

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

CITY OF BEDFORD, VIRGINIA, )  
a political subdivision of the )  
Commonwealth of Virginia, )  
215 East Main Street )  
Bedford, Virginia 24523 )

Plaintiff, )

v. )

ERIC HOLDER, )  
Attorney General of the )  
United States of America; )  
THOMAS E. PEREZ, )  
Assistant Attorney General, )  
Civil Rights Division, United States )  
Department of Justice, Washington, DC, )

Defendants. )

Civil Action No. 1:11-cv-00473  
(TFH-TBG-RLW)  
(three-judge court)

JOINT MOTION FOR ENTRY OF CONSENT JUDGMENT AND DECREE

Plaintiff City of Bedford, Virginia, (“City of Bedford” or “the City”), Defendants Eric H. Holder, Jr., Attorney General of the United States, and Thomas E. Perez, Assistant Attorney General, Civil Rights Division, (collectively “the Attorney General”) respectfully move for entry of the attached Consent Judgment and Decree. As grounds for this motion, the parties would show the following:

1. The City of Bedford initiated this action on March 4, 2011, pursuant to Section 4(a) of the Voting Rights Act, 42 U.S.C. § 1973b(a). In this litigation, the City seeks to demonstrate that it meets the statutory requirements for bailout from coverage under Section 4(b) of the Act, 42 U.S.C. § 1973b(b). A declaratory judgment granting bailout exempts a covered

jurisdiction from the preclearance requirements of Section 5 of the Act, 42 U.S.C. § 1973c.

2. The Attorney General has conducted an independent investigation to determine if the City of Bedford has satisfied the necessary requirements for a bailout, as required by Section 4(a)(9) of the Act, 42 U.S.C. § 1973b(a)(9). Based on that investigation, as well as information provided by the City, the Attorney General has determined that the City meets the requirements of Section 4(a) and that the Attorney General would consent to a declaratory judgment granting bailout to the City under Section 4(a).

3. The parties have conferred concerning a resolution of this litigation and have agreed on the terms of the attached Consent Judgment and Decree, which would grant the requested bailout.

4. The enclosed Consent Judgment and Decree is similar to those that have been entered by three-judge courts in other declaratory judgment actions brought in this Court under Section 4(a) of the Voting Rights Act. *See, e.g., City of Sandy Springs v. Holder*, No. 1:10-cv-1502 (D.D.C. Oct. 26, 2010); *City of Kings Mountain v. Holder*, No. 1:10-cv-1153 (D.D.C. Oct. 22, 2010); *Nw. Austin Mun. Util. Dist. No. One v. Holder*, No. 1:06-cv-1384 (D.D.C. Nov. 3, 2009); *Amherst County v. Mukasey*, No. 08-0780 (D.D.C. Aug. 13, 2008); *Middlesex County v. Gonzales*, No. 07-1485 (D.D.C. Jan. 7, 2008).

5. The parties request that this Court wait 30 days after the filing of this motion before approving the Consent Judgment and Decree. During that time, the proposed settlement will be publicized pursuant to Section 4(a)(4) of the Act, 42 U.S.C. § 1973b(a)(4).

For the reasons above and as set forth in the attached Consent Judgment and Decree, the parties respectfully submit that this Joint Motion should be granted and the attached Consent Judgment and Decree entered.

Respectfully submitted,

For the Plaintiff, City of Bedford:

For the Defendants, ERIC H. HOLDER, JR  
and THOMAS E. PEREZ:

THOMAS E. PEREZ  
Assistant Attorney General  
Civil Rights Division

RONALD C. MACHEN JR.  
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