

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:10-cv-00651-JDB**

SHELBY COUNTY, ALABAMA v. HOLDER

Assigned to: Judge John D. Bates

Case: 1:10-cv-00561-JDB

Case in other court: USCA, 11-05256

Cause: 42:1973 Voting Rights Act

Date Filed: 04/27/2010

Date Terminated: 10/13/2011

Jury Demand: None

Nature of Suit: 890 Other Statutory
Actions

Jurisdiction: U.S. Government Defendant

Plaintiff

SHELBY COUNTY, ALABAMA

represented by **Bert W. Rein**

WILEY REIN LLP

1776 K Street, NW

Washington, DC 20006

(202) 719-7000

Fax: (202) 719-7049

Email: brein@wrf.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Brendan J. Morrissey

WILEY REIN LLP

1776 K Street, NW

Washington, DC 20006

(202) 719-7000

Fax: (202) 719-7049

Email: bmorrissey@wileyrein.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Thomas R. McCarthy

WILEY REIN LLP

1776 K Street, NW

Washington, DC 20006

(202) 719-7000 x7476

Email: tmccarthy@wileyrein.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

William S. Consovoy

WILEY REIN LLP

1776 K Street, NW

Washington, DC 20006

(202) 719-7434

Email: wconsovoy@wileyrein.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

V.

Defendant

ERIC HIMPTON HOLDER, JR.

In his official capacity as Attorney

General of the United States

represented by **Ernest Alan McFarland**

U.S. DEPARTMENT OF JUSTICE

Civil Rights Division- Voting Section

950 Pennsylvania Ave, NW

Washington, DC 20530

(202) 307-6552

Fax: (202) 307-3961

Email: ernest.a.mcfarland@usdoj.gov

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Jared Michael Slade
U.S. DEPARTMENT OF JUSTICE
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, DC 20530
(202) 305-4733
Fax: (202) 307-3961
Email: jared.slade@usdoj.gov
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Justin S. Weinstein-Tull
U.S. DEPARTMENT OF JUSTICE
950 Pennsylvania Avenue, NW
NWB – Room 7145
Washington, DC 20530
(202) 353-0319
Fax: (202) 307-3961
Email: justin.weinstein-tull@usdoj.gov
*TERMINATED: 06/13/2012
LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Richard Alan Dellheim
U.S. DEPARTMENT OF JUSTICE
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, DC 20530
(202) 305-1734
Fax: (202) 307-3961
Email: richard.dellheim@usdoj.gov
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Samuel Robert Bagenstos
U.S. DEPARTMENT OF JUSTICE
Office of the Assistant Attorney General
950 Pennsylvania Avenue, NW
Room 5744
Washington, DC 20530
(202) 353-9065
Email: samuel.bagenstos@usdoj.gov
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

V.

Intervenor Defendant

EARL CUNNINGHAM

represented by **Kristen M. Clarke**
NAACP LEGAL DEFENSE
& EDUCATIONAL FUND, INC.
1444 Eye Street, NW
10th Floor
Washington, DC 20005
(202) 682-1300
Fax: (202) 682-1312
Email: kclarke@naacpldf.org
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Mark A. Posner

LAWYERS' COMMITTEE FOR CIVIL RIGHTS
1401 New York Avenue, NW
Suite 400
Washington, DC 20005
(202) 662-8389
Fax: (202) 783-0857
Email: mposner@lawyerscommittee.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dale E. Ho
AMERICAN CIVIL LIBERTIES UNION
125 Broad St
New York, NY 10013
(212) 965-2200
Email: dale.ho@aclu.org
ATTORNEY TO BE NOTICED

Debo P. Adegbile
NAACP LEGAL DEFENSE
& EDUCATIONAL FUND, INC.
99 Hudson Street
Suite 1600
New York, NY 10013
(212) 965-2249
Fax: (212) 226-7592
Email: dadegbile@naacpldf.org
ATTORNEY TO BE NOTICED

John Payton
NAACP LEGAL DEFENSE
& EDUCATIONAL FUND, INC.
99 Hudson Street
Suite 1600
New York, NY 10013
(212) 965-2200
Email: jpayton@naacpldf.org
TERMINATED: 03/29/2012

Ryan P. Haygood
NAACP LEGAL DEFENSE
& EDUCATIONAL FUND, INC.
99 Hudson Street
Suite 1600
New York, NY 10013
(212) 965-2200
Email: rhaygood@naacpldf.org
ATTORNEY TO BE NOTICED

Samuel Spital
SQUIRE, SANDERS & DEMPSEY, L.L.P.
30 Rockefeller Plaza
23rd Floor
New York, NY 10112
(212) 872-9800
Fax: (212) 872-9815
Email: sspital@ssd.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Intervenor Defendant

HARRY JONES

represented by **Kristen M. Clarke**
(See above for address)

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark A. Posner
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dale E. Ho
(See above for address)
ATTORNEY TO BE NOTICED

Debo P. Adegbile
(See above for address)
ATTORNEY TO BE NOTICED

John Payton
(See above for address)
TERMINATED: 03/29/2012

Ryan P. Haygood
(See above for address)
ATTORNEY TO BE NOTICED

Samuel Spital
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Intervenor Defendant

ALBERT JONES

represented by **Kristen M. Clarke**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark A. Posner
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Dale E. Ho
(See above for address)
ATTORNEY TO BE NOTICED

Debo P. Adegbile
(See above for address)
ATTORNEY TO BE NOTICED

John Payton
(See above for address)
TERMINATED: 03/29/2012

Ryan P. Haygood
(See above for address)
ATTORNEY TO BE NOTICED

Samuel Spital
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Intervenor Defendant

ERNEST MONTGOMERY

represented by **Kristen M. Clarke**
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Mark A. Posner
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Dale E. Ho
(See above for address)
ATTORNEY TO BE NOTICED

Debo P. Adegbile
(See above for address)
ATTORNEY TO BE NOTICED

John Payton
(See above for address)
TERMINATED: 03/29/2012

Ryan P. Haygood
(See above for address)
ATTORNEY TO BE NOTICED

Samuel Spital
(See above for address)
*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Intervenor Defendant

ANTHONY VINES

represented by **Kristen M. Clarke**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Mark A. Posner
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Dale E. Ho
(See above for address)
ATTORNEY TO BE NOTICED

Debo P. Adegbile
(See above for address)
ATTORNEY TO BE NOTICED

John Payton
(See above for address)
TERMINATED: 03/29/2012

Ryan P. Haygood
(See above for address)
ATTORNEY TO BE NOTICED

Samuel Spital
(See above for address)
*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Intervenor Defendant

WILLIAM WALKER

represented by **Kristen M. Clarke**
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Mark A. Posner
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Dale E. Ho
(See above for address)
ATTORNEY TO BE NOTICED

Debo P. Adegbile
(See above for address)
ATTORNEY TO BE NOTICED

John Payton
(See above for address)
TERMINATED: 03/29/2012

Ryan P. Haygood
(See above for address)
ATTORNEY TO BE NOTICED

Samuel Spital
(See above for address)
*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Intervenor Defendant

BOBBY PIERSON

represented by **Arthur B. Spitzer**
AMERICAN CIVIL LIBERTIES UNION
OF THE NATION'S CAPITAL
4301 Connecticut Avenue, NW
Suite 434
Washington, DC 20008
(202) 457-0800 x113
Fax: (202) 457-0805
Email: artspitzer@gmail.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Mark A. Posner
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Laughlin McDonald
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION, INC.
230 Peachtree Street, NW
Suite 1440
Atlanta, GA 30303
(404) 523-2721
Fax: (404) 653-0331
Email: lmcdonald@aclu.org
*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Meredith E.B. Bell-Platts
UNITED STATES DEPARTMENT OF
JUSTICE
Voting Section Civil Rights Division
950 Pennsylvania Avenue, NW

Washington, DC 20530
(800) 253-3931
Fax: (202) 307-3961
Email: Meredith.Bell-Platts@usdoj.gov
TERMINATED: 10/19/2010

Nancy Abudu
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION INC
230 Peachtree Street NW
Suite 1440
Atlanta, GA 30303
(404) 523-2721
Fax: (404) 653-0331
Email: nabudu@aclu.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Intervenor Defendant

WILLIE GOLDSMITH, SR.

represented by **Arthur B. Spitzer**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark A. Posner
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Laughlin McDonald
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Meredith E.B. Bell-Platts
(See above for address)
TERMINATED: 10/19/2010

Nancy Abudu
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Intervenor Defendant

MARY PAXTON-LEE

represented by **Arthur B. Spitzer**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark A. Posner
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Laughlin McDonald
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Meredith E.B. Bell-Platts
(See above for address)
TERMINATED: 10/19/2010

Nancy Abudu

(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Intervenor Defendant

KENNETH DUKES

represented by **Arthur B. Spitzer**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mark A. Posner
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Laughlin McDonald
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Meredith E.B. Bell-Platts
(See above for address)
TERMINATED: 10/19/2010

Nancy Abudu
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Intervenor Defendant

**ALABAMA STATE CONFERENCE
OF THE NATIONAL ASSOCIATION
FOR THE ADVANCEMENT OF
COLORED PEOPLE, INC.**

represented by **Arthur B. Spitzer**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Laughlin McDonald
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Mark A. Posner
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nancy Abudu
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Meredith E.B. Bell-Platts
(See above for address)
TERMINATED: 10/19/2010

Intervenor Defendant

BOBBY LEE HARRIS

represented by **Mark A. Posner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Autumn C. Katz

DEWEY &LEBOEUF LLP
1301 Avenue of the Americas
New York, NY 10019-6092
(212) 259-6410
Fax: (212) 259-6333
Email: akatz@dl.com
TERMINATED: 05/15/2012
PRO HAC VICE
ATTORNEY TO BE NOTICED

Daniel T. Stabile
DEWEY &LEBOEUF LLP
1301 Avenue of the Americas
New York, NY 10019-6092
(212) 259-6410
Fax: (212) 259-6333
PRO HAC VICE
ATTORNEY TO BE NOTICED

David Cooper
DEWEY &LEBOEUF LLP
1301 Avenue of the Americas
New York, NY 10019-6092
(212) 259-6410
Fax: (212) 259-6333
Email: dcooper@dl.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

John M. Nonna
DEWEY &LEBOEUF LLP
1301 Avenue of the Americas
New York, NY 10019-6092
(212) 259-6410
Fax: (212) 259-6333
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jon M. Greenbaum
LAWYERS' COMMITTEE FOR CIVIL
RIGHTS UNDER LAW
1401 New York Avenue, NW
Suite 400
Washington, DC 20005
(202) 662-8325
Email: jgreenbaum@lawyerscommittee.org
ATTORNEY TO BE NOTICED

Amicus

**CONSTITUTIONAL
ACCOUNTABILITY CENTER**

represented by **Judith Ellen Schaeffer**
CONSTITUTIONAL
ACCOUNTABILITY CENTER
1200 18th Street, NW
Suite 1002
Washington, DC 20036
(202) 296-6889
Fax: (202) 296-6895
Email: judith@theusconstitution.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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04/27/2010	<u>1</u>	COMPLAINT against ERIC H. HOLDER, JR (Filing fee \$ 350, receipt number 4616029261) filed by SHELBY COUNTY, ALABAMA. (Attachments: # <u>1</u> Civil Cover Sheet)(dr) (Entered: 04/27/2010)
04/27/2010		SUMMONS (2) Issued as to U.S. Attorney, and U.S. Attorney General (dr) (Entered: 04/27/2010)
04/27/2010	<u>2</u>	NOTICE OF RELATED CASE by SHELBY COUNTY, ALABAMA. Case related to Case No. 10-561. (dr) (Entered: 04/27/2010)
04/29/2010	<u>3</u>	NOTICE of Appearance by Brendan J. Morrissey on behalf of SHELBY COUNTY, ALABAMA (Morrissey, Brendan) (Entered: 04/29/2010)
04/30/2010	<u>4</u>	NOTICE of Appearance by Thomas R. McCarthy on behalf of SHELBY COUNTY, ALABAMA (McCarthy, Thomas) (Entered: 04/30/2010)
06/08/2010	<u>5</u>	MOTION for Summary Judgment by SHELBY COUNTY, ALABAMA (Attachments: # <u>1</u> Text of Proposed Order Proposed Order, # <u>2</u> Declaration Declaration of Frank C. Ellis, Jr., # <u>3</u> Exhibit Exhibit A, # <u>4</u> Exhibit Exhibit B)(Consovoy, William) (Entered: 06/08/2010)
06/11/2010	<u>6</u>	MOTION to Intervene by EARL CUNNINGHAM, HARRY JONES, ALBERT JONES, ERNEST MONTGOMERY, ANTHONY VINES, WILLIAM WALKER (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Responsive Pleading, # <u>3</u> Text of Proposed Order)(znmw,) (Entered: 06/14/2010)
06/22/2010	<u>7</u>	Memorandum in opposition to re <u>5</u> MOTION for Summary Judgment filed by ERIC H. HOLDER, JR. (Attachments: # <u>1</u> Exhibit Declaration of Richard Dellheim, # <u>2</u> Exhibit December 1, 2006 Order, # <u>3</u> Exhibit March 16, 2007 Order, # <u>4</u> Text of Proposed Order)(Dellheim, Richard) (Entered: 06/22/2010)
06/22/2010	<u>8</u>	NOTICE of Appearance by Arthur B. Spitzer on behalf of BOBBY PIERSON, WILLIE GOLDSMITH, SR, MARY PAXTON-LEE, KENNETH DUKES, ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC. (znmw,) Modified spelling on 7/2/2010 (znmw,). (Entered: 06/23/2010)
06/22/2010	<u>9</u>	MOTION to Intervene as Defendants by ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., KENNETH DUKES, WILLIE GOLDSMITH, SR, MARY PAXTON-LEE, BOBBY PIERSON (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Responsive Pleading, # <u>3</u> Text of Proposed Order)(znmw,) Modified spelling on 7/2/2010 (znmw,). (Entered: 06/23/2010)
06/23/2010	<u>10</u>	NOTICE of filing of Certificate of Service by ERIC H. HOLDER, JR re <u>7</u> Memorandum in Opposition, (Dellheim, Richard) (Entered: 06/23/2010)
06/24/2010	<u>11</u>	RESPONSE re <u>9</u> MOTION to Intervene, <u>6</u> MOTION to Intervene filed by ERIC H. HOLDER, JR. (Attachments: # <u>1</u> Exhibit Unpublished Orders)(Dellheim, Richard) (Entered: 06/24/2010)
06/25/2010	<u>12</u>	Memorandum in opposition to re <u>9</u> MOTION to Intervene, <u>6</u> MOTION to Intervene filed by SHELBY COUNTY, ALABAMA. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Text of Proposed Order)(Consovoy, William) (Entered: 06/25/2010)
06/28/2010	<u>13</u>	ANSWER to <u>1</u> Complaint by ERIC H. HOLDER, JR.(Dellheim, Richard) (Entered: 06/28/2010)
07/01/2010	<u>14</u>	REPLY to opposition to motion re <u>5</u> MOTION for Summary Judgment filed by SHELBY COUNTY, ALABAMA. (Attachments: # <u>1</u> Text of Proposed Order)(Consovoy, William) (Entered: 07/01/2010)
07/01/2010	<u>18</u>	MOTION to Intervene as a Defendant by BOBBY LEE HARRIS (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit A, # <u>3</u> Text of Proposed Order)(dr) (Entered: 07/06/2010)
07/01/2010	<u>19</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests NONE by BOBBY LEE HARRIS (dr) (Main Document 19

		replaced on 7/6/2010) (dr). (Entered: 07/06/2010)
07/02/2010	<u>15</u>	<i>APPLICANTS FOR INTERVENTION'S PROPOSED</i> ANSWER to <u>1</u> Complaint by ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., KENNETH DUKES, WILLIE GOLDSMITH, SR, MARY PAXTON-LEE, BOBBY PIERSON.(Spitzer, Arthur) Modified spelling on 7/2/2010 (znmw,). (Entered: 07/02/2010)
07/02/2010	<u>16</u>	REPLY to opposition to motion re <u>9</u> MOTION to Intervene filed by ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., KENNETH DUKES, WILLIE GOLDSMITH, SR, MARY PAXTON-LEE, BOBBY PIERSON. (Spitzer, Arthur) Modified spelling on 7/2/2010 (znmw,). (Entered: 07/02/2010)
07/02/2010	<u>17</u>	REPLY to opposition to motion re <u>6</u> MOTION to Intervene filed by EARL CUNNINGHAM, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, ANTHONY VINES, WILLIAM WALKER. (Clarke, Kristen) (Entered: 07/02/2010)
07/13/2010	<u>20</u>	Memorandum in opposition to re <u>18</u> MOTION to Intervene filed by SHELBY COUNTY, ALABAMA. (Attachments: # <u>1</u> Text of Proposed Order)(Consovoy, William) (Entered: 07/13/2010)
07/13/2010	<u>21</u>	RESPONSE re <u>18</u> MOTION to Intervene filed by ERIC H. HOLDER, JR. (Attachments: # <u>1</u> Exhibit Unpublished orders)(Dellheim, Richard) (Entered: 07/13/2010)
07/16/2010	<u>22</u>	NOTICE of Appearance by Meredith E.B. Bell-Platts on behalf of ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., KENNETH DUKES, WILLIE GOLDSMITH, SR, MARY PAXTON-LEE, BOBBY PIERSON (Bell-Platts, Meredith) (Entered: 07/16/2010)
07/21/2010	<u>23</u>	REPLY to opposition to motion re <u>18</u> MOTION to Intervene filed by BOBBY LEE HARRIS. (znmw,) (Entered: 07/21/2010)
07/23/2010	<u>24</u>	NOTICE of Appearance by Kristen M. Clarke on behalf of EARL CUNNINGHAM, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, ANTHONY VINES, WILLIAM WALKER (Clarke, Kristen) (Entered: 07/23/2010)
07/27/2010	<u>25</u>	ENTERED IN ERROR..... <i>APPLICANTS FOR INTERVENTION'S ANSWER</i> to <u>1</u> Complaint by EARL CUNNINGHAM, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, ANTHONY VINES, WILLIAM WALKER.(Clarke, Kristen) Modified on 7/28/2010 (dr). (Entered: 07/27/2010)
07/28/2010		NOTICE OF CORRECTED DOCKET ENTRY: re <u>25</u> Answer to Complaint was entered in error because filing was done prematurely. The Motion to Intervene has not been ruled on yet. (dr) (Entered: 07/28/2010)
07/28/2010	<u>26</u>	<i>Applicants for Intervention's [PROPOSED]</i> ANSWER to <u>1</u> Complaint by EARL CUNNINGHAM, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, ANTHONY VINES, WILLIAM WALKER.(Clarke, Kristen) (Entered: 07/28/2010)
08/24/2010	<u>27</u>	NOTICE of Appearance by Justin S. Weinstein-Tull on behalf of ERIC H. HOLDER, JR (Weinstein-Tull, Justin) (Entered: 08/24/2010)
08/24/2010	<u>28</u>	NOTICE of Appearance by Ernest Alan McFarland on behalf of ERIC H. HOLDER, JR (McFarland, Ernest) (Entered: 08/24/2010)
08/25/2010	<u>29</u>	ORDER granting <u>6</u> , <u>9</u> , <u>18</u> the pending motions to intervene. See text of Order for details. Signed by Judge John D. Bates on 8/25/2010. (lcjdb1) (Entered: 08/25/2010)
08/25/2010	<u>30</u>	RESPONSE re <u>1</u> Complaint filed by EARL CUNNINGHAM, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, ANTHONY VINES, WILLIAM WALKER. (dr) (Entered: 08/26/2010)

08/25/2010	<u>31</u>	RESPONSE re <u>1</u> Complaint filed by ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., KENNETH DUKES, WILLIE GOLDSMITH, SR, MARY PAXTON-LEE, BOBBY PIERSON. (dr) (Entered: 08/26/2010)
08/25/2010	<u>32</u>	ANSWER to <u>1</u> Complaint by BOBBY LEE HARRIS.(dr) (Entered: 08/26/2010)
09/01/2010		MINUTE ORDER: On the Court's own motion, and upon consideration of the entire record herein, it is hereby ORDERED that the Court will hold a status conference in this action on September 10, 2010, at 2:00 p.m. in Courtroom 8. Signed by Judge John D. Bates on 9/1/2010. (lcjdb1) (Entered: 09/01/2010)
09/03/2010	<u>33</u>	RESPONSE TO ORDER OF THE COURT re <u>29</u> Order on Motion to Intervene,,, Set/Reset Deadlines, Order, Set Hearings,, filed by ERIC H. HOLDER, JR. (McFarland, Ernest) (Entered: 09/03/2010)
09/03/2010	<u>34</u>	RESPONSE TO ORDER OF THE COURT re <u>29</u> Order on Motion to Intervene,,, Set/Reset Deadlines filed by ERIC H. HOLDER, JR. (McFarland, Ernest) (Entered: 09/03/2010)
09/08/2010	<u>35</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Laughlin McDonald, :Firm- American Civil Liberties Union Foundation, Inc., :Address- 230 Peachtree Street NW, Suite 1440, Atlanta, Georgia 30303. Phone No. - 4045232721. Fax No. - 4046530331 by ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., KENNETH DUKES, WILLIE GOLDSMITH, SR, MARY PAXTON-LEE, BOBBY PIERSON (Bell-Platts, Meredith) (Entered: 09/08/2010)
09/08/2010	<u>36</u>	Memorandum in opposition to re <u>5</u> MOTION for Summary Judgment filed by ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., EARL CUNNINGHAM, KENNETH DUKES, WILLIE GOLDSMITH, SR, BOBBY LEE HARRIS, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, MARY PAXTON-LEE, BOBBY PIERSON, ANTHONY VINES, WILLIAM WALKER. (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Clarke, Kristen) (Entered: 09/08/2010)
09/09/2010	<u>37</u>	NOTICE of Appearance by Jared Michael Slade on behalf of ERIC H. HOLDER, JR (Slade, Jared) (Entered: 09/09/2010)
09/09/2010	<u>38</u>	NOTICE of Appearance by John Payton on behalf of EARL CUNNINGHAM, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, ANTHONY VINES, WILLIAM WALKER (Payton, John) (Entered: 09/09/2010)
09/09/2010	<u>39</u>	MOTION for Leave to Appear Pro Hac Vice <i>DEBO P. ADEGBILE, RYAN P. HAYGOOD, and DALE E. HO as Counsel for Defendant Intervenors</i> by EARL CUNNINGHAM, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, ANTHONY VINES, WILLIAM WALKER (Attachments: # <u>1</u> Declaration of Debo P. Adegbile, # <u>2</u> Declaration of Ryan P. Haygood, # <u>3</u> Declaration of Dale E. Ho, # <u>4</u> Text of Proposed Order)(Payton, John) (Entered: 09/09/2010)
09/10/2010	<u>40</u>	REPLY to opposition to motion re <u>5</u> MOTION for Summary Judgment filed by SHELBY COUNTY, ALABAMA. (Attachments: # <u>1</u> Text of Proposed Order)(Consovoy, William) (Entered: 09/10/2010)
09/10/2010		MINUTE ORDER: Upon consideration of <u>35</u> , <u>39</u> the motions for leave for Laughlin McDonald, Debo P. Adegbile, Ryan P. Haygood, and Dale E. Ho to appear pro hac vice, and the entire record herein, it is hereby ORDERED that the motions are GRANTED. Signed by Judge John D. Bates on 9/10/2010. (lcjdb1) (Entered: 09/10/2010)
09/10/2010		Minute Entry: Status Conference held on 9/10/2010 before Judge John D. Bates. (Court Reporter Bryan Wayne) (tb,) (Entered: 09/13/2010)
09/16/2010	<u>41</u>	MEMORANDUM OPINION & ORDER denying <u>7</u> defendant and <u>36</u> defendant-intervenors' request for discovery. See text of Memorandum Opinion & Order for details. Signed by Judge John D. Bates on 9/16/2010. (lcjdb1)

		(Entered: 09/16/2010)
09/16/2010	<u>42</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Nancy Abudu, :Firm– American Civil Liberties Union Foundation, Inc., :Address– 230 Peachtree Street NW, Suite 1440, Atlanta, Georgia 30303. Phone No. – 4045232721. Fax No. – 4046530331 by ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., KENNETH DUKES, WILLIE GOLDSMITH, SR, MARY PAXTON–LEE, BOBBY PIERSON (Bell–Platts, Meredith) (Entered: 09/16/2010)
09/17/2010	<u>43</u>	Amended MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Nancy Abudu, :Firm– American Civil Liberties Union Foundation, Inc., :Address– 230 Peachtree Street NW, Suite 1440, Atlanta, Georgia 30303. Phone No. – 4045232721. Fax No. – 4046530331 by ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., KENNETH DUKES, WILLIE GOLDSMITH, SR, MARY PAXTON–LEE, BOBBY PIERSON (Bell–Platts, Meredith) (Entered: 09/17/2010)
09/17/2010		MINUTE ORDER: Upon consideration of <u>43</u> defendant–intervenor's motion for leave for Nancy Abudu to appear pro hac vice, and the entire record herein, it is hereby ORDERED that the motion is GRANTED. Signed by Judge John D. Bates on 9/17/2010. (lcjdb1) (Entered: 09/17/2010)
10/19/2010	<u>44</u>	MOTION to Withdraw as Attorney by ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., KENNETH DUKES, WILLIE GOLDSMITH, SR, MARY PAXTON–LEE, BOBBY PIERSON (Attachments: # <u>1</u> Text of Proposed Order)(Bell–Platts, Meredith) (Entered: 10/19/2010)
10/19/2010		MINUTE ORDER: Upon consideration of <u>44</u> Meredith Bell–Platts's motion to withdraw as attorney for the Pierson defendant–intervenor, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; and it is further ORDERED that the appearance of Meredith Bell–Platts as attorney for the Pierson defendant–intervenor in this case is hereby withdrawn. SO ORDERED. Signed by Judge John D. Bates on 10/19/10. (lcjdb1) (Entered: 10/19/2010)
10/27/2010	<u>45</u>	TRANSCRIPT OF PROCEEDINGS before Judge John D. Bates held on 9/10/10; Page Numbers: 1 – 75. Date of Issuance:10/27/10. Court Reporter/Transcriber Bryan A. Wayne, Telephone number 202–354–3186, Court Reporter Email Address : bryanawayne@verizon.net.<P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at ww.dcd.uscourts.gov.<P></P> Redaction Request due 11/17/2010. Redacted Transcript Deadline set for 11/29/2010. Release of Transcript Restriction set for 1/25/2011.(Wayne, Bryan) (Entered: 10/27/2010)
10/29/2010	<u>46</u>	ORDER setting deadlines and motions hearing. See text of Order for details. Signed by Judge John D. Bates on 10/29/10. (lcjdb1) (Entered: 10/29/2010)
10/29/2010		Set/Reset Deadlines/Hearings: The government's consolidated memorandum in opposition to plaintiff's motion for summary judgment and in support of its cross–motion for summary judgment is due by 11/15/2010. Defendant–intervenor's memoranda in opposition to plaintiff's motion for summary judgment and in support of their cross–motions for summary judgment are also due by 11/15/2010. Plaintiff's consolidated reply memorandum in support of its motion for summary judgment and in opposition to defendant's and defendant–intervenor's cross–motions for summary judgment is due by 12/13/2010. The government's reply memorandum in support of its cross–motion for summary judgment is due by 1/14/2011. The defendant–intervenor's reply memoranda in support of their cross–motions for summary judgment are also due by 1/14/2011. A motions

		hearing is set for 2/2/2011 at 09:30 AM in Courtroom 8 before Judge John D. Bates. (lcjdb1) (Entered: 10/29/2010)
11/15/2010	<u>47</u>	Cross MOTION for Summary Judgment by ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., KENNETH DUKES, WILLIE GOLDSMITH, SR, MARY PAXTON-LEE, BOBBY PIERSON (Attachments: # <u>1</u> Memorandum in Support of Cross Motion for Summary Judgment and in Opposition to Plaintiffs' Motion for Summary Judgment, # <u>2</u> Text of Proposed Order)(McDonald, Laughlin) (Entered: 11/15/2010)
11/15/2010	<u>48</u>	RESPONSE to <i>Plaintiff's Statement of Facts</i> filed by ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., EARL CUNNINGHAM, KENNETH DUKES, WILLIE GOLDSMITH, SR, BOBBY LEE HARRIS, ERIC H. HOLDER, JR, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, MARY PAXTON-LEE, BOBBY PIERSON, ANTHONY VINES, WILLIAM WALKER. (Posner, Mark) (Entered: 11/15/2010)
11/15/2010	<u>49</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- David Cooper, :Firm- Dewey &LeBoeuf LLP, :Address- 1301 Avenue of the Americas, New York, NY 10019. Phone No. - 212.259.6410. Fax No. - 212.259.6333 by BOBBY LEE HARRIS (Posner, Mark) (Entered: 11/15/2010)
11/15/2010	<u>50</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Autumn C. Katz, :Firm- Dewey &LeBoeuf LLP, :Address- 1301 Avenue of the Americas, New York, NY 10019. Phone No. - 212.259.6176. Fax No. - 212.259.6333 by BOBBY LEE HARRIS (Posner, Mark) (Entered: 11/15/2010)
11/15/2010	<u>51</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- John M. Nonna, :Firm- Dewey &LeBoeuf LLP, :Address- 1301 Avenue of the Americas, New York, NY 10019. Phone No. - 212.259.8311. Fax No. - 212.259.6333 by BOBBY LEE HARRIS (Posner, Mark) (Entered: 11/15/2010)
11/15/2010	<u>52</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Daniel T. Stabile, :Firm- Dewey &LeBoeuf LLP, :Address- 1301 Avenue of the Americas, New York, NY 10019. Phone No. - 212.259.7099. Fax No. - 212.259.6333 by BOBBY LEE HARRIS (Posner, Mark) (Entered: 11/15/2010)
11/15/2010	<u>53</u>	Memorandum in opposition to re <u>5</u> MOTION for Summary Judgment filed by ERIC H. HOLDER, JR. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Exhibit McCrary Declaration, # <u>3</u> Exhibit Berman Declaration, # <u>4</u> Text of Proposed Order)(Dellheim, Richard) (Entered: 11/15/2010)
11/15/2010	<u>54</u>	MOTION for Summary Judgment by ERIC H. HOLDER, JR (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Exhibit McCrary Declaration, # <u>4</u> Exhibit Berman Declaration, # <u>5</u> Text of Proposed Order)(Dellheim, Richard) (Entered: 11/15/2010)
11/15/2010	<u>55</u>	MOTION for Summary Judgment by BOBBY LEE HARRIS (Attachments: # <u>1</u> Proposed Order, # <u>2</u> Memorandum in Support)(Posner, Mark) (Entered: 11/15/2010)
11/15/2010	<u>56</u>	Memorandum in opposition to re <u>5</u> MOTION for Summary Judgment filed by BOBBY LEE HARRIS. (Posner, Mark) (Entered: 11/15/2010)
11/15/2010	<u>57</u>	LARGE ADDITIONAL ATTACHMENT(S) <i>Joint Statement of Material Facts As to Which There is No Genuine Issue</i> by ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., EARL CUNNINGHAM, KENNETH DUKES, WILLIE GOLDSMITH, SR, BOBBY LEE HARRIS, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, MARY PAXTON-LEE, BOBBY PIERSON, ANTHONY VINES, WILLIAM WALKER <u>47</u> Cross MOTION for Summary Judgment filed by ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., MARY PAXTON-LEE, KENNETH DUKES, WILLIE GOLDSMITH, SR., BOBBY PIERSON, <u>55</u> MOTION for Summary Judgment filed by BOBBY LEE

		HARRIS. (Posner, Mark) (Entered: 11/15/2010)
11/15/2010	<u>58</u>	Cross MOTION for Summary Judgment by EARL CUNNINGHAM, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, ANTHONY VINES, WILLIAM WALKER (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration Declaration of Ernest Montgomery, # <u>3</u> Text of Proposed Order)(Clarke, Kristen) Modified on 1/18/2011 to enhance docket text (jf,). (Entered: 11/15/2010)
11/15/2010	<u>59</u>	Memorandum in opposition to re <u>5</u> MOTION for Summary Judgment filed by EARL CUNNINGHAM, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, ANTHONY VINES, WILLIAM WALKER. (Attachments: # <u>1</u> Declaration Declaration of Ernest Montgomery, # <u>2</u> Text of Proposed Order)(Clarke, Kristen) (Entered: 11/16/2010)
11/16/2010		MINUTE ORDER: Upon consideration of <u>49</u> the motion for admission pro hac vice of David G. Cooper and pursuant to Local Civil Rule 83.2(d), it is hereby ORDERED that the motion is GRANTED; and it is further ORDERED that the Clerk of the Court shall enter the appearance of David G. Cooper on behalf of Defendant-Intervenor Bobby Lee Harris. Signed by Judge John D. Bates on 11/16/10. (lcjdb1) (Entered: 11/16/2010)
11/16/2010		MINUTE ORDER: Upon consideration of <u>50</u> the motion for admission pro hac vice of Autumn C. Katz and pursuant to Local Civil Rule 83.2(d), it is hereby ORDERED that the motion is GRANTED; and it is further ORDERED that the Clerk of the Court shall enter the appearance of Autumn C. Katz on behalf of Defendant-Intervenor Bobby Lee Harris. Signed by Judge John D. Bates on 11/16/10. (lcjdb1) (Entered: 11/16/2010)
11/16/2010		MINUTE ORDER: Upon consideration of <u>51</u> the motion for admission pro hac vice of John M. Nonna and pursuant to Local Civil Rule 83.2(d), it is hereby ORDERED that the motion is GRANTED; and it is further ORDERED that the Clerk of the Court shall enter the appearance of John M. Nonna on behalf of Defendant-Intervenor Bobby Lee Harris. Signed by Judge John D. Bates on 11/16/10. (lcjdb1) (Entered: 11/16/2010)
11/16/2010		MINUTE ORDER: Upon consideration of <u>52</u> the motion for admission pro hac vice of Daniel T. Stabile and pursuant to Local Civil Rule 83.2(d), it is hereby ORDERED that the motion is GRANTED; and it is further ORDERED that the Clerk of the Court shall enter the appearance of Daniel T. Stabile on behalf of Defendant-Intervenor Bobby Lee Harris. Signed by Judge John D. Bates on 11/16/10. (lcjdb1) (Entered: 11/16/2010)
11/16/2010	<u>60</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Samuel Spital, :Firm- Squire, Sanders &Dempsey, L.L.P., :Address- 30 Rockefeller Plaza, 23rd Floor New York, NY 10112. Phone No. - 212.872.9800. Fax No. - 212.872.9815 by EARL CUNNINGHAM, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, ANTHONY VINES, WILLIAM WALKER (Attachments: # <u>1</u> Declaration of Samuel Spital, # <u>2</u> Text of Proposed Order)(Clarke, Kristen) (Entered: 11/16/2010)
11/17/2010		MINUTE ORDER: Upon consideration of <u>60</u> the motion for admission pro hac vice of Samuel Spital and pursuant to Local Civil Rule 83.2(d), it is hereby ORDERED that the motion is GRANTED; and it is further ORDERED that the Clerk of Court shall enter the appearance of Samuel Spital on behalf of Defendant-Intervenors Earl Cunningham, Harry Jones, Albert Jones, Ernest Montgomery, Anthony Vines, and William Walker. SO ORDERED. Signed by Judge John D. Bates on 11/17/10. (lcjdb1) (Entered: 11/17/2010)
11/17/2010	<u>61</u>	NOTICE of Lodging of Legislative History Documents by ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., EARL CUNNINGHAM, KENNETH DUKES, WILLIE GOLDSMITH, SR, BOBBY LEE HARRIS, ERIC H. HOLDER, JR, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, MARY PAXTON-LEE, BOBBY PIERSON, ANTHONY VINES, WILLIAM WALKER re <u>54</u> MOTION for Summary Judgment, <u>47</u> Cross MOTION for Summary Judgment, <u>58</u> Cross MOTION for Summary Judgment and <i>Opposition to Plaintiff's Summary Judgment Motion</i> , <u>55</u> MOTION for Summary

		Judgment (Posner, Mark) (Entered: 11/17/2010)
11/22/2010	<u>62</u>	NOTICE of Appearance by Bert W. Rein on behalf of SHELBY COUNTY, ALABAMA (Rein, Bert) (Entered: 11/22/2010)
11/22/2010	<u>63</u>	MOTION for Leave to File Amicus by CONSTITUTIONAL ACCOUNTABILITY CENTER (Attachments: # <u>1</u> Proposed Amicus Brief, # <u>2</u> Text of Proposed Order)(rdj) (Entered: 11/22/2010)
11/22/2010		MINUTE ORDER: Upon consideration of <u>63</u> the unopposed motion of the Constitutional Accountability Center for leave to file an amicus curiae brief in support of defendant and defendant-intervenors, and the entire record herein, it is hereby ORDERED that the motion is GRANTED; and it is further ORDERED that the brief of the Constitutional Accountability Center as amicus curiae in support of defendants and defendant-intervenors is hereby accepted and deemed filed as of this date. SO ORDERED. Signed by Judge John D. Bates on 11/22/10. (lcjdb1) (Entered: 11/22/2010)
11/22/2010	<u>64</u>	AMICUS BRIEF by CONSTITUTIONAL ACCOUNTABILITY CENTER. (jf,) (Entered: 11/23/2010)
12/13/2010	<u>65</u>	REPLY to opposition to motion re <u>5</u> MOTION for Summary Judgment filed by SHELBY COUNTY, ALABAMA. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Text of Proposed Order)(Consovoy, William) (Entered: 12/13/2010)
12/13/2010	<u>66</u>	Memorandum in opposition to re <u>54</u> MOTION for Summary Judgment, <u>47</u> Cross MOTION for Summary Judgment, <u>58</u> Cross MOTION for Summary Judgment <i>and Opposition to Plaintiff's Summary Judgment Motion</i> , <u>55</u> MOTION for Summary Judgment filed by SHELBY COUNTY, ALABAMA. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Text of Proposed Order)(Consovoy, William) (Entered: 12/13/2010)
01/14/2011	<u>67</u>	REPLY to opposition to motion re <u>54</u> MOTION for Summary Judgment filed by ERIC H. HOLDER, JR. (Attachments: # <u>1</u> Declaration Brinegar Declaration, # <u>2</u> Declaration Berman Supplemental Declaration)(Weinstein-Tull, Justin) (Entered: 01/14/2011)
01/14/2011	<u>68</u>	ENTERED IN ERROR.....REPLY to opposition to motion re <u>58</u> Cross MOTION for Summary Judgment filed by ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., EARL CUNNINGHAM, KENNETH DUKES, WILLIE GOLDSMITH, SR, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, MARY PAXTON-LEE, BOBBY PIERSON, ANTHONY VINES, WILLIAM WALKER. (Clarke, Kristen) Modified on 1/18/2011 to enhance docket text (jf,). Modified on 1/19/2011 (dr). (Entered: 01/14/2011)
01/14/2011	<u>69</u>	REPLY to opposition to motion re <u>55</u> MOTION for Summary Judgment filed by BOBBY LEE HARRIS. (Posner, Mark) (Entered: 01/14/2011)
01/19/2011		NOTICE OF CORRECTED DOCKET ENTRY: re <u>68</u> Reply to opposition to Motion, was entered in error because the title of the document does not coincide with the Docket Entry, and the selected filers are incorrect. Counsel has been instructed to refile said pleading. (dr) (Entered: 01/19/2011)
01/19/2011	<u>70</u>	REPLY to opposition to motion re <u>47</u> Cross MOTION for Summary Judgment, <u>58</u> Cross MOTION for Summary Judgment <i>CONSOLIDATED REPLY MEMORANDUM OF POINTS AND AUTHORITIES OF CUNNINGHAM DEFENDANT-INTERVENORS AND PIERSON DEFENDANT-INTERVENORS IN SUPPORT OF CROSS-MOTION FOR SUMMARYJUDGMENT</i> filed by EARL CUNNINGHAM, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, ANTHONY VINES, WILLIAM WALKER. (Clarke, Kristen) (Entered: 01/19/2011)
01/24/2011		MINUTE ORDER: On the Court's own motion, and upon consideration of the entire record herein, it is hereby ORDERED as follows. At the motions hearing on February 2, 2011 at 9:30 AM, the Court will hear argument only from plaintiff, defendant, and the three defendant-intervenors in this case. The Court will not hear argument from any amici who have filed briefs with the Court. The Court will hear first from plaintiff, then from defendant, then from defendant-intervenors, and then

		plaintiff's rebuttal, if any. Plaintiff shall have a total of one (1) hour to present its initial argument, and fifteen (15) minutes for rebuttal. Defendant shall have a total of forty-five (45) minutes, and the three defendant-intervenors shall have a total of thirty (30) minutes, which they may apportion among themselves as they see fit. SO ORDERED. Signed by Judge John D. Bates on 1/24/11. (lcjdb1) (Entered: 01/24/2011)
01/26/2011		MINUTE ORDER: On the Court's own motion, and upon consideration of the entire record herein, it is hereby ORDERED that the motions hearing currently scheduled for Wednesday, February 2, 2011 at 9:30 AM will be held in Ceremonial Courtroom 20 on the sixth floor, not in Courtroom 8 on the fourth floor, as previously scheduled. Signed by Judge John D. Bates on 1/26/11. (lcjdb1) (Entered: 01/26/2011)
02/01/2011	<u>71</u>	NOTICE of Appearance by Samuel Robert Bagenstos on behalf of ERIC H. HOLDER, JR (Bagenstos, Samuel) (Entered: 02/01/2011)
02/02/2011		Minute Entry: Motion Hearing held on 2/2/2011 re <u>47</u> Cross MOTION for Summary Judgment filed by ALABAMA STATE CONFERENCE OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, INC., MARY PAXTON-LEE, KENNETH DUKES, WILLIE GOLDSMITH, SR., BOBBY PIERSON, <u>58</u> Cross MOTION for Summary Judgment filed by ERNEST MONTGOMERY, HARRY JONES, ALBERT JONES, ANTHONY VINES, EARL CUNNINGHAM, WILLIAM WALKER, <u>54</u> MOTION for Summary Judgment filed by ERIC H. HOLDER, JR., <u>55</u> MOTION for Summary Judgment filed by BOBBY LEE HARRIS, <u>5</u> MOTION for Summary Judgment filed by SHELBY COUNTY, ALABAMA before Judge John D. Bates: Motions heard and taken under advisement. (Court Reporter Bryan Wayne.) (tb,) (Entered: 02/02/2011)
02/04/2011		MINUTE ORDER: On the Court's own motion, and upon consideration of the arguments of counsel at the February 2, 2011 hearing and the entire record herein, it is hereby ORDERED that the parties shall submit additional briefing by not later than February 16, 2011, which shall be limited to the following question: in considering the reauthorization of Section 5 of the Voting Rights Act in 2006, was it "rational in both practice and theory," <i>South Carolina v. Katzenbach</i> , 383 U.S. 301, 330 (1966), for Congress to preserve the existing coverage formula in Section 4(b) of the Act? In answering this question, the parties are strongly encouraged to point to specific instances in the legislative record that support their position. The parties are also encouraged to address each aspect of the question separately — that is, to explain both why Section 4(b) is or is not rational "in practice" and why Section 4(b) is or is not rational "in theory." Plaintiff's memorandum addressing this question shall not exceed fifteen (15) pages in length, and defendant's memorandum addressing this question also shall not exceed fifteen (15) pages in length. Each defendant-intervenor may file its own memorandum addressing this question, which shall not exceed seven (7) pages in length; defendant-intervenors are, however, strongly encouraged to file a joint memorandum, not to exceed fifteen (15) pages in length, in order to avoid unnecessary duplication. SO ORDERED. Signed by Judge John D. Bates on 2/4/11.(lcjdb1) (Entered: 02/04/2011)
02/04/2011		Set/Reset Deadlines: The additional briefing required by the Court's 2/4/2011 Minute Order is due by 2/16/2011. (lcjdb1) (Entered: 02/04/2011)
02/16/2011	<u>72</u>	MEMORANDUM re Order,,,,,, by BOBBY LEE HARRIS. (Posner, Mark) (Entered: 02/16/2011)
02/16/2011	<u>73</u>	SUPPLEMENTAL MEMORANDUM to re <u>47</u> Cross MOTION for Summary Judgment, <u>58</u> Cross MOTION for Summary Judgment <i>CONSOLIDATED SUPPLEMENTAL MEMORANDUM OF POINTS AND AUTHORITIES OF CUNNINGHAM AND PIERSON DEFENDANT-INTERVENORS IN SUPPORT OF CROSS MOTIONS FOR SUMMARY JUDGMENT</i> filed by EARL CUNNINGHAM, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, ANTHONY VINES, WILLIAM WALKER. (Clarke, Kristen) (Entered: 02/16/2011)

02/16/2011	<u>74</u>	SUPPLEMENTAL MEMORANDUM re <u>65</u> REPLY to opposition to motion, and <u>66</u> Memorandum in opposition filed by SHELBY COUNTY, ALABAMA. (Consovoy, William) Modified on 2/17/2011 to create relationship and add link (dr). (Entered: 02/16/2011)
02/16/2011	<u>75</u>	SUPPLEMENTAL MEMORANDUM re Order by ERIC H. HOLDER, JR. (Dellheim, Richard) Modified on 2/17/2011 to edit text (dr). (Entered: 02/16/2011)
02/17/2011	<u>76</u>	TRANSCRIPT OF PROCEEDINGS before Judge John D. Bates held on 2/2/11; Page Numbers: 1 – 144. Date of Issuance:2/17/11. Court Reporter/Transcriber Bryan A. Wayne, Telephone number 202–354–3186, Court Reporter Email Address : bryanawayne@verizon.net.<P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at ww.dcd.uscourts.gov.<P></P> Redaction Request due 3/10/2011. Redacted Transcript Deadline set for 3/20/2011. Release of Transcript Restriction set for 5/18/2011.(Wayne, Bryan) (Entered: 02/17/2011)
06/15/2011	<u>77</u>	NOTICE of Supplemental Information by ERIC H. HOLDER, JR re <u>54</u> MOTION for Summary Judgment, <u>53</u> Memorandum in Opposition (Attachments: # <u>1</u> Exhibit)(McFarland, Ernest) (Entered: 06/15/2011)
06/16/2011	<u>78</u>	RESPONSE re <u>77</u> Notice (Other) filed by SHELBY COUNTY, ALABAMA. (Consovoy, William) (Entered: 06/16/2011)
07/15/2011	<u>79</u>	NOTICE of Filing by SHELBY COUNTY, ALABAMA (Attachments: # <u>1</u> Exhibit Letter)(Consovoy, William) (Entered: 07/15/2011)
08/03/2011	<u>80</u>	MOTION to Withdraw as Attorney by KRISTEN CLARKE by EARL CUNNINGHAM, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, ANTHONY VINES, WILLIAM WALKER (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Clarke, Kristen) (Entered: 08/03/2011)
09/09/2011	<u>81</u>	NOTICE of Supplemental Information by ERIC H. HOLDER, JR re <u>67</u> Reply to opposition to Motion, <u>54</u> MOTION for Summary Judgment, <u>53</u> Memorandum in Opposition, <u>77</u> Notice (Other) (Attachments: # <u>1</u> Exhibit Entered and Proposed Bailout Consent Decrees)(Dellheim, Richard) (Entered: 09/09/2011)
09/14/2011	<u>82</u>	NOTICE OF RELATED CASE by ERIC H. HOLDER, JR. Case related to Case No. 1:11–cv–01559–ABJ. (Dellheim, Richard) (Entered: 09/14/2011)
09/21/2011	<u>83</u>	MEMORANDUM OPINION. Signed by Judge John D. Bates on 9/21/11. (lcjdb1) (Entered: 09/21/2011)
09/21/2011	<u>84</u>	ORDER granting <u>54</u> the Attorney General's motion for summary judgment and <u>47</u> , <u>55</u> , <u>58</u> the motions for summary judgment filed by defendant–intervenor and denying <u>5</u> Shelby County's motion for summary judgment. See text of Order and accompanying Memorandum Opinion for details. Signed by Judge John D. Bates on 9/21/11. (lcjdb1) (Entered: 09/21/2011)
09/23/2011	<u>85</u>	NOTICE OF APPEAL as to <u>83</u> Memorandum & Opinion, <u>84</u> Order, by SHELBY COUNTY, ALABAMA. Filing fee \$ 455, receipt number 0090–2675052. Fee Status: Fee Paid. Parties have been notified. (Consovoy, William) (Entered: 09/23/2011)
09/26/2011	<u>86</u>	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The Court of Appeals fee was paid this date re <u>85</u> Notice of Appeal. (dr) (Entered: 09/26/2011)

09/27/2011		USCA Case Number 11-5256 for <u>85</u> Notice of Appeal filed by SHELBY COUNTY, ALABAMA. (kb,) (Entered: 09/27/2011)
03/29/2012	<u>87</u>	NOTICE OF DEATH OF COUNSEL JOHN PAYTON by EARL CUNNINGHAM, ALBERT JONES, HARRY JONES, ERNEST MONTGOMERY, ANTHONY VINES, WILLIAM WALKER (Haygood, Ryan) (Entered: 03/29/2012)
05/15/2012	<u>88</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to BOBBY LEE HARRIS. Attorney Autumn C. Katz terminated. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Certificate of Service)(Katz, Autumn) (Entered: 05/15/2012)
06/08/2012	<u>89</u>	MOTION to Withdraw as Attorney <i>Justin Weinstein-Tull</i> by ERIC HIMPTON HOLDER, JR (Attachments: # <u>1</u> Text of Proposed Order)(Weinstein-Tull, Justin) (Entered: 06/08/2012)
06/13/2012		ORDER granting <u>89</u> Motion to Withdraw as Attorney. Attorney Justin S. Weinstein-Tull terminated. Signed by Judge John D. Bates on 6/13/2012. (lcjdb1) (Entered: 06/13/2012)
07/12/2012	<u>90</u>	MANDATE of USCA (certified copy) as to <u>85</u> Notice of Appeal to DC Circuit Court filed by SHELBY COUNTY, ALABAMA ; USCA Case Number 11-5256. Ordered and Adjudged that the judgment of the District Court appealed from in this cause is hereby affirmed, in accordance with the opinion of the court filed herein this date. (sth,) (Entered: 07/12/2012)