

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA

MIDDLESEX COUNTY, VIRGINIA,	)	
a political subdivision of the	)	
Commonwealth of Virginia,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
ALBERTO R. GONZALES,	)	
Attorney General of the	)	Civil Action No.
United States of America,	)	
WAN J. KIM,	)	
Assistant Attorney General,	)	
Civil Rights Division, United States	)	
Department of Justice, Washington, DC,	)	
	)	
Defendants.	)	
_____	)	

UNOPPOSED MOTION TO CONVENE THREE-JUDGE COURT

Plaintiff Middlesex County respectfully moves this Court for entry of an order requesting the convening of a three-judge court. Defendants do not oppose the granting of this motion. As grounds for this motion, plaintiff would show unto the Court that:

1. Plaintiff Middlesex County has filed this action pursuant to Section 4 of the Voting Rights Act of 1965, as amended, 42 U.S.C. §1973b. Plaintiff's action seeks a declaratory judgment from this Court granting the County an exemption from the special remedial provisions of the Voting Rights Act.
2. A three-judge court is required under Section 4 of the Voting Rights Act: "A district court of three-judges shall be convened to hear and determine the action." See 42 U.S.C. §1973b.

3. Counsel for the defendants was contacted prior to the filing of the complaint and this motion. Defendants do not oppose the convening of a three-judge court or entry of the enclosed order.

4. A proposed order is respectfully submitted for the Court's consideration.

WHEREFORE, plaintiff respectfully prays that this Court will grant this motion and enter the attached order requiring the clerk of this Court to notify the Chief Judge of the United States Court of Appeals for the D.C. Circuit that a three-judge court is required to hear and determine this action.

Respectfully submitted,

/s/ J. Gerald Hebert

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