

**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, EARNEST MONTGOMERY,  
ANTHONY VINES and WILLIAM WALKER,

*Defendant-Intervenors,*

BOBBY PIERSON, WILLIE GOLDSMITH SR.,  
KENNETH DUKES, MARY PAXTON-LEE, and  
ALABAMA STATE CONFERENCE OF THE  
NAACP,

*Defendant-Intervenors,*

and

BOBBY LEE HARRIS,

*Defendant-Intervenor.*

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

**[PROPOSED] ORDER**

Upon consideration of Plaintiff's Motion for Summary Judgment, Defendant-Intervenors' Memorandum in Opposition thereto, and supporting papers filed by the parties, the Court finds that Defendant-Intervenors are, at this time, unable to present facts essential to justify their opposition to the Plaintiff's Motion. Accordingly, the Plaintiff's Motion for Summary Judgment is DENIED

pursuant to Rule 56(f) of the Federal Rules of Civil Procedure.

The parties are hereby ORDERED to confer and propose to the Court within 10 days of this ORDER an appropriate discovery and briefing schedule.

SIGNED and ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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UNITED STATES DISTRICT JUDGE