

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

_____	)	
PRINCE WILLIAM COUNTY, a political	)	
subdivision of the Commonwealth of Virginia,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:12-CV-00014
	)	Three-Judge Court
ERIC H. HOLDER, JR., the Attorney General of	)	(ESH-TBG-JEB)
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 Prince William County (“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. Prince William County initiated this action on January 6, 2012, 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 Prince William 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 Prince William County, the Prince William County School Board, the Town of Dumfries, the Town of Haymarket, the Town of Occoquan, and the Town of Quantico, 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); *Bedford County v. Holder*, No. 11-499 (D.D.C. Aug. 30, 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  
PRINCE WILLIAM COUNTY:

/s/ J. Gerald Hebert  
J. GERALD HEBERT  
D.C. Bar No. 447676  
Attorney at Law  
191 Somerville Street, #405  
Alexandria, VA 22304  
Tel (703) 628-4673  
Email: hebert@voterlaw.com

ANGELA LEMMON HORAN  
County Attorney  
1 County Complex Court  
Prince William, VA 22192  
Phone: (703) 792-6620  
Fax: (703) 792-6633

Dated: March 9, 2012

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

RONALD C. MACHEN, JR.  
United States Attorney  
District of Columbia

THOMAS E. PEREZ  
Assistant Attorney General  
Civil Rights Division

/s/ Jaye Allison Sitton

T. CHRISTIAN HERREN, JR.

ROBERT D. POPPER

JAYE ALLISON SITTON

jaye.sitton@usdoj.gov

JARED M. SLADE

jared.slade@usdoj.gov

MICHELLE A. MCLEOD

michelle.mcleod@usdoj.gov

Attorneys, Voting Section

Civil Rights Division

U.S. Department of Justice

Room 7254 NWB

950 Pennsylvania Avenue, N.W.

Washington, D.C. 20530

Telephone: (800) 253-3931

Facsimile: (202) 307-3961

Dated: March 9, 2012