

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

**Janet May, John Dow and William  
Boyd,**

Plaintiffs,

v.

**City of Montgomery, Alabama, a  
municipal corporation; Bobby N. Bright,**  
in his official capacity as Mayor of the  
City of Montgomery

Defendants.

CIVIL ACTION NO.  
2:07 cv 738-MHT-WC

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**Plaintiffs' Second Motion for Preliminary Injunction**

The plaintiffs move for a preliminary injunction under their state-law claim.

The plaintiffs base this motion on the holding of the Alabama Supreme Court in *Siegelman v. Folmar*, 432 So.2d 1246 (Ala. 1983), in which the Court held that Ala. Code § 11-46-21 does not apply to the City of Montgomery. The cited Code section is the basis on the City purported to have the authority to adopt an election date different from that set in Act 618.

Submitted by,

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#### CERTIFICATE OF SERVICE

I certify that on 8/23/2007 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following attorneys:

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