

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF MAINE, and MATTHEW
DUNLAP, Secretary of State, in his official
capacity,

Defendants.

CIVIL NO. 1:06-CV-00086-JAW

PLAINTIFF'S NOTICE OF EXPIRATION OF CONSENT DECREE

The United States files this notice to inform the Court of the status of the Consent Decree in the above-captioned case.

The United States filed its Complaint in this action on July 28, 2006, pursuant to Section 401 of the Help America Vote Act ("HAVA"), 42 U.S.C. § 15511 and Section 11(a) of the National Voter Registration Act ("NVRA"), 42 U.S.C. § 1973gg-9(a), alleging that Defendants were failing to comply with Sections 301(a) and 303(a)(3) of HAVA, 42 U.S.C. §§ 15481(a), 15483(a)(3), and Section 8 of the NVRA, 42 U.S.C. § 1973gg-6. The United States and the State of Maine agreed to a Consent Decree on July 28, 2006, which was approved and entered by this Court on August 1, 2006. Docket # 2. On October 27, 2006, this Court granted the parties' Joint Motion to Amend the Consent Decree. Docket #4. The parties thereafter negotiated a Supplemental Consent Decree which was approved and entered by this Court on April 4, 2007. Docket #7.

The United States has monitored the Defendants' compliance with the terms of the Consent Decree, and the parties have discussed the Defendants' plans for complying with applicable provisions of federal law in the future.

The Consent Decree expired on December 31, 2009. The parties are in agreement that further court oversight is not needed. The United States will not be seeking to extend the Decree in this case.

Dated: 2nd day of February 2010

Respectfully submitted,

THOMAS E. PEREZ
Assistant Attorney General
Civil Rights Division

PAULA D. SILSBY
United States Attorney

//s// Sabatino F. Leo
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CERTIFICATE OF SERVICE

The undersigned hereby certifies to be an employee of the United States Department of Justice and to be a person of such age and discretion to be competent to serve papers. The undersigned further certifies that he or she is causing a copy of the following:

PLAINTIFF'S NOTICE OF EXPIRATION OF CONSENT DECREE

United States v. State of Maine, Civ. No. 1:06-CV-00086-JAW

to be served this date upon the parties as follows:

☒ ELECTRONIC FILING

☐ FACSIMILE (FAX), Telephone No.: _____

☐ FEDERAL EXPRESS

to the parties addressed as follows:

Phyllis Gardner
Assistant Attorney General
State of Maine
Six State House Station
Augusta, ME 04333-0006

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 2nd day of February 2010 in Washington, D.C.

/s/ Sabatino F. Leo
SABATINO F. LEO