

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

KING GEORGE COUNTY, VIRGINIA, a)	
political subdivision of the Commonwealth of)	
Virginia,)	
)	
Plaintiff,)	
)	
v.)	No. 1:11-CV-02164
)	BAH-KLH-ESH
ERIC H. HOLDER, JR., the Attorney General of)	Three-Judge Court
the United States of America, and THOMAS E.)	
PEREZ, Assistant Attorney General, Civil Rights)	
Division, United States Department of Justice,)	
)	
Defendants.)	
)	

JOINT MOTION FOR ENTRY OF CONSENT JUDGMENT AND DECREE

Plaintiff King George County, Virginia (“the County”), a political subdivision of the Commonwealth of Virginia, and Defendants Eric H. Holder, Jr., Attorney General of the United States, and Thomas E. Perez, Assistant Attorney General, Civil Rights Division (collectively “the Attorney General”), respectfully move for entry of the attached Consent Judgment and Decree. As grounds for this motion, the parties would show the following:

1. King George County initiated this action on December 7, 2011, pursuant to Section 4(a) of the Voting Rights Act, 42 U.S.C. § 1973b(a). In this litigation, the County seeks to demonstrate that it meets the statutory requirements for bailout from coverage under Section 4(b) of the Act, 42 U.S.C. § 1973b(b). A declaratory judgment granting bailout exempts a covered jurisdiction and its governmental units from the preclearance requirements of Section 5 of the Act, 42 U.S.C. § 1973c.

2. The Attorney General has conducted an independent investigation to determine if King George County and its governmental units have satisfied the necessary requirements for a bailout, as required by Section 4(a)(9) of the Act, 42 U.S.C. § 1973b(a)(9). Based on that investigation, as well as information provided by the County, the Attorney General has determined that King George County and the King George County School Board, meet the requirements of Section 4(a) and that the Attorney General would consent to a declaratory judgment granting bailout under Section 4(a).

3. The parties have conferred concerning a resolution of this litigation and have agreed on the terms of the attached Consent Judgment and Decree, which would grant the requested bailout.

4. The enclosed Consent Judgment and Decree is similar to those that have been entered by three-judge courts in other declaratory judgment actions brought in this Court under Section 4(a) of the Voting Rights Act. *See, e.g., Culpeper County v. Holder*, No. 11-1477 (D.D.C. Oct. 3, 2011); *City of Manassas Park v. Holder*, No. 11-749 (D.D.C. Aug. 3, 2011); *Alta Irrigation District v. Holder*, No. 11-758 (D.D.C. July 15, 2011); *City of Kings Mountain v. Holder*, No. 10-1153 (D.D.C. Oct. 22, 2010); *Amherst County v. Mukasey*, No. 08-780 (D.D.C. Aug. 13, 2008); *Middlesex County v. Gonzales*, No. 07-1485 (D.D.C. Jan. 7, 2008).

5. The parties request that this Court wait 30 days after the filing of this motion before approving the Consent Judgment and Decree. During that time, the proposed settlement will be publicized pursuant to Section 4(a)(4) of the Act, 42 U.S.C. § 1973b(a)(4).

For the reasons above and as set forth in the attached Consent Judgment and Decree, the parties respectfully submit that this Joint Motion should be granted and the attached Consent Judgment and Decree entered.

Respectfully submitted:

For the Plaintiff
KING GEORGE COUNTY:

/s/ J. Gerald Hebert

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Dated: February 29, 2012

Respectfully submitted:

For the Defendants ATTORNEY GENERAL OF
THE UNITED STATES, *et al.*:

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THOMAS E. PEREZ
Assistant Attorney General
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/s/ Jenigh J. Garrett

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Dated: February 29, 2012