

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**DAN ALLEN, BOBBY WATKINS  
and ALBERTA LEE**

**Plaintiffs,**

**vs.**

**CITY OF EVERGREEN, ALABAMA;  
PETE WOLFF, III, Mayor of the City of  
Evergreen, Alabama; LUTHER UPTON,  
DIANE SKIPPER, JOHN SKINNER,  
JR., VIVIAN FOUNTAIN, and MAXINE  
HARRIS Council Members of the City  
of Evergreen, Alabama; BECKY B.  
ROBINSON, City Clerk for the City of  
Evergreen, Alabama**

**Defendants.**

**CIV. NO. 13-107-CG-M**

**ORDER**

This matter is before the court on Defendants' motion to alter or amend (Doc. 48), Plaintiffs' response and cross-motion for supplemental order (Doc. 50), and Defendants' reply (Doc. 51). After consideration of the above, Defendants' motion to alter or amend (Doc. 48) is hereby **DENIED** and Plaintiff's cross-motion for supplemental order (Doc. 50) is hereby **GRANTED**.

It is hereby **ORDERED, ADJUDGED** and **DECREED** that:

1. The May 21, 2013 special election date for the City of Evergreen is hereby reconfirmed and the election shall go forward on that date;

2. Defendants are hereby **ENJOINED** to give all assistance to the Special Master who shall ensure that:

(a) The list of eligible voters and their district assignments attached hereto shall be published on the City of Evergreen website at the earliest possible time, and no later than 24 hours after the date of this Order;

(b) The list of eligible voters and their district assignments attached hereto shall be published in a newspaper of general circulation at the earliest possible time;

(c) Each candidate for office shall be contacted by telephone or in person, alerted to the availability of the voter list and provided with a copy of the list attached hereto (unless the candidate declines such list) at the earliest possible time, and no later than 48 hours after the date of this Order;

(d) Copies of the list of eligible voters and their district assignments as attached hereto shall be made available to citizens of Evergreen at the city hall, county courthouse and public libraries, and at any other locations agreed to by the parties at the earliest possible time, and no later than 48 hours after the date of this Order;

(e) Announcements of the details as to the availability of such voter assignment lists shall be made through on radio stations serving the City of Evergreen at least three times daily according to a schedule determined by the Special Master, in consultation with the parties, calculated to reach the widest possible audience; such radio stations to include stations identified by

plaintiffs as targeted to the local black community; and such announcement to begin within 48 hours after the date of this Order and to continue for one week.

(f) Large (at least 30 inches square) maps of the district boundaries and including street names shall be posted at each polling place, and all poll officials shall be trained as to reading the maps and proper handling of any voter who appears at the wrong polling place.

3. It is further **ORDERED** that the parties shall not contact the Special Master, nor shall the Special Master contact any party or party representative without notice to and participation of both parties, unless such participation is specially waived.

**DONE and ORDERED** this 24<sup>th</sup> day of April, 2013.

/s/ Callie V. S. Granade  
UNITED STATES DISTRICT JUDGE