the Trump administration's decision to include a citizenship question on the 2020 census. For this work, he and his colleagues were recognized as Legal Lions by Law360 and awarded the Robert F. Mullen Pro Bono Award by the Lawyers' Committee for Civil Rights. Mr. Pérez is a graduate of Stanford University, the Harvard Kennedy School of Government, and Stanford Law School.

3. Experience as Legal Counsel for Local Government Entities and Related to Redistricting

S&W has a long history of advising governmental entities on a variety of legal issues, and is experienced at providing neutral legal advice in what are often politically charged circumstances. The firm has served as counsel for more than 30 years to the Department of Insurance, including advising both Democratic and Republican Commissioners on high profile matters. The firm has also served as counsel to the California Legislature, several Southern California school districts including Los Angeles and San Diego Unified School Districts, the California Earthquake Authority, and for select city purposes in El Monte, San Gabriel, Pasadena, and the City of La Mesa. In addition, the firm presently serves as the Campaign Finance Compliance Officer for Ventura County. The firm has been hired to serve as independent advisors to the California Public Utilities Commission in investigating the role of ex parte communications in the agency's practice, and has advised the Orange County Grand Jury in its investigation of the use of confidential informants by the District Attorney. The firm

regularly advises public entities and board members on compliance with the Brown Act, ex parte communication rules, and other procedural aspects of governmental decision-making. Mr. Woocher, Ms. Ordin, and Mr. Larson all perform aspects of this work advising these state and local government bodies.

Election and political law has been central to the S&W's practice since its beginning. Highly regarded throughout the state, the firm has represented candidates at all levels, including those running for school boards, city councils, county boards, the Assembly, the State Senate, and the United States House of Representatives. In addition to candidates, the firm has represented cities, LAUSD, the Legislature, and many organizations or committees on election matters. Specifically as to redistricting, the firm, lead by Mr. Woocher represented Santa Barbara County in litigation challenging the County's 2001 redistricting plan, successfully defending the plan against challenges in both state and federal courts. In addition, in her role as Los Angeles County Counsel, Ms. Ordin oversaw the team of lawyers advising the Board of Supervisors on Los Angeles County's 2010-2011 successful redistricting.

4. Additional Information

S&W and Professor Levitt have run conflicts checks and do not have any potential conflicts of interest.

S&W and Professor Levitt have reviewed the requirements of Elections Code section 23003 and Santa Barbara County Code sections 2-109.A(5)(d) and (4)(d). None of the attorneys identified as potentially providing services under this contract would be disqualified under Elections Code section 23003 or Santa Barbara County Code sections 2-10.9A(5)(d) and (4)(d).

5. Proposed Fees and Rates

Our legal fees are billed on an hourly rate, plus reasonable expenses incurred, and subject to a not-to-exceed amount of \$300,000. The Firm generates its billing using time management software. Attachment B is a rate sheet for the proposed representation. Recognizing that the Commission is a public entity and that cost is always a concern, the firm has offered rates reflective of this public status at a significant discount from the firm's commercial billing rates. We exercise our best judgment to ensure that our time is efficiently spent, our fees are reasonable, and our clients receive full value for them.

6. Form Contract

S&W does not propose any change to the form contract.

* * *

Anne Rierson
January 15, 2021
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Please let us know if there is any other information we can provide. We appreciate the opportunity to submit this proposal, and we very much hope that we are selected to provide the independent legal services to the Citizens Independent Redistricting Commission.

Yours very truly,

A handwritten signature in black ink, appearing to read "Beverly Grossman Palmer". The signature is fluid and cursive, with the first name "Beverly" being the most prominent part.

Beverly Grossman Palmer

Enclosed: Attachment A (resumes/CV); Attachment B (rate sheet)

ATTACHMENT A

FREDRIC D. WOOCHEER

Senior Counsel

PROFESSIONAL EXPERIENCE

STRUMWASSER & WOOCHEER LLP

Senior Counsel, January 2020 – present

Partner, January 1991 – January 2020

Specializing in complex civil litigation on public policy issues. Practice emphasizes constitutional law, election law, environmental protection, and administrative regulation. Counsel to numerous state, local, and special agencies and elected and appointed officials in environmental law, elections, and political reform. Represents California Legislature, Insurance Commissioner and Earthquake Authority, various counties and numerous cities. Counsel to homeowners' associations, environmental organizations, and other public-interest groups. Handles litigation in federal and state trial and appellate courts and administrative agencies, and has handled two election contests in the House of Representatives.

OFFICE OF THE ATTORNEY GENERAL OF CALIFORNIA

Special Counsel to the Attorney General, September 1988 – January 1991

Legal and policy advisor on Attorney General's executive staff. Responsible for handling a variety of special projects and sensitive issues, including high-priority civil litigation, legislative proposals, and policy programs. Principal activities included advising the Attorney General on political reform and ethics issues, supervising all judicial and administrative proceedings regarding implementation of Proposition 103, and assisting on selected environmental and consumer matters. Author, for gubernatorial candidate John K. Van de Kamp, of Proposition 131, the campaign and ethics reform initiative on the June 1990 ballot.

CENTER FOR LAW IN THE PUBLIC INTEREST

Staff Attorney, July 1981 – September 1988

Handled complex civil litigation on broad range of high-impact public interest issues. Specialized in environmental, land use, election law, First Amendment, and civil rights issues. Argued before United States and California Supreme Courts, federal and state courts of appeal, and trial courts. Helped draft City of Los Angeles campaign finance reform charter amendments and city ordinance prohibiting discrimination by private business clubs.

DEPARTMENT OF DEFENSE

Staff Assistant to Secretary of Defense Harold Brown, 1980 – 1981

UNITED STATES SUPREME COURT

Law Clerk to Justice William J. Brennan, Jr., 1979 – 1980

UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Law Clerk to Chief Judge David L. Bazelon, 1978 – 1979

ACADEMIC

J. D., Stanford Law School, 1978. President, Stanford Law Review. Order of the Coif.

Ph.D. (Cognitive Psychology), Stanford University, 1977. National Science Foundation Graduate Fellowship.

A.B., Yale University, 1972. Phi Beta Kappa, Magna Cum Laude.

PROFESSIONAL AFFILIATIONS

Adjunct Professor of Law, University of Southern California (Pre-trial Advocacy, 1987–88).

Adjunct Professor of Law, Loyola Law School (Law of Politics, 1992–93)

Lecturer, U.C.L.A. Hazardous Materials Liability Program (1986, 1987)

American Bar Association, ALI-ABA Committee on Continuing Professional Education (Lecturer, Hazardous Wastes, Superfund, and Toxic Substances)

California State Bar Association Committee on Human Rights (1983–86: Chair, 1984–85)

California State Bar Association Committee on Environment (1986–88)

Los Angeles County Bar Association Committee on Judicial Evaluations (1985–90)

California League of Conservation Voters, Treasurer; Member of Executive Committee (1991–1996)

Stanford Law School Board of Visitors (1988–90)

California Common Cause, Board of Directors (1992–1994), Advisory Board (1986–90)

REPRESENTATIVE MATTERS HANDLED

UNITED STATES SUPREME COURT

Stringfellow v. Concerned Neighbors in Action, 480 U.S. 370 (1987). Counsel for respondent citizens' group, which intervened in Superfund litigation involving cleanup of hazardous waste dumpsite in their community. Supreme Court held that district court order denying intervention of right but granting permissive intervention with conditions is not appealable on interlocutory basis.

Federal Communications Commission v. League of Women Voters, 468 U.S. 364 (1984). Represented and presented oral argument on behalf of respondents public radio station and public interest organization in landmark First Amendment decision establishing right of noncommercial broadcasters to editorialize.

Pacific Gas & Electric Co. v. Public Utilities Comm'n of California, 475 U.S. 1 (1986). Counsel for respondent Toward Utility Rate Normalization, consumer advocacy group seeking to have its informational and membership material distributed to utility's ratepayers with their monthly bills; Supreme Court held that PUC order dedicating "extra space" in billing envelopes for that purpose violated utility's First Amendment right not to associate with consumer group's message.

Nollan v. California Coastal Commission, 483 U.S. 825 (1987). Authored amicus brief on behalf of 12 national and state environmental organizations supporting Coastal Commission's permit condition requiring landowner to dedicate easement for public access to beach under public trust doctrine; Supreme Court held that the access condition did not adequately serve the public purposes related to the permit requirement.

Board of Directors of Rotary International v. Rotary Club of Duarte, 481 U.S. 537 (1987). Authored amicus brief for women's rights groups seeking to uphold application of California's Unruh Civil Rights Act to international service organization that refused to permit women as full members; Supreme Court upheld enforcement of state's anti-discrimination law and rejected Rotary International's claim to First Amendment immunity.

CALIFORNIA SUPREME COURT

Howard Jarvis Taxpayers Assn. v. Padilla, 62 Cal. 4th 486 (2016). Successfully defended California Legislature's constitutional authority to place an advisory measure on the statewide ballot to gauge voter support for a constitutional amendment to overturn the U.S. Supreme Court's decision in *Citizens United*.

Californians for an Open Primary v. McPherson, 38 Cal.4th 735 (2006). Represented initiative proponents in successfully challenging Legislature's authority to combine disparate constitutional amendments in a single, competing ballot measure.

Ammest Surety Ins. Co. v. Wilson, 11 Cal.4th 1243 (1995). Represented California Insurance Commissioner in successful challenge to legislative attempt to amend citizen-sponsored insurance reform initiative in a manner that was inconsistent with the purpose of the initiative by exempting surety insurance from rate regulation.

20th Century Insurance Co. v. Garamendi, 8 Cal.4th 216 (1994). Represented California Insurance Commissioner John Garamendi in landmark litigation unanimously upholding the Commissioner's regulatory program for imposing rollbacks on property and casualty insurance rates against constitutional challenges from insurance industry, resulting in over \$4 billion in refunds to consumers and reduced auto, homeowners, and other insurance rates.

Calfarm Insurance Company v. Deukmejian, 48 Cal.3d 805 (1989). Co-counsel for respondent Attorney General John Van de Kamp in insurers' multi-prong challenge to constitutionality of Proposition 103; Supreme Court invalidated and modified a portion of the initiative but upheld the bulk of the measure as severable from the invalid sections.

C.O.S.T. v. Superior Court of Orange County, 45 Cal.3d 491 (1988). Represented and presented oral argument for petitioner citizens' group seeking to have initiative securing public vote on local development fee placed on City of Irvine ballot; Supreme Court held that initiative was beyond the authority of the local electorate because its subject matter was of statewide concern.

Press v. Lucky Stores, Inc., 34 Cal.3d 311 (1983). Counsel for petitioner, proponent of statewide ballot measure seeking award of attorneys' fees for lawsuit brought to obtain access to shopping center for purpose of collecting signatures on initiative petitions; Supreme Court ordered award of attorneys' fees under Code of Civil Procedure section 1021.5, finding that lawsuit was necessary to vindicate fundamental First Amendment rights of signature gatherers.

Kopp v. Fair Political Practices Com., 11 Cal.4th 607, 905 P.2d 1248, 47 Cal.Rptr.2d 198 (1995). Represented Common Cause in extraordinary writ proceeding to save by reformation constitutionality of Proposition 73.

Gerken v. Fair Political Practices Com., 6 Cal.4th 707, 863 P.2d 694, 25 Cal.Rptr.2d 449 (1993). Co-counsel for Common Cause in petition seeking to establish the effectiveness of Proposition 68.

OTHER MAJOR CASES

Steinberg v. Chiang, 223 Cal.App.4th 338 (2014). Represented President pro Tempore of the Senate and Speaker of the Assembly in obtaining declaratory judgment against State Controller that the California Legislature had complied with the Constitution's requirement to pass a balanced budget bill, precluding the withholding of legislators' salaries.

Consumer Watchdog v. Department of Managed Health Care, 225 Cal. App. 4th 862 (2014). Successfully sued the Department of Managed Health Care on behalf of autism patients and advocates to require health plans to provide coverage for applied behavioral analysis (ABA) treatment administered by non-medically licensed, but professionally certified, behavioral therapists.

Noonan v. Bowen, 2014 WL 4235188 (2014). Represented President Barack Obama in obtaining the dismissal of lawsuit seeking to prevent the California Secretary of State from placing his name on the presidential primary election ballot without determining that he was a "natural born citizen" eligible to hold office as President of the United States.

Pette v. International Operating Union of Engineers, 2013 WL 5573043 (C.D. Cal. 2013). Obtained dismissal of International Union's General Counsel from federal RICO lawsuit alleging that International conspired with officers of local union and employers to embezzle funds and divert assets belonging to local union members and ERISA benefit trust funds.

Howard Jarvis Taxpayers Assn. v. Bowen, 212 Cal. App. 4th 1298 (ordered de-published 2013). Represented Legislature in challenge to its enactment of a budget trailer bill by majority vote on an urgency basis that directed the ordering of initiatives on future election ballots.

Keyes v. Bowen, 189 Cal.App.4th 647 (2010). Represented President Barack Obama in obtaining dismissal of lawsuit contending that California Secretary of State has a duty to verify the constitutional qualifications of political parties' presidential nominees before placing their names on the general election ballot.

Preserve Shorecliff Homeowners v. City of San Clemente, 158 Cal.App.4th 1427 (2008). Represented referendum proponents in obtaining judicial ruling that city residency requirement for circulators of municipal referendum petitions is unconstitutional under the First Amendment.

Mendoza v. State of California, 149 Cal.App.4th 1034 (2007). Represented Los Angeles Unified School District in a successful challenge to state legislation, the Romero Act, that would have transferred responsibility for administering a number of the district's schools to the Mayor of Los Angeles, in violation of the state Constitution and the Los Angeles City Charter.

Robson v. Upper San Gabriel Valley Mun. Water Dist., 142 Cal. App. 4th 877 (2006). Prevailed in a case of first-impression determining whether an appointed board member for municipal water district must stand for reelection under Government Code section 1780.

City of Santa Monica v. Stewart, 126 Cal.App.4th 43, 24 Cal.Rptr.3d 72 (2005). Successfully blocked attempt by city council to prevent implementation of voter-approved election-reform ordinance.

McKinney v. Superior Court, 124 Cal.App.4th 951, 21 Cal.Rptr.3d 773 (2004). Represented write-in candidate for Mayor of San Diego, who drew more votes in run-off election than either candidate on ballot.

Bradley v. Perrodin, 106 Cal.App.4th 1153, 131 Cal.Rptr.2d 402 (2003). Successfully represented winner of Compton mayoral election on appeal that overturned trial court's decision to remove him from office on the theory that the runner-up would have won the election had his name been listed first, rather than second, on the ballot.

Westly v. California Public Employees' Retirement System Bd. of Administration, 105 Cal.App.4th 1095, 130 Cal.Rptr.2d 149 (2003). Successfully represented State Controller in action challenging attempt by Board of Administration of CalPERS to evade state fiscal controls.

Jeffrey v. Superior Court, 102 Cal.App.4th 1, 125 Cal.Rptr.2d 175 (2002). Successfully compelled city council to place initiative on the ballot.

Citizens for Jobs and the Economy v. County of Orange, 94 Cal.App.4th 1311, 115 Cal.Rptr.2d 90 (2002). Successfully blocked initiative seeking to impede transformation of El Toro Marine Air Station into commercial airport.

Ryan v. California Interscholastic Federation-San Diego Section, 94 Cal.App.4th 1048, 114 Cal.Rptr.2d 798 (2001). As counsel for amicus Education Legal Alliance of the California School Boards Association, raised and prevailed on dispositive issues in lawsuit challenging high-school eligibility determination for interscholastic athletics.

Songstad v. Superior Court, 93 Cal.App.4th 1202, 113 Cal.Rptr.2d 729 (2001). Case involved standing to challenge title and summary for county initiative.

Nicolopoulos v. City of Lawndale, 91 Cal.App.4th 1221, 111 Cal.Rptr.2d 420 (2001). Case involved exclusivity of quo warranto for city counsel to unseat elected official.

Woo v. Superior Court, 83 Cal.App.4th 967, 100 Cal.Rptr.2d 156 (2000). Successful representation of candidate for city council, determining he was not barred by term limits.

McPherson v. City of Manhattan Beach, 78 Cal.App.4th 1252, 93 Cal.Rptr.2d 725 (2000). Successfully represented citizens' group challenging city permit allowing construction of building in violation of height ordinance. Case resulted in top of building having to be demolished.

Schweisinger v. Jones, 68 Cal.App.4th 1320, 81 Cal.Rptr.2d 183 (1998). Represented former member of Assembly seeking determination that term limits did not apply to her.

Americans v. State, 58 Cal.App.4th 724, 59 Cal.Rptr.2d 416 (1997). Challenge to State Legislature's failure to appropriate funds for anti-tobacco advertising pursuant to Proposition 99.

Dornan v. Sanchez, House Oversight Committee; *In re Sanchez*, 978 F.Supp. 1315 (C.D. Cal. 1997); *In re Sanchez*, 955 F.Supp. 1210 (C.D. Cal. 1997). Successfully defended Hon. Loretta Sanchez before House Oversight Committee, and in related judicial litigation, in election-contest challenge by former Rep. Robert Dornan.

Browne v. Russell, 27 Cal.App.4th 1116, 33 Cal.Rptr.2d 29 (1994). Represented a coalition of public-health organizations, successfully upheld Los Angeles City ordinance prohibiting smoking in restaurants against a challenge by the tobacco and restaurant industries.

Wilshire Ins. Co. v. Garamendi, 5 Cal.App.4th 1573, 8 Cal.Rptr.2d 55 (1992). Successful defense of application of Proposition 103 to insurers not ordered by former Insurance Commissioner to roll back rates.

California Auto. v. Garamendi, 234 Cal.App.3d 1486, 286 Cal.Rptr. 257 (1991). Successful defense of Insurance Commissioner's rate order for assigned-risk insurance.

California Auto. v. Garamendi, 232 Cal.App.3d 904, 283 Cal.Rptr. 562 (1991). Upheld Insurance Commissioner's rulings on procedures for setting assigned-risk rates.

Hardeman v. Thomas, 208 Cal.App.3d 153 (1989). Co-counsel in election contest challenging outcome of Inglewood City Council run-off election; after five-day trial, Superior Court annulled election results and ordered new election to be held, finding that numerous violations of state absentee ballot laws had occurred.

Jonathan Club v. California Coastal Commission, 197 Cal.App.3d 884 (1988) (decertified for publication). Represented amici civil rights organizations in trial and appellate courts in support of Coastal Commission's imposition of permit condition requiring Jonathan Club to certify that it does not discriminate in its membership policies on account of race, religion, or sex in order to expand its facility on state-leased beachfront land in Santa Monica.

Federation of Hillside & Canyon Associations v. City of Los Angeles, No. C526616 (L.A. Super. 1986).
Co-counsel in challenge to City of Los Angeles' failure to bring zoning ordinances into conformity with city's general plans; injunction against issuance of further building permits for inconsistently zoned parcels led to settlement with court-monitored schedule for city-wide rezoning program.

American Lung Ass'n of Cal. v. South Coast Air Quality Mgmt. Dist., No. C573130 (L.A. Super. 1985).
Represented clean-air coalition in successful challenge to first attempt by company to "bank" pollution reduction "credits" for future sale to other companies needing to decrease emissions; settlement resulted in rescinding of credits.

Friends of Ballona Wetlands v. California Coastal Commission, No. C525826 (L.A. Super. 1984).
Represented environmental organizations in administrative and court challenges to L.A. city, county, and Coastal Commission approvals of EIR and land use plans for massive Playa Vista development project; settlement resulted in scaled-down project and preservation/restoration of additional wetlands acreage.

United States v. Stringfellow, No. CV 83-2501 JMI (C.D. Cal. 1983). Represented intervening residents in multi-party Superfund toxic waste site clean-up action; case still pending, but trial court found private waste generators, dumpsite owners, and State of California strictly liable for cleanup costs under CERCLA, RCRA, and Clean Water Act.

Sierra Club v. Board of Supervisors, No. C319067 (L.A. Super. 1981). Co-counsel in successful challenge to L.A. County approval of Sunnyglen development project in Santa Monica Mountains; innovative settlement resulted in project re-design with additional on-site mitigation measures and establishment of monetary off-site mitigation fund for purchase of development rights in other environmentally sensitive canyon areas.

Coalition For L.A. County Planning in the Public Interest v. Bd. of Supervisors, 76 Cal.App.3d 241 (1977).
Co-counsel in successful challenge to inadequacy of EIR and open-space element of L.A. County's general plan amendments under state Planning and Zoning law.

ANDREA SHERIDAN ORDIN

Senior Counsel

PROFESSIONAL EXPERIENCE

STRUMWASSER & WOOCHEER LLP, LOS ANGELES, CALIFORNIA
Senior Counsel, 2018 – present

Special Master and Independent Monitor appointed by the U.S. District Court Judge Dolly Gee to monitor compliance with the Flores Settlement Agreement, a federal consent decree that sets standards for the care and treatment of migrant children. Served as special counsel to the Orange County Civil Grand Jury as it investigated allegations of improper use of jailhouse informants by the Sheriff and District Attorney. Represents public entities and public-interest clients in a range of regulatory, environmental, and anti-trust litigation.

LOS ANGELES CITY ETHICS COMMISSION, LOS ANGELES, CALIFORNIA
Commissioner and Vice President, 2017 – Present

Member of the Commission charged with the shaping and enforcing laws regarding governmental ethics, conflicts of interest and campaign financing in the City.

PEPPERDINE LAW SCHOOL, MALIBU, CALIFORNIA
Adjunct Professor, 2013 – 2016

Teach “Government Lawyering” – a course designed to provide the student with a real world understanding of the practicalities and ethical dilemmas when representing State, Local and Federal governments.

LOS ANGELES BOARD OF SUPERVISORS, LOS ANGELES, CALIFORNIA
County Senior Deputy to Supervisor Hilda Solis, 2014 – 2015

Joined the staff of Supervisor Hilda Solis for four months to assist in transition. Advised the Supervisor and her staff on legal policy and issues of environmental protection and assisted in recruiting and training of new staff members.

LOS ANGELES BOARD OF POLICE COMMISSIONERS, LOS ANGELES, CALIFORNIA
President, 2012 – 2013

At the request of Mayor Antonio Villaraigosa, returned to serve on the Los Angeles Board of Police Commissioners as President. Under the City Charter, the Board of Police Commissioners is the head of the Police Department. The Board sets overall policy while the Chief of Police manages the daily operations of the Department and implements the Board’s policy decisions and goals. Provided leadership in increasing the effectiveness of the Inspector General and completing final negotiations ending federal oversight of the department.

LOS ANGELES COUNTY, LOS ANGELES, CALIFORNIA
County Counsel, 2010 – 2012

The Office of the County Counsel and its 250 lawyers serves as attorney for, and provides legal advice and representation to the Los Angeles County Board of Supervisors, 40 County departments, and other public officers and agencies. One hundred of the lawyers practice in Dependency Court representing the Department of Children and Family Services, to protect the best interests of the more than 35,000 children in its jurisdiction.

The County Counsel, working closely with the County Counsel Division Chiefs, supervised and often participated personally in the litigation the County handled by more than forty outside law firms.

MORGAN, LEWIS & BOCKIUS, LOS ANGELES, CALIFORNIA
Partner, 1993 – 2005
Senior Counsel, 2005 – 2010

Legal practice focused on complex business, environmental litigation and internal corporate investigations. Appeared regularly in state and federal courts. Co-chaired and obtained a unanimous defense verdict for the firm's client after a 3-week jury trial in which plaintiff had alleged \$300 million in consequential damages.

Managed the Los Angeles and Orange County pro bono programs for the firm and worked regularly with Public Counsel, Legal Aid and Neighborhood Legal Services. Served as a Board Member of Children's Law Center of California.

UCLA LAW SCHOOL, LOS ANGELES, CALIFORNIA
Full-Time Adjunct Professor, 1992 – 1993

Taught required second-year course "Legal Ethics" and third-year seminar, "The Government Lawyer."

OFFICE OF THE ATTORNEY GENERAL FOR THE STATE OF CALIFORNIA, LOS ANGELES, CALIFORNIA
Chief Assistant Attorney General, 1983 – 1991

Headed the Division of Public Rights. Responsibilities included supervision of the 140 lawyers and other professionals in the Division of Public Rights assigned to the Antitrust, Consumer Protection, Environment, and Civil Rights sections.

Responsible for litigation and legislation in the Public Rights Division and appeared periodically in the trial and appellate courts, for example arguing *Nollan v. Coastal Commission*,² in the United States Supreme Court; *California v. Levi Strauss*,³ in the California Supreme Court, and *California v. American Stores*,⁴ in the District Court, and sitting second chair in the case of *California v. ARC America in the United States Supreme Court*.

UNITED STATES DEPARTMENT OF JUSTICE, LOS ANGELES, CALIFORNIA
United States Attorney, 1977 – 1981

The third woman in history to be appointed by the President of the United States to the position. Responsibilities in the Central District of California included the supervision of the 95 Assistant U.S. Attorneys assigned to the Criminal, Civil and Tax Divisions in Los Angeles and oversight of the Department of Justice lawyers trying cases in the District.

The Central District of California includes the counties of Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura. Appeared periodically in the Ninth Circuit on civil and criminal appeals. Developed and chaired joint state, local and federal task forces to enforce criminal and civil rights law.

LOS ANGELES COUNTY, LOS ANGELES, CALIFORNIA
Assistant District Attorney, 1975 – 1977

The third ranking position in an office of more than 550 lawyers and approximately 1,500 investigative and support personnel. In addition to general administrative responsibilities, the Assistant District Attorney supervised filings and proceedings brought by the 60 lawyers in the Juvenile Division. Working with District Attorney, John Van de Kamp, sponsored juvenile justice reform legislation in Sacramento. Participated in drafting the first Affirmative Action program for the District Attorney's office, as well as drafting and advocating in Washington, D.C., the first grant proposal for the Hard Core Gang Prosecution Unit.

OFFICE OF THE ATTORNEY GENERAL FOR THE STATE OF CALIFORNIA, LOS ANGELES, CALIFORNIA
Deputy Attorney General, 1965 – 1972

Assigned to the following Sections: Criminal Appeals, Consumer Protection and Civil Rights. Handled both civil and criminal trial and appellate cases for the Sections, handling more than 60 State court appeals, including four arguments before the California Supreme Court expanding the rights of California consumers. While in the Civil Rights unit, brought cases against housing developments and employment agencies for racial discrimination and co-tried desegregation cases against the School Districts of Bakersfield and San Diego. Drafted the first juvenile court appellate brief after the Supreme Court decision, *In Re Gault* and advised the Attorney General on juvenile justice presentations.

AWARDS

SHATTUCK PRICE LIFETIME AWARD
Los Angeles County Bar Association, 2011

PRECUSOR PARA JUSTICIA AWARD (PIONEER OF JUSTICE AWARD)
Mexican American Bar Foundation, 2002

TRAILBLAZER AWARD
Los Angeles County Bar Association & Women Lawyers of Los Angeles, 2002

ERNESTINE STAHLHUT AWARD
Women Lawyers of Los Angeles, 2000

MARGARET BRENT AWARD FOR WOMEN LAWYERS OF ACHIEVEMENT
American Bar Association, 1991

ACADEMIC

L.L.B., University of California School of Law, Los Angeles, California.

B.A., University of California.

PROFESSIONAL AFFILIATIONS

Member — American Bar Association Standing Committee, Judicial Independence, 2005 – 2007

Member — American Bar Association Justice Anthony Kennedy Commission on Sentencing, 2004

President — Los Angeles County Bar Association, 1991 – 1992

Member — Independent Commission to Study the Los Angeles Police Department (Christopher Commission), 1991

DALE K. LARSON

Partner

PROFESSIONAL EXPERIENCE

STRUMWASSER & WOOCHEE LLP, LOS ANGELES, CALIFORNIA

Partner, January 2020 – present

Associate, September 2014 – December 2019

Public interest litigation practice focusing on education, government, and election law. Represented Los Angeles Unified School District on budgeting matters related to the Education Revenue Augmentation Fund, Local Control Funding Formula, and elections matters. Represented candidates, campaigns, community groups, and cities in elections matters. Advised the California Department of Insurance and California Earthquake Authority on regulatory matters. Has extensive experience in both trial and appellate courts and has bench trial experience.

UCLA SCHOOL OF LAW, LOS ANGELES CALIFORNIA

Lecturer in Law, Spring 2016, Fall 2016, Fall 2017, Fall 2018

Taught and designed course materials for Legal Research and Writing for LL.Ms.

MORRISON & FOERSTER, LOS ANGELES, CALIFORNIA

Associate, April 2013 – September 2014

Associate, November 2009 – October 2011

Complex litigation practice including cases related to speech on private retail property, insurance disputes, copyright, patent, and consumer class actions. Extensive court experience including a bench trial, evidentiary hearings, and oral arguments throughout California.

U.S. DISTRICT COURT, CENTRAL DISTRICT, LOS ANGELES, CALIFORNIA

Law Clerk to the Honorable Consuelo B. Marshall, November 2011 – March 2013

Conducted legal research and drafted bench memoranda and orders for district judge; helped judge prepare for oral arguments and trials.

TRABER & VOORHEES, PASADENA, CALIFORNIA

Law Clerk, May 2007 – November 2007

Performed legal research and wrote memoranda for private, civil rights law firm. Drafted portions of trial briefs, assisted with trial preparation and observed depositions.

PEOPLE FOR THE AMERICAN WAY (PFAW), WASHINGTON, D.C.

Online Project Manager, May 2004 – July 2006

Managed tools and resources for online advocacy and fundraising for non-profit advocacy organization.

APPIAN CORPORATION, WASHINGTON, D.C.
Senior Consultant, April 2002 – May 2004

Worked as a consultant, primarily to the United States Army, helped design, write, and maintain software.

VOLUNTARY SERVICE OVERSEAS, TOSAMAGANGA, TANZANIA
Secondary School Mathematics Teacher, August 1999 – December 2001

Taught high-school mathematics, including calculus, probability, and statistics.

EVIDENCE BASES RESEARCH, INC., WASHINGTON, D.C.
Research Assistant

Assisted in the development and implementation of an empirical system designed to monitor and predict political, economic, and social trends in developing countries.

ACADEMIC

J.D., University of California, Los Angeles School of Law, Los Angeles, California.
UCLA Law Review, Senior Editor.

B.A. in Political Science and Mathematics, Duke University, Durham, North Carolina.
Study abroad: University of New South Wales, Sydney, Australia.

PUBLICATIONS

Unconsciously Regarded As Disabled: Implicit Bias and the Regarded As Prong of the Americans with Disabilities Act, 56 UCLA L. REV. 451 (2008).

Antidiscrimination Law in the Workplace: Moving Beyond the Impasse, 9 U. MD. L.J. RACE, RELIGION, GENDER & CLASS 303 (2009).

A Fair and Implicitly Impartial Jury: An Argument for Administering the Implicit Association Test During Voir Dire, 3 DEPAUL J. FOR SOC. JUST. 139 (2010).

JUSTIN LEVITT

919 Albany St., Los Angeles, CA 90015

justin.levitt@lls.edu (213) 736-7417

<http://ssrn.com/author=698321>

TEACHING

Loyola Law School, Los Angeles, CA

Associate Dean for Research (2017–2020).

Professor of Law (2014–present), *Gerald T. McLaughlin Fellow* (2018–present).

Associate Professor of Law (2010–2014).

Courses: Constitutional Law, Law of the Political Process, Criminal Procedure

Founder, [Practitioner Appellate Moot Program](#)

[Dean's Search Committee](#), Hiring Committee, [Faculty Workshops](#) (co-chair)

Faculty Advisor, [Loyola Law Review](#), 2014-15; [American Constitution Society](#)

Curriculum, Academic Standards/Grading, Web Redesign, Instructional Tech. Committees

Excellence in Teaching Award, 2013-14, 2019-20

USC Gould School of Law, Los Angeles, CA

Visiting Professor of Law (spring 2015).

Course: Constitutional Law

California Institute of Technology (Caltech), Pasadena, CA

Visiting Associate Professor of Law (spring 2014).

Courses: Introduction to Law and Law and Economics

Yale Law School, New Haven, CT

Visiting Associate Professor of Law (spring 2013).

Courses: Law of Democracy, Motives of Public Actors

New York University School of Law, New York, NY

Assistant Adjunct Professor of Clinical Law (2006–07).

Course: Public Policy Advocacy Clinic

EDUCATION

Harvard Law School / Harvard Kennedy School

J.D./M.P.A., *magna cum laude* (June 2002).

HARVARD LAW REVIEW, Articles Editor, vols. 114 and 115

Hewlett Law & Negotiation Fellowship; Jessup Int'l Law Competition, Regional Best Oralist

Teaching Fellow, Harvard College: The American Presidency, Globalization

Fulbright Scholarship, Universität zu Köln, Germany (1997–98).

Research on organizational and employee loyalty.

Harvard College

B.A. (Special Concentration), *magna cum laude* (June 1995).

John Harvard Scholar, Harvard National Scholar

OTHER PROFESSIONAL EXPERIENCE

Facebook, Menlo Park, CA (2020).

Voting Rights Consultant.

Offered expertise on information and organic content related to electoral process.

U.S. Department of Justice, Washington, DC (2015–17).

Deputy Assistant Attorney General, Civil Rights Division.

Reviewed strategic decisions, select case filings, and administrative concerns in supporting and managing hundreds of employees, including civil rights policy staff and sections enforcing federal statutes concerning voting rights and protections against employment discrimination (including protections for LGBT individuals).

Brennan Center for Justice at NYU School of Law, New York, NY (2005–08, 2009–10).

Counsel, Democracy Program.

Provided legislative and administrative counsel and pursued litigation to promote equitable access to an effective vote.

Obama Campaign for Change/Democratic National Committee, Washington, DC (2008).

National Voter Protection Counsel.

Co-managed presidential campaign's national voter protection program, directed substantive approach to election administration concerns, edited pleadings and helped direct strategy in election-related litigation, and oversaw recruitment and deployment of volunteer attorneys.

America Coming Together, Washington, DC (2004–05).

In-House Counsel.

Delivered legal support for national voter mobilization operation, focusing on election administration, campaign finance compliance, and employment law.

Clark for President, Inc., Little Rock, AR (2003–04).

Director of Strategic Targeting.

Conducted intensive analysis of voter files and directed targeting for voter contact programs; drafted and edited policy and political materials.

U.S. Court of Appeals for the Ninth Circuit, Los Angeles, CA (2002–03).

Law Clerk to the Honorable Stephen Reinhardt.

Altshuler, Berzon, Nussbaum, Rubin & Demain, San Francisco, CA (summer 2001).

Summer Associate.

Drafted labor, environmental, and habeas case filings.

Department of State, Office of War Crimes Issues, Washington, DC (summer 2000).

Legal Intern.

Supported ICC negotiations and ICTY prosecutions.

McKinsey & Company, Chicago, IL (1995–97).

Business Analyst.

Developed quantitative and qualitative assessments of corporate performance and opportunities, and strategies for driving measurable improvement.

PRIMARY ARTICLES

[*Failed Elections and the Legislative Selection of Electors*](#) (forthcoming 2021).

[*Citizenship and the Census*](#), 119 COLUM. L. REV. 1355 (2019).

[*Intent is Enough: Invidious Partisanship in Redistricting*](#), 59 WM. & MARY L. REV. 1993 (2018).

[*Quick and Dirty: The New Misreading of the Voting Rights Act*](#), 43 FL. ST. U. L. REV. 573 (2016).

[*Electoral Integrity: The Confidence Game*](#), 89 N.Y.U. L. REV. ONLINE 70 (2014).

[*The Partisanship Spectrum*](#), 55 WM. & MARY L. REV. 1787 (2014).

[*Section 5 As Simulacrum*](#), 123 YALE L. J. ONLINE 151 (2013).

[*Democracy on the High Wire: Citizen Commission Implementation of the Voting Rights Act*](#), 46 U.C. DAVIS L. REV. 1041 (2013).

[*Resolving Election Error: The Dynamic Assessment of Materiality*](#), 54 WM. & MARY L. REV. 83 (2012) (also [edited for inclusion in LEGAL WORKSHOP](#), OCT. 30, 2012).

[*Election Deform: The Pursuit of Unwarranted Electoral Regulation*](#), 11 ELECTION L.J. 97 (2012).

[*Confronting the Impact of Citizens United*](#), 29 YALE L. & POL'Y REV. 217 (2010).

[*Long Lines at the Courthouse: Pre-Election Litigation of Election Day Burdens*](#), 9 ELECTION L.J. 19 (2010) (peer-reviewed).

[*Taking the "Re" Out of Redistricting: State Constitutional Provisions on Redistricting Timing*](#), 95 GEO. L.J. 1247 (2007) (co-authored with Michael P. McDonald).

ESSAYS AND SHORTER SCHOLARSHIP

[*Nonsense: Pretext and the Decennial Enumeration*](#), 3 ACS SUP. CT. REV. 59 (2019).

[*Race, Redistricting, and the Manufactured Conundrum*](#), 50 LOYOLA L.A. L. REV. 555 (2017).

[*The Role of State Attorneys General in Federal and State Redistricting in 2020*](#) (2017) (co-authored with James E. Tierney).

[*Voter Identification in the Courts*](#), in [THE BOOK OF THE STATES](#) (Council of State Gov'ts 2015).

[*"Fixing That": Lines at the Polling Place*](#), 28 J. L. POL. 465 (2013).

[*You're Gonna Need a Thicker Veil*](#), 65 FLA. L. REV. F. (2013).

[*The New Wave of Election Regulation: Burden without Benefit*](#), 6 ADVANCE 39 (2012).

ESSAYS AND SHORTER SCHOLARSHIP (continued)

[*Fault and the Murkowski Voter: A Reply to Flanders*](#), 28 ALASKA L. REV. 41 (2011).

[*Weighing the Potential of Citizen Redistricting*](#), 44 LOYOLA L.A. L. REV. 513 (2011).

Guarantee Clause, in ENCYCLOPEDIA OF THE U.S. CONSTITUTION (David Schultz ed., 2009).

[*Seeing Double Voting: An Extension of the Birthday Problem*](#), 7 ELECTION L.J. 111 (2008)
(co-authored with Michael P. McDonald) (peer-reviewed).

Developments in the Law—International Criminal Law (pt. 2): [*The Promises of International Prosecution*](#), 114 HARV. L. REV. 1957 (2001).

MONOGRAPHS AND BOOK CHAPTERS

Quick and Dirty: The New Misreading of the Voting Rights Act, in [AMERICA VOTES! A GUIDE TO MODERN ELECTION LAW AND VOTING RIGHTS](#) (Benjamin E. Griffith ed., 3d ed. 2016).

[LULAC v. Perry: The Frumious Gerry-Mander, Rampant](#), in ELECTION LAW STORIES
(Foundation Press, 2016).

Novel (and Not-so-Novel) Alternatives to Legislative Redistricting, in [AMERICA VOTES! A GUIDE TO MODERN ELECTION LAW AND VOTING RIGHTS](#) (Benjamin E. Griffith ed., 2d ed. 2012).

Redistricting and the West: The Legal Context, in [REDISTRICTING AND REAPPORTIONMENT IN THE WEST](#) (Gary F. Moncrief ed., 2011).

[A CITIZEN’S GUIDE TO REDISTRICTING](#) (2d ed., Brennan Center for Justice 2010).

How Data is [sic] Used by Advocates, in [DATA FOR DEMOCRACY](#) (Paul Gronke & Michael Caudell-Feagan eds., 2008).

A CITIZEN’S GUIDE TO REDISTRICTING (1st ed., Brennan Center for Justice 2008).

[THE TRUTH ABOUT VOTER FRAUD](#) (Brennan Center for Justice 2007).

Introduction, in [MAKING EVERY VOTE COUNT: FEDERAL ELECTION LEGISLATION IN THE STATES](#)
(Andrew Rachlin ed., 2006).

[MAKING THE LIST: DATABASE MATCHING AND VERIFICATION PROCESSES FOR VOTER REGISTRATION](#)
(Brennan Center for Justice 2006) (co-authored with Wendy R. Weiser and Ana Muñoz).

MULTIMEDIA RESEARCH

[All About Redistricting](#), a comprehensive website tracking the status of decennial redistricting, explaining the process state-by-state, and following redistricting litigation start to finish.

TESTIMONY AND REGULATORY COMMENT

- U.S. Senate:** *From Selma to Shelby County: Hearing Before the S. Comm. on Judiciary*, 113th Cong. (July 17, 2013) ([video](#), [statement](#)).
- U.S. Senate:** *New State Voting Laws: Barriers to the Ballot?: Hearing Before the S. Comm. on Judiciary, Subcomm. on Constitution, Civil Rights & Human Rights*, 112th Cong. (Sept. 8, 2011) ([video](#), [statement](#)).
- U.S. Senate:** *In Person Voter Fraud: Myth and Trigger for Disenfranchisement?: Hearing Before the S. Comm. on Rules & Admin.*, 110th Cong. (Mar. 12, 2008) ([transcript](#), [statement](#)).
- U.S. Senate:** *Protecting Voters at Home and at the Polls: Hearing Before the S. Comm. on Rules & Admin.*, 110th Cong. (Feb. 27, 2008) ([statement](#)).
- U.S. House:** *Congressional Authority to Protect Voting Rights After Shelby County v. Holder: Hearing Before the H. Comm. on the Judiciary, Subcomm. on Constitution, Civil Rights & Civil Liberties*, 116th Cong. (Sept. 24, 2019) ([video](#), [statement](#)).
- U.S. House:** *Progress Report on the 2020 Census: H. Comm. on Oversight & Government Reform*, 115th Cong. (May 9, 2018) ([video](#), [statement](#)).
- U.S. Comm’n on Civil Rights:** *An Assessment of Minority Voting Rights Access in the US: An Update* (July 8, 2020) ([statement](#)).
- U.S. Comm’n on Civil Rights:** *An Assessment of Minority Voting Rights Access in the US: Hearing Before the U.S. Comm’n on Civil Rights* (Feb. 2, 2018) ([video](#), [statement](#), [supp.](#)).
- U.S. Comm’n on Civil Rights:** *Redistricting and the 2010 Census: Enforcing Section 5 of the VRA: Hearing Before the U.S. Comm’n on Civil Rights* (Feb. 3, 2012) ([statement](#)).
- U.S. Comm’n on Civil Rights (Alaska):** *Alaska Native Voting Rights: Hearing Before the Alaska Advisory Comm. to the U.S. Comm’n on Civil Rights* (Sept. 22, 2017) ([statement](#)).
- U.S. Comm’n on Civil Rights (Indiana):** *Voting Rights in Indiana: Hearing Before the Indiana Advisory Comm. to the U.S. Comm’n on Civil Rights* (Apr. 30, 2018) ([statement](#)).
- U.S. Dep’t of Commerce:** [Comment](#) on Proposed Information Collection, 2020 Census, Aug. 7, 2018, response to 83 Fed. Reg. 26,643 (June 8, 2018).
- U.S. Census Bureau:** [Comment](#) on Census Residence Rule and Residence Situations: People in Correctional Facilities, July 20, 2015, response to 80 Fed. Reg. 28,950 (May 20, 2015).
- Fed. Court:** *DNC v. RNC*, No. 81-3876 (D.N.J. May 6, 2009) ([opinion](#)).
- State Court:** *Jauregui v. Palmdale*, No. BC483039 (Cal. Super. Ct., L.A. Cnty. May 2013).
- State Court:** *Pico Neighborhood Ass’n v. Santa Monica*, No. BC616804 (Cal. Super. Ct., L.A. Cnty. Aug. 2018).

TESTIMONY (continued)

Alaska House: *Hearing on H.J.R. 26 Before the H. State Affairs Comm., 30th Leg.* (Alaska Feb. 20, 2018) ([video](#))

Ill. Senate: *Proposals for Changing the Current Redistricting Process in Illinois: Hearing Before the S. Redistricting Comm., 96th Leg.* (Ill. Oct. 13, 2009) ([statement](#)).

Ind. Joint Comm: *Hearing Before the Interim Study Comm. on Redistricting, 117th Gen. Assem.* (Ind. Oct. 7, 2011); *Hearing Before the Census Data Advisory Committee, 116th Leg.* (Ind. Sept. 29, 2009) ([statement](#)).

Mich. House: *Hearing on H.B. 5914 Before the H. Judiciary Comm., 95th Leg.* (Mich. Apr. 13, 2010) (with Myrna Pérez) ([statement](#)).

Nev. Joint Comm.: *National Overview of Reapportionment and Redistricting: J. Meeting Assemb. Comm. Legis. Operations & Elections & S. Comm. Legis. Operations & Elections, 76th Reg. Sess.* (Nev. Mar. 10, 2011) ([presentation](#)).

N.Y. Assembly: *Redistricting: Hearing on A.624, A.2056, and A.6287-a Before Assemb. Standing Comm. on Gov't Operations* (N.Y. Oct. 17, 2006) (with Kahlil Williams) ([statement](#))

Ore. Joint Comm.: *Communities of Interest: An Overview of the Law: Hearing Before the S. Comm. on Redistricting & the H. Comm. on Redistricting* (Ore. Feb. 25, 2011); *What is Redistricting? A Citizen's Guide to Redistricting: Hearing Before the S. Comm. on Redistricting & the H. Comm. on Redistricting* (Ore. Feb. 4, 2011) ([audio](#)).

Tex. House: *Hearing on S.B. 14 Before the H. Select Comm. on Voter Identification and Voter Fraud, 82d Leg.* (Tex. Mar. 1, 2011) ([video](#) @ 4:47:00); *Hearing on S.B. 362 Before the H. Comm. on Elections, 81st Leg.* (Tex. Apr. 6, 2009) ([video](#) @ 2:29:00, [statement](#)); *Hearing Before the H. Comm. on Elections, 80th Leg.* (Tex. Jan. 25, 2008) ([video](#) @ 3:26:40).

Wash. Senate: *Hearing on Voting Rights Issues Before the S. State Gov't, Tribal Relations & Elections Comm.* (Wash. Jan. 10, 2018) ([statement](#)).

Wash. Joint Comm.: *Hearing on Issues Involving Potential Litigation Over State Voting Rights Acts Before the S. Gov'tal Ops. Comm. & the L. & Justice Comm.* (Wash. May 7, 2015).

Wis. Joint Comm.: *Hearing on A.B. 895 and 892, and S.B. 640 and 645, Before the Ass. Comm. on Elections & Campaign Reform & the S. Comm. on Labor, Elections & Urban Affairs* (Wis. Mar. 31, 2010) ([statement](#)).

L.A. County: [Report on the Legal Standards Pertaining to the Los Angeles County Redistricting Process](#); *Hearing Before the L.A. Cty. Bd. of Supervisors* (L.A. Cty. Aug. 9, 2011) ([video](#)).

City of Dallas: [Hearing Before the Dallas Charter Review Comm'n re Redistricting](#) (Dallas, Mar. 25, 2014) ([video](#)).

SELECTED PRESENTATIONS

Panelist, [*What Happens When America Votes? Second in a Series: Legal Remedies for Election Litigation*](#), National Center for State Courts (Oct. 2020).

Panelist, [*Access to the Vote: The Ballot and the Mailbox*](#), ABA Civil Rights and Social Justice Section (Sept. 2020).

Panelist, *Redistricting 101*, Michigan Independent Citizens' Redistricting Commission (Sept. 2020).

Speaker, *Redistricting 101: Legal Concepts That Apply to the Work of California's Citizens Redistricting Commission*, California Citizens' Redistricting Commission (Sept. 2020).

Speaker, *Election Law Update*, Conf. of the Nat'l Ass'n of Appellate Court Attorneys (July 2020).

Roundtable Participant, *What If the 2020 Presidential Election is Disputed?*, Ohio State Moritz School of Law, Columbus, OH (May 2020).

Panelist, *Redistricting and Related Legal Uses*, [*Workshop on 2020 Census Data Products: Data Needs and Privacy Considerations*](#), Committee on National Statistics, National Academy of Sciences, Washington, DC (Dec. 2019).

Panelist, *Impeaching the President: The Ins and Outs of Ukraine, Obstruction of Justice, Emoluments, and More*, UCLA School of Law, Los Angeles, CA (Nov. 2019).

Speaker, *Uses of 2020 Census Redistricting Data, Formal Privacy Methods for the 2020 Census*, JASON Conference, La Jolla, CA (June 2019).

Speaker, *Citizenship and the Census*, Harvard Law School, Cambridge, MA (Apr. 2019).

Panelist, [*Dollars and Sense: Campaign Finance Reform for the 21st Century*](#), Notre Dame Law School, South Bend, IN (Feb. 2019).

Panelist, *Undercounting Democracy: The Census and the Citizenship Question*, UCLA Law School, Los Angeles, CA (Feb. 2019).

Moderator, *Fighting Gerrymandering with the First Amendment*, [*Reason, Reform & Redistricting Conference*](#), Duke University, Durham, NC (Jan. 2019).

Speaker, [*The Need for Redistricting Reform*](#), U. Arizona Conference on Redistricting, Tucson, AZ (Oct. 2018).

Panelist, [*How Gerrymandering is Reshaping Politics*](#), SxSW, Austin, TX (Mar. 2018).

Panelist, *Foreign Interference in U.S. Elections from an Election and Constitutional Law Perspective*, McGeorge Global Center Annual Symposium, McGeorge School of Law, University of the Pacific, Sacramento, CA (Mar. 2018).

Moderator, *At Our Whit(ford)'s End With Gerrymandering?*, Unrig the System Summit, New Orleans, LA (Feb. 2018).

SELECTED PRESENTATIONS (continued)

- Speaker, *A Republic, If You Can Keep It*, [In Defense of Voting Rights](#), Colloquium on the Constitution and the Imagining of America, Amherst College, Amherst, MA (Nov. 2017).
- Panelist, *Race and Redistricting 2021*, [Redistricting Reform Conference at Harvard](#), Harvard Kennedy School / Harvard Law School, Cambridge, MA (Nov. 2017).
- Panelist, Voting Rights Institute, [ACS 2017 National Convention](#), Washington, DC (June 2017).
- Keynote Speaker, [Legislatures, Courts and Voting Rights: Developments since the 2013 Shelby County v. Holder Decision](#), U. Pittsburgh School of Law, Pittsburgh, PA (Apr. 2017).
- Keynote Speaker, [The Future of National Election and Political Reform Efforts](#), The Future of Democracy, Election Law@Boalt, Berkeley Law School, Berkeley, CA (Apr. 2017).
- Participant, *Political Parties and Republican Government*, Liberty Fund Colloquium, Cato Institute, Washington, DC (Apr. 2017).
- Panelist, *The Supreme Court and 2020 Round*, William & Mary Law Review 2020 Redistricting Symposium, William & Mary Law School, Williamsburg, VA (Feb. 2017).
- Presenter, *Vote As If Your Life Depends on It*, [NDRN 2016 P&A/CAP Annual Conference](#), Baltimore, MD (June 2016).
- Opening Remarks, [Summit on Language Access in Elections](#), Election Assistance Commission, College Park, MD (June 2016).
- Panelist, *Government Plenary*, [ABA Section of Labor and Employment Law, National Conference on Equal Employment Opportunity Law](#), Austin, TX (Mar. 2016).
- Opening Remarks, [Securing the Election in the 21st Century](#), Election Verification Network Conference, Washington, DC (Mar. 2016).
- Panelist, *Protecting Voters and Best Practices for State, County, and Local Officials*, Roundtable, Joint Center for Political and Economic Studies, GW Law, Washington, DC (Dec. 2015).
- Panelist, Closing Plenary, [Looking Forward to an Expanded Electorate, Future of California Elections 2015 Conference](#), Sacramento, CA (Feb. 2015).
- Panelist, [The Voting Rights Act at 50: The Past, Present, and Future of the Right to Vote](#), LSU Law Center, Baton Rouge, LA (Jan. 2015).
- Panelist, [Got ID? Recent Trends in Voter Identification Requirements](#), 2014 U.S. Election Program, International Foundation for Electoral Systems, Washington, DC (Nov. 2014).
- Presenter, *U.S. Redistricting, in Texas and Beyond*, Workshop Derecho Electoral Comparado, Tribunal Electoral del Poder Judicial de la Federación, Mexico City, Mexico (Sept. 2014).

SELECTED PRESENTATIONS (continued)

- Panelist, [*The End of Political Gerrymandering?*](#), National Constitution Center, Philadelphia, PA (May 2014).
- Presenter, *Democracy Held Captive: Felon Voting Rights and Prison-Based Gerrymandering*, 44th Annual Cal State Fullerton Philosophy Symposium, [*Rethinking Mass Incarceration: Gender, Race, and the Prison Industrial Complex*](#), Cal. State University, Fullerton, CA (Apr. 2014).
- Presenter. *The Partisanship Spectrum*, [*The Jurisprudence of Voting Rights*](#), Midwest Political Science Association, Chicago, IL (Apr. 2014).
- Panelist, [*Voting Rights Post-Shelby: A Perspective One Year Out*](#), American Constitution Society, Georgetown University Law Center, Washington, DC (Apr. 2014).
- Presenter, *The Partisanship Spectrum*, [*Elections, Law & Democracy*](#), Southern California Law and Social Science Forum, Whittier Law School, Costa Mesa, CA (Mar. 2014).
- Presenter, [*40 Years after Watergate and 4 Years after Citizens United*](#), American Constitution Society, Southwestern Law School, Los Angeles, CA (Mar. 2014).
- Panelist, [*Voting Rights: Challenges and Opportunities for Cause Lawyers in the 21st Century*](#), 2014 La Verne Law Review Symposium, *Brown v. Board of Education at 60: Cause Lawyering for a New Generation*, University of La Verne College of Law, La Verne, CA (Feb. 2014).
- Panelist, [*Has the United States Supreme Court Killed California's Initiative Process or Helped Check Its Abuses?*](#), Federalist Society 2014 Annual Western Chapters Conference, Ronald Reagan Presidential Library, Simi Valley, CA (Jan. 2014).
- Participant, *Scholars' Convening on Voting Rights*, George Washington University School of Law, Washington, DC (Dec. 2013).
- Participant, *Redistricting 2020: Preparing for Action*, Pew Charitable Trusts, Washington, DC (Dec. 2013).
- Panelist, [*What's at Stake for Immigrant Communities and Other Communities of Color in the New Battle Over Voting Rights*](#), 2013 Advancing Justice Conference, Los Angeles, CA (Nov. 2013).
- Panelist, *Shelby County v. Holder: Election Law's Impact on the Asian Pacific American Community*, U.C. Irvine School of Law, Irvine, CA (Nov. 2013).
- Speaker, *Exploring the Post-Shelby Voting Rights Act Framework*, American Constitution Society, UCLA, Los Angeles, CA (Oct. 2013).
- Speaker, [*The Future of Voting Rights after Shelby County v. Holder*](#), Public Policy Lecture Series, Reed College, Portland, OR (Oct. 2013).
- Presenter, *The Partisanship Spectrum*, Junior Faculty Workshop, University of Toronto School of Law, Toronto, Canada (Oct. 2013).

SELECTED PRESENTATIONS (continued)

Speaker, [*Voting Rights After Shelby County v. Holder: What Now?*](#), American Constitution Society, University of La Verne College of Law, La Verne, CA (Oct. 2013).

Presenter, *The Partisanship Spectrum*, Fall 2013 Southern California Junior Faculty Workshop, Southwestern Law School, Los Angeles, CA (Sept. 2013).

Panelist, [*Long Voting Lines - Causes and Cures and Precinct Management*](#), National Ass'n of State Election Directors Summer Meeting, Anchorage, AK (July 2013).

Panelist, [*How to Fix That: Modernizing Our Elections*](#), Netroots Nation 2013, San Jose, CA (June 2013).

Panelist, *Campaign Finance After Citizens United*, Federalist Society, Yale Law School, New Haven, CT (Apr. 2013).

Panelist, *Politics, Disease Prevention, and the Polling Place: Lessons from Vote & Vax*, Clinton Global Initiative U., Washington University in St. Louis, St. Louis, MO (Apr. 2013).

Symposium Participant, [*The Voting Wars: Election Day and Beyond*](#), University of Virginia School of Law, Charlottesville, VA (Mar. 2013).

Speaker, *Gerrymandering, Voter Suppression, and the Voting Rights Act*, Rogers School of Law, Tucson, AZ (Mar. 2013).

Panelist, *The Future of the Voting Rights Act*, Yale Law School, New Haven, CT (Mar. 2013).

Panelist, *Voting Rights at Large and at Small: Perspectives on Local Election Administration and How People Really Vote*, Reblaw 2013, Yale Law School, New Haven, CT (Feb. 2013).

Speaker, [*The California Voting Rights Act*](#), City of Anaheim, Citizens Advisory Committee on Elections and Community Involvement, Anaheim, CA (Dec. 2012) ([video](#)).

Panelist, [*Law and Democracy: A Symposium on the Law Governing Our Democratic Process*](#), George Washington University School of Law, Washington, DC (Nov. 2012).

Panelist, [*American Ideal: The Right to Vote*](#), Beverly Hills Bar Ass'n, Los Angeles, CA (Oct. 2012).

Panelist, [*To Vote or Not to Vote: Turnout Challenges for 2012*](#), Pat Brown Institute of Public Affairs, Los Angeles, CA (Sept. 2012).

Speaker, *The Initiative Process and Constitutional Change*, U. Minnesota School of Law, Minneapolis, MN (Sept. 2012).

Panelist, [*Are We Ready to Run Our Elections?*](#), Bipartisan Policy Center / Humphrey School of Public Policy, Washington, DC (Sept. 2012).

SELECTED PRESENTATIONS (continued)

Panelist, [*Foxes, Henhouses, and Commissions: Assessing the Nonpartisan Model in Election Administration, Redistricting, and Campaign Finance*](#), U.C. Irvine School of Law, Irvine, CA (Sept. 2012).

Moderator, [*From Austin to Albany: Redistricting in Texas and New York in 2010*](#) and [*Redistricting 2012 Legal Panel*](#), 2012 NCSL Legislative Summit, Chicago, IL (Aug. 2012).

Moderator, [*What's at Stake: Examining Voting Rights in the 21st Century*](#), 2012 ACS National Convention: Democracy at Stake, Washington, DC (June 2012).

Panelist, [*Redistricting Litigation*](#), Federalist Society Civil Rights Practice Group Podcast (Apr. 2012).

Speaker, *Voting ID Laws: Integrity at the Ballot Box?*, American Constitution Society, UCLA Law School, Los Angeles, CA (Apr. 2012).

Presenter, *Municipal Redistricting and Minority Representation: Democracy Outside the Box*, The Politics of Race and Place Workshop, U.C. San Diego (Feb. 2012).

Panelist, *Blocking the Vote: Voter Suppression Tactics and Responses on the Eve of the 2012 Elections*, NAACP LDF Civil Rights Training Institute, Airlie Conference Center, Warrenton, VA (Oct. 2011).

Panelist, [*A Brave New World? California's Redistricting Experiment*](#), Institute of Governmental Studies, U.C. Berkeley, Berkeley, CA (Sept. 2011).

Panelist, *Redistricting Roundtable: Law and Politics in the New Decade*, 2011 American Political Science Association Annual Meeting, Seattle, WA (Sept. 2011).

Speaker, *Emerging/Unresolved Issues in Case Law*, [*Reapportionment and Redistricting in Idaho and the West*](#), Boise State University, Boise, ID (Apr. 2011).

Discussant, [*Eligibility to Vote: Bush v. Gore, 10 Years Later*](#), University of California-Irvine, Laguna Beach, CA (Apr. 2011).

Speaker, [*Redistricting 101: What You Need to Know to Get Involved*](#), Arizona State University, Phoenix, AZ (Apr. 2011).

Discussant, [*Citizen Competence in Direct Democracy*](#), 2011 Midwest Political Science Association Annual Meeting, Chicago, IL (Mar. 2011).

Panelist, [*Citizens United: One Year Later*](#), American Constitution Society, UCLA Law School (Mar. 2011).

Panelist, *Partisan Gerrymandering: The Legal Limitations and Lack Thereof*, NCSL National Redistricting Seminar, National Harbor, MD (Jan. 2011).

SELECTED PRESENTATIONS (continued)

Kickoff Speaker, [*Redistricting Basics and Terminology*](#), NCSL National Redistricting Seminar, National Harbor, MD (Jan. 2011).

Speaker, [*Redistricting 101: Legal Concepts That Apply to the Work of California's Citizens Redistricting Commission*](#), California State Auditor, Sacramento, CA (Dec. 2010).

Panelist, *Redistricting Decisions of the Last Decade*, NCSL National Redistricting Seminar, Providence, RI (Sept. 2010).

Panelist, *Symposium 2010 - Helping America Vote: The Past, Present, and Future of Election Administration*, NYU Journal of Legislation and Public Policy, NYU School of Law, New York, NY (Mar. 2010).

Speaker, [*Redistricting 101: Legal Concepts That Apply to the Work of California's Citizens Redistricting Commission*](#), California State Auditor, Applicant Review Panel, Sacramento, CA (Feb. 2010).

Speaker, [*Redistricting: Embracing Lines in the Public Interest*](#), Women in Government, 16th Annual State Directors' Conference, Dana Point, CA (Jan. 2010).

Speaker, [*Hot Voting Rights Topics for Municipalities: Pre-litigation Use of Alternative Voting Systems and Redistricting Consequences of Incarceration*](#), International Municipal Lawyers Association, Columbia, SC (Dec. 2009).

Speaker, [*Redistricting 101—An Overview and a Timeline for Success*](#), National Conference of State Legislatures, Chicago, IL (Oct. 2009).

Speaker, [*Census 2010: Be Counted, Be Heard*](#), National Latino/a Law Students' Conference, Chicago, IL (Sept. 2009).

Panelist, *Repairing our Democracy: Voter Registration Modernization and other Solutions*, Netroots Nation, Pittsburgh, PA (Aug. 2009).

Speaker, [*Redistricting and the Census*](#), National Civic Summit, Minneapolis, MN (July 2009).

Speaker, *Political Participation: Problems and Promise*, American Constitution Society, UCLA School of Law, Los Angeles, CA (Feb. 2008).

Panelist, *Can Legislation Bring Democracy to America's Capital?*, American Constitution Society, Columbia Law School, New York, NY (Feb. 2007).

Discussant, *Making Every Vote Count: Federal Election Legislation in the States*, Policy Research Institute for the Region, Princeton University, Princeton, NJ (Apr. 2006).

Speaker, *Youth Voter Mobilization and Civic Engagement*, American Democracy Institute, Philadelphia, PA (Feb. 2006).

SELECTED MEDIA APPEARANCES

[*Uncivil War: U.S. Elections Under Siege*](#), Bertelsmann Foundation (2020).

[*Slay the Dragon*](#), Participant Media (2019).

[*Gerrymandering: A New Documentary Film*](#), Green Film Company (2010).

[*California Allows GOP Ballot Boxes with Safeguards*](#), America's News HQ, Fox News (Oct. 2020).

[*Voters will decide this election, not the courts, says former Justice Dept. official*](#), MSNBC (Oct. 2020).

[*Citizenship Question: Political Power Shift?*](#), Smerconish, CNN (Jan. 2018).

[*So What Are Voter ID Laws Even For?*](#), All In With Chris Hayes, MSNBC (Aug. 2014).

[*Supreme Court civil rights decisions*](#), Tavis Smiley, PBS (June 2013).

[*Election 2020: Lawyers vs. more lawyers*](#), Post Reports, WASH, POST (Oct. 2020).

[*Challenges To State Voting Rules Could End Up Before The Supreme Court*](#), Morning Edition, NPR (Oct. 2020).

[*Supreme Court Rules Partisan Gerrymandering Is Beyond The Reach Of Federal Courts*](#), All Things Considered, NPR, June 27, 2019.

[*Pennsylvania Gerrymandering*](#), BBC Radio 5 (Feb. 2018).

[*The Gerrymandering Project: California*](#), FIVETHIRTYEIGHT POLITICS (Jan. 2018).

[*The Political Lines That Divide Us*](#), Innovation Hub, WGBH (Oct. 2017).

[*The Political Thicket*](#), More Perfect, RADIOLAB/WNYC (Sept. 2017).

[*Gerrymandering: America's Most Dangerous Maps?*](#), 1A, NPR (Apr. 2017).

Cited as election law expert by hundreds of publications, TV and radio stations, and news services, including Fox News, MSNBC, CNN, CBS, NPR and its local affiliates, the Associated Press, Reuters, Bloomberg, New York Times, Wall St. Journal, Washington Post, New Yorker, USA Today, Huffington Post, The Hill, The Nation, The Atlantic, National Journal, Politico, Vox, Salon, Slate, Time, Los Angeles Times, Sacramento Bee, Miami Herald, Kansas City Star, Houston Chronicle, Chicago Tribune, Palm Beach Post, Milwaukee Journal-Sentinel, Minneapolis Star-Tribune, and Atlanta Journal-Constitution.

Also cited as election expert by Samantha Bee, Stephen Colbert, Seth Meyers, and John Oliver.

SELECTED OPINION

- [*Clarity of the Record Should Bring Clarity of Purpose*](#), SCOTUSBLOG, Feb. 11, 2019.
- [*Reliving the 2000 Election — and Learning the Wrong Lessons*](#), HARV. L. REV. BLOG, Nov. 20, 2018.
- [*For Progressives, There's a Bright Side to Brett Kavanaugh's Supreme Court Nomination*](#), USA TODAY, July 10, 2018.
- [*The Fight to End Partisan Gerrymandering is Far From Over*](#), WASH. POST, June 19, 2018.
- [*How Trump's Citizenship Question May Hurt the G.O.P.*](#), N.Y. TIMES, Apr. 3, 2018.
- [*Intent is Enough*](#), SCOTUSBLOG, Aug. 9, 2017.
- [*All Your Voter Data Are Belong to Us*](#), TAKE CARE BLOG, July 2, 2017.
- [*The Voting Rights Act Turns 50. And Also 40.*](#), CAL. FORWARD, Aug. 6, 2015 (w/ Dean Logan).
- [*A Comprehensive Investigation of Voter Impersonation Finds 31 Credible Incidents Out of One Billion Ballots Cast*](#), WASH. POST WONKBLOG, Aug. 6, 2014.
- [*Why McCutcheon is Bad News for Millionaires*](#), POLITICO, Apr. 2, 2014.
- [*A Broken Election System Becomes a Teenager*](#), PACIFIC STANDARD, Dec. 12, 2013.
- [*Voter ID Update: the Diversity in the Details*](#), CONSTITUTION DAILY, Oct. 30, 2013.
- [*Aggregate Limits and the Fight Over Frame*](#), SCOTUSBLOG, Aug. 16, 2013.
- [*Shadowboxing and Unintended Consequences*](#), SCOTUSBLOG, June 25, 2013.
- [*The Danger of Voter Fraud Vigilantes*](#), N.Y. TIMES, Oct. 29, 2012.
- [*Supreme Court Messes With Texas, Voting Rights*](#), MILLER-MCCUNE, Jan. 9, 2012.
- [*The Real Victims of Election ID Laws*](#), POLITICO, June 14, 2011.
- [*Karl Rove Is Right About Importance of Local Elections*](#), ROLL CALL, Mar. 23, 2010.
- [*The Voting Rights Act, Through the Looking Glass*](#), ACSBLOG, June 9, 2009.
- [*The Hanging Chad of 2008*](#), HUFFINGTON POST, July 3, 2008.
- [*The Myth of Voter Fraud*](#), WASH. POST, Mar. 29, 2007 (with Michael Waldman).
- [*Raising the Dead Voter Hoax*](#), TOMPAINE.COM, Oct. 31, 2006.
- Occasional contributions to [Summary Judgments](#), the [Election Law Blog](#), and the [Brennan Center for Justice blog](#).

SELECTED PROFESSIONAL SERVICE

Series Editor, Elgar Studies in Law and Politics

Board of Directors, Fair Elections Center

Advisory Board, Access Democracy / All Voting is Local

Advisory Committee, Los Angeles County Voting Systems Assessment Project

Board of Advisors, VoteRiders

Brief of Prof. J. Morgan Kousser, Amicus Brief, *Higginson v. Becerra*, Case No. 19-55275 (9th Cir. Aug. 22, 2019).

Counsel, John R. Dunne et al., [Amicus Brief](#), *Dep't of Commerce v. New York*, Case No. 18-966 (U.S. Apr. 1, 2019).

Counsel, NAACP LDF et al., [Amicus Brief](#), *Rucho v. Common Cause / Lamone v. Benisek*, Case Nos. 18-422, 18-726 (U.S. Mar. 8, 2019).

Counsel, Scholars and Historians of Congressional Redistricting, [Amicus Brief](#), *Ariz. State Legis. v. Ariz. Ind. Redistricting Comm'n*, Case No. 13-1314 (U.S. Jan. 23, 2015).

Counsel, Current and Former Election Officials, Amicus Brief, *Arcia v. Detzner*, Case No. 12-15738-EE (11th Cir. 2012).

Peer Reviewer, Election Law Journal; Politics and Governance Journal

BAR ADMISSIONS

California State Bar

New Jersey State Bar

New York State Bar

Washington, DC Bar (*Inactive*)

U.S. District Court for the Central District of California

U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Appeals for the Eleventh Circuit

Supreme Court of the United States

ATTACHMENT B

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SCHEDULE OF DISCOUNTED FEES AND CHARGES – 2020

SANTA BARBARA COUNTY CITIZEN’S INDEPENDENT REDISTRICTING COMMISSION

	Hourly Rate
Senior Partners	\$575.00
Senior Counsel/Professor Levitt	\$575.00
Junior Partners	\$525.00
Associates	\$375.00
Analysts	\$210.00
Paralegals	\$175.00
Law Clerks	\$125.00

Additional charges:

Travel	Reasonable expenses incurred
Photocopies	\$0.20 per page
Facsimile Transmissions	\$0.25 per page
Filing fees, transcription and deposition costs, investigative costs, postage, messenger services, computerized research, special materials and supplies specifically required for performance of the contract, reproduction costs other than in-office photocopying	Actual costs incurred