

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

BEDFORD COUNTY, VIRGINIA, )  
County Administration Building )  
122 East Main Street )  
Bedford, VA 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-499  
ESH-KLH-BAH

JOINT MOTION FOR ENTRY OF CONSENT JUDGMENT AND DECREE

Plaintiff Bedford County, Virginia (“the County”), a political subdivision of the Commonwealth of Virginia, and 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. Bedford County initiated this action on March 8, 2011, pursuant to Section 4(a) of the Voting Rights Act, 42 U.S.C. § 1973b(a). In this litigation, the County 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 Bedford County 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 County, the Attorney General has determined that Bedford County meets the requirements of Section 4(a) and that the Attorney General would consent to a declaratory judgment granting bailout to the County 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., Alta Irrigation District v. Holder*, No. 1:11-cv-758 (D.D.C. July 15, 2011); *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,

/s/ J. Gerald Hebert  
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*County of Bedford County, Virginia*

Dated: July 27, 2011

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*and Thomas E. Perez,*  
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*Civil Rights Division*

Dated: July 27, 2011