

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

DAN ALLEN, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	CASE NO. 1:12-CV-00496-CG-KD-EC
)	
CITY OF EVERGREEN, ALABAMA,)	
et al.,)	
)	
Defendants.)	

**DEFENDANTS RESPONSE TO PLAINTIFFS' RENEWED MOTION
FOR ENTRY OF A COURT-ORDERED REDISTRICTING PLAN
AND SPECIAL ELECTION SCHEDULE AND THE COURT'S ORDER, DOC. NO. 37**

Come now defendants and in compliance with the Court order of March 1, 2013, *doc. no. 37*, acknowledge that the plan proposed by plaintiffs in their renewed motion, *doc. no. 36*, meets the standards for a court-imposed interim redistricting plan, except that it is not the choice of the Evergreen City Council. The only plan which the Evergreen City Council has adopted and which remains its choice is before the court as Exhibit 1 to *doc. no. 21*. Defendants deny, however, that a special election can be held within eight weeks, as proposed by plaintiffs, and ask the Court to refer this matter to the Special Master for a determination of when the election can feasibly be held.

Respectfully submitted this 24th day of January 2013.

s/Dorman Walker

One of counsel for defendants

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CERTIFICATE OF SERVICE

I certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing and/or that a copy of the foregoing has been served by United States Mail, properly addressed, and postage prepaid, to the following:

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This the 24th day of January, 2013.

s/Dorman Walker

Of Counsel