

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**MIDDLESEX COUNTY, VIRGINIA,
a political subdivision of the
Commonwealth of Virginia,**

Plaintiff,

v.

Civil Action No. 07-01485 (TFH)

**ALBERTO R. GONZALES,
Attorney General of the United States of
America,**

-and-

**WAN J. KIM,
Assistant Attorney General, Civil Rights
Division, United States Department of
Justice, Washington, DC,**

Defendants.

ORDER

Pending before the Court is the [2] Unopposed Motion to Convene Three-Judge Court filed by the plaintiff in this case, Middlesex County, Virginia, with the consent of the defendants, Attorney General Alberto Gonzales and Assistant Attorney General Wan Kim. The motion relates to the plaintiff's lawsuit seeking a declaratory judgment that Middlesex County and all its governmental units are entitled to a "bailout" from the special remedial provisions of the Voting Rights Act of 1965, as amended, 42 U.S.C. § 1973b. Section 1973b(a)(5) of that Act mandates

that “[a]n action pursuant to this subsection shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code” Accordingly, it hereby is

ORDERED that the [2] Unopposed Motion to Convene Three-Judge Court is **GRANTED**. It is

FURTHER ORDERED that, pursuant to 28 U.S.C. § 2284(b)(1), the Clerk of the Court transmit a copy of this order to the Chief Judge of the United States Court of Appeals for the District of Columbia Circuit so that he may address this Court’s request for the designation of two additional judges to hear and decide this matter.

SO ORDERED.

August 21, 2007



Thomas F. Hogan
Atty Chief Judge