

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

SHELBY COUNTY, ALABAMA

Plaintiff,

v.

ERIC H. HOLDER, JR., in his official capacity as  
Attorney General of the United States of America

Defendant,

EARL CUNNINGHAM, HARRY JONES,  
ALBERT JONES, ERNEST MONTGOMERY,  
ANTHONY VINES and WILLIAM WALKER,

Applicants for Intervention.

Civil Action No. 1:10-CV-651  
( JDB)

**PROPOSED INTERVENORS' INITIAL RESPONSIVE PLEADING**

Earl Cunningham, Harry Jones, Albert Jones, Ernest Montgomery, Anthony Vines and William Walker (collectively, "Proposed Intervenors"), by their undersigned counsel, hereby submit this Initial Responsive Pleading, pursuant to Fed. R. Civ. P. 24(c) and Local Civil Rule 7(j).

Plaintiff filed its Complaint on April 27, 2010, which was quickly followed by a Motion for Summary Judgment on June 8, 2010. Defendant, Attorney General Eric H. Holder, Jr., in his official capacity, has yet to Answer or move. Proposed Intervenors seek to participate in this action as parties to defend the constitutionality of Sections 4(b) and (5) of the Voting Rights Act against Plaintiff's claim that they exceed Congressional authority. Plaintiff's Complaint, Motion

for Summary Judgment, and supporting documents fail to establish, either as a matter of law or fact, that Sections 4(b) and (5) of the Voting Rights Act are unconstitutional.

If granted intervention, Proposed Intervenorors will answer or move on the schedule agreed upon by the parties and this Court.

Dated: June 11, 2010.

Respectfully submitted,

/s/ Kristen Clarke

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