

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

SHELBY COUNTY, ALABAMA
201 West College Street
Columbiana, AL 35051

Plaintiffs,

VS.

) No.: 1:10-cv-00651 (JDB)

ERIC H. HOLDER, JR., in his
official capacity as ATTORNEY
GENERAL OF THE UNITED STATES,
U.S. Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530

Defendant,

and,

BOBBY PIERSON, WILLIE GOLDSMITH, SR.,
MARY PAXTON-LEE, KENNETH DUKES, and
ALABAMA STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE, INC.

Applicants for Intervention.

PROPOSED INTERVENORS' INITIAL RESPONSIVE PLEADING

Bobby Pierson, Willie Goldsmith, Sr., Mary Paxton-Lee, Kenneth Dukes, and Alabama State Conference of the National Association for the Advancement of Colored People, Inc. (collectively, “Proposed Intervenor”), 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 Intervenor's 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 Intervenor's will answer or move on the schedule agreed upon by the parties and this Court.

Dated: June 22, 2010

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