

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

HANOVER COUNTY, VIRGINIA,)
a political subdivision of)
the Commonwealth of Virginia,)
)
Plaintiff,)
)
v.)
)
ERIC H. HOLDER, JR.,)
Attorney General of the)
United States of America, *et al.*)
)
Defendants.)
_____)

Case No. 1:13-cv-00625
(JRB-BAH-KBJ)
Three-Judge Court

JOINT MOTION FOR ENTRY OF CONSENT JUDGMENT AND DECREE

Plaintiff Hanover County (“the County”) 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”), through counsel, respectfully move this three-judge Court for entry of the attached Consent Judgment and Decree. As grounds for this motion, the parties would show the following:

1. The complaint in this action was filed by Hanover County on May 2, 2013, against the Attorney General and Assistant Attorney General, 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 of Section 4(a) to allow for bailout from coverage under Section 4(b) of the Act, 42 U.S.C. § 1973b(b). A declaratory judgment granting bailout exempts the covered jurisdiction from the preclearance requirement of Section 5 of the Act, 42 U.S.C. § 1973c.

2. As required by Section 4(a)(9) of the Act, 42 U.S.C. § 1973b(a)(9), the Attorney General has conducted an independent investigation of Hanover County to determine if it has

satisfied the necessary requirements for a bailout under Section 4(a). As a result of that investigation, and also based on information provided to the Attorney General by the County, the Attorney General has determined that the County meets all of the requirements of Section 4(a) and has determined that the Attorney General will 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 if entered by this Court, will grant the requested bailout to Hanover County.

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 of the Voting Rights Act. *See, e.g., City of Falls Church v. Holder*, No. 13-201 (D.D.C. May 29, 2013); *City of Wheatland v. Holder*, No. 13-54 (D.D.C. Apr. 25, 2013); *New Hampshire v. Holder*, No. 12-1854 (D.D.C. Mar. 1, 2013); *Carroll Cnty. v. Holder*, No. 12-1166 (D.D.C. Nov. 30, 2012); *Grayson Cnty. v. Holder*, No. 12-718 (D.D.C. July 20, 2012); *Wythe Cnty. v. Holder*, No. 12-719 (D.D.C. June 18, 2012); *City of Williamsburg v. Holder*, No. 11-1415 (D.D.C. Nov. 28, 2011); *James City Cnty. v. Holder*, No. 11-1425 (D.D.C. Nov. 9, 2011); *Culpeper Cnty. v. Holder*, No. 11-1477 (D.D.C. Oct. 3, 2011); *City of Bedford v. Holder*, No. 11-473 (D.D.C. Aug. 31, 2011); *Bedford Cnty. v. Holder*, No. 11-499 (D.D.C. Aug. 30, 2011); *Rappahannock Cnty. v. Holder*, No. 11-1123 (D.D.C. Aug. 9, 2011); *City of Manassas Park v. Holder*, No. 11-749 (D.D.C. Aug. 3, 2011); *Amherst Cnty. v. Mukasey*, No. 8-780 (D.D.C. Aug. 13, 2008); *Middlesex Cnty. v. Gonzales*, No. 7-1485 (D.D.C. Jan. 7, 2008).

5. The parties respectfully request that this Court delay entry of the enclosed Consent Judgment and Decree for 30 days after the filing of this Joint Motion so that Hanover County may publish notice of the proposed settlement pursuant to Section 4(a)(4) of the Act, 42 U.S.C. § 1973b(a)(4).

For the reasons stated above and as set forth in the attached Consent Judgment and Decree, the parties respectfully request that this Court grant the Joint Motion and enter the attached Consent Judgment and Decree.

Respectfully submitted,

/s/ J. Gerald Hebert

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Dated: June 24, 2013

Respectfully submitted,

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Dated: June 24, 2013