

summary judgment as a matter of law. Defendants rely specifically upon the following legal bases for this motion:

1.

Plaintiffs have wholly failed to and cannot demonstrate that Defendants violated their equal protection rights under the 14th Amendment.

2.

Plaintiffs have wholly failed to and cannot demonstrate that Defendants violated their due process rights under the 14th Amendment.

3.

Plaintiffs' claims against Defendants Maxine Daniels and Jeffrey L. Mann, in their individual capacities, are barred by qualified immunity.

4.

Plaintiffs have failed to raise a disputed issue as to any material set of facts upon which their claims for relief can be based, thus warranting summary judgment as a matter of law.

Further, Defendants submit herewith a Statement of Material Facts as to which there is no genuine issue to be tried. The pleadings, Plaintiffs Complaints, Defendants' Answers, the depositions of Hassan Swann, H. Maxine Daniels and Jeffrey L. Mann support Defendants' Statement of Material Facts and this Motion.

Defendants contemporaneously file herewith their Memorandum of Law in support of their Motion for Summary Judgment, Statement of Material Facts not in dispute and Notice of Filing. Defendants request that this Court grant the instant Motion for Summary Judgment and enter judgment in their favor.

Respectfully submitted this 2nd day of July 2010.

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

HASSAN SWANN and
DAVID A. HARTFIELD,

Plaintiffs,

v.

KAREN HANDEL, in her official capacity
as Secretary of State for the State of
Georgia; THE DEKALB COUNTY
BOARD OF REGISTRATION AND
ELECTIONS; et al.,

Defendants.

CIVIL ACTION FILE NO.
1:09-CV-2674-TWT

CERTIFICATE OF SERVICE

This is to certify that on July 2, 2010 I electronically filed **Defendants'**
Motion for Summary Judgment with the Clerk of Court using the CM/ECF
system, which will automatically send e-mail notification of such filing to the
following attorney of record:

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This is to further certify that the foregoing document was prepared using 14
pt Times New Roman font.

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