

Tennessee State House Reapportionment.” This supplemental report disclosed a new illustrative map I created in response to criticism Defendants’ experts had made about my prior illustrative maps during their recent depositions.

4. In this January 9, 2023, report, I referred to the new illustrative map as Cervas House Map 13d_e because this map minimally revised a prior map I had previously produced, labeled Cervas House Map 13d. The report described this map and also included a web address, which a reader could click on or paste into a web browser to see the new map on the internet on the redistricting application I have used for this litigation, called Dave’s Redistricting App.

5. On January 20, 2023, Defendants filed a Motion for Summary Judgment. Plaintiffs’ counsel sent me a copy of Defendants’ memorandum in support. Therein, Defendants criticized the illustrative map I had produced on January 9, 2023 (Cervas House Map 13d_e) for containing a small number of House districts with non-contiguous census blocks. By non-contiguous census blocks, I mean small geographic areas assigned to a House district that are not geographically contiguous to the rest of the district.

6. At some point after reading this criticism, I opened Cervas House Map 13d_e on my computer to identify the non-contiguities. Non-contiguities are easy to fix, and once I identified the non-contiguities Defendants had pointed out, I corrected them and created a new map, which I titled “Cervas House Map 13d_e2.” I did not tell Plaintiffs’ counsel or anyone else involved in this lawsuit that I had corrected them, because I did not realize that I had done so in a way that would affect the reports or pleadings in the case. Unfortunately, I did not realize this new map remained linked to the web address in my January 9, 2023, report. That possibility did not cross my mind, but I would have assumed the web address in my January 9, 2023, report remained linked to the prior map, Cervas House Map 13d_e.

7. I created this new, corrected map for my own edification, as proof to myself that the non-contiguities addressed by Defendants could easily be corrected without undermining the map itself, which scored better on all relevant redistricting metrics as compared to the Enacted House Map. Neither Plaintiffs nor their counsel asked me to do so, and I understand Plaintiffs' counsel did not learn that I had done so until receiving Defendants' Motion on February 22, 2023.

8. I regret the fact that my decision to revise Cervas House Map 13d_e inadvertently led to the issue raised by Defendants' Motion. I did not realize the web address in my January 9, 2023, report became linked to the new map, rather than remaining linked to the original Cervas House Map 13d_e. My intention was to create a new version, which would have its own unique web address. Now, having had this issue brought to my attention by Defendants' Motion, I have corrected this routing issue by reconnecting the web address from my January 9, 2023, report to the original Cervas House Map 13d_e.

9. This issue arose inadvertently, without me realizing the web address from my January 9, 2023, report had been paired with my new map. I had absolutely no intention of altering the map linked to the web address in my January 9, 2023, report, and I certainly did not make this change on purpose with an intent to deceive the Parties or the Court. To the contrary, this was an entirely inadvertent change, and I was not aware of it until Defendants raised the issue.

10. Now that I am aware of the issue, I have rerouted the web address in my January 9, 2023, report. Thus, Cervas House Map 13d_e is once again the map connected to that web address, and the issue raised by Defendants has been resolved.

[Signature on following page]

I hereby swear that the above-stated testimony is true and accurate to the best of my knowledge and memory.

JONATHAN CERVAS DATE

STATE OF PENNSYLVANIA
COUNTY OF ALLEGHENY

Signed, sworn to, and acknowledged before me by Jonathan Cervas, this is the ____ day of February, 2023.

My Commission Expires: _____.

NOTARY PUBLIC