

TAB 1

**Defendants' Response to Gonzalez Plaintiffs' Motion for Reconsideration of Ruling
on Defendants' Motion to Strike and Motion to Admit Exhibits into Evidence
(Dkt. 965)**

Ex.	Objection
126-128, 132, 137, 149-151, 153-155, 159-163, 165-171, 173-187, 201, 203, 205-206, 306-307	Relevance. Plaintiffs have not established, by either argument or evidence at trial, how documents pertaining to VRAZ make any fact of consequence in this case more or less probable. No testimony has been introduced to show that "modifications" made to VRAZ after Prop 200 are relevant to any issue in the case. To the extent plaintiffs argue that Mr. Stender could have explained the relevance, Defendants made him available to testify at trial for plaintiffs and plaintiffs declined to call him. Mr. Stender's deposition testimony does not lay any foundation for why these exhibits are relevant to any issue or fact of consequence.
129	Relevance. Neither the testimony at trial nor plaintiffs' argument establishes how this exhibit is relevant to any issue of consequence in the case.
152	No objection.
172	Relevance. Neither the testimony at trial nor plaintiffs' argument establishes how this exhibit is relevant to any issue of consequence in the case. Moreover, this exhibit is not the subject of any testimony by Mr. Stender in his deposition and therefore no foundation has been laid for this exhibit.
197, 198, 200	Relevance. Plaintiffs have not established, by either argument or evidence at trial, how documents pertaining to VRAZ make any fact of consequence in this case more or less probable. No testimony has been introduced to show that "modifications" made to VRAZ after Prop 200 are relevant to any issue in the case. Hearsay.
199, 202	Relevance. Plaintiffs have not established, by either argument or evidence at trial, how documents pertaining to VRAZ make any fact of consequence in this case more or less probable. No testimony has been introduced to show that "modifications" made to VRAZ after Prop 200 are relevant to any issue in the case. Hearsay. Does not appear to be created by Secretary of State.
204	No objection.
688	Relevance. Neither the testimony at trial nor plaintiffs' argument establishes how this exhibit is relevant to any issue of consequence in the case. Moreover, this exhibit is not the subject of any testimony by Mr. Stender in his deposition and therefore no foundation has been laid for this exhibit.

14	No objection.
40, 59, 61, 64, 68, 84, 184, 196	Relevance. Neither the testimony at trial nor plaintiffs' argument establishes how this exhibit is relevant to any issue of consequence in the case. Moreover, this exhibit is not the subject of any testimony by Mr. Stender in his deposition and therefore no foundation has been laid for this exhibit.
85-90, 92-94	Hearsay.
148	Relevance. Neither the testimony at trial nor plaintiffs' argument establishes how this exhibit is relevant to any issue of consequence in the case.
689	Hearsay.
62	Relevance. Neither the testimony at trial nor plaintiffs' argument establishes how this exhibit is relevant to any issue of consequence in the case.
9	No objection.
679	Hearsay.
680	Hearsay.
681	Hearsay.
682	Hearsay.
693	Exhibit is not "United States Census Bureau documents." Hearsay.
653-655, 660, 656-659	Relevance and foundation. No testimony was introduced at trial to establish how the information is relevant to any issue or fact of consequence in the case. The Court previously admitted what it deemed the relevant census tables during the expert witness examination phase of the trial.
97	Relevance and foundation. No testimony was introduced at trial to establish how the information is relevant to any issue or fact of consequence in the case.
98	No objection.
314	No objection.
420	No objection.