

**N THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

KHADIDAH STONE, <i>et al.</i> ,	)	
	)	
<i>Plaintiffs,</i>	)	
	)	
v.	)	Case No. 2:21-cv-01531-AMM
	)	
CHRIS REP. PRINGLE,	)	
	)	
<i>Defendant.</i>	)	

**REPRESENTATIVE CHRIS PRINGLE’S CORRECTED ANSWER  
TO PLAINTIFFS’ FOURTH AMENDED COMPLAINT**

Defendant Chris Pringle (“Rep. Pringle”), Alabama State Representative, answers Plaintiffs’ Fourth Amended Complaint (the “Complaint”) (Doc. 126), and utilizing the headings and defined terms in the Complaint for the sake of clarity, though not adopting them, states as follows:

**ANSWER TO NUMBERED PARAGRAPHS**

1. Rep. Pringle admits that Alabama’s elected officials have made important changes over the past fifty years, and that a three-judge court preliminarily enjoined Alabama’s 2023 congressional plan. Rep. Pringle denies any remaining allegations contained in Paragraph 1.
2. Denied.
3. Denied.
4. Denied.
5. Denied.
6. Denied.

**JURISDICTION AND VENUE**

7. Rep. Pringle does not presently contest this Court has jurisdiction under 28 U.S.C. §§ 1331, 1343, and 1357 because the matters in controversy arise under federal law. Rep. Pringle denies any remaining allegations contained in Paragraph 7.

8. Rep. Pringle admits this Court has such authority generally. Rep. Pringle denies that Plaintiffs are entitled to such relief.

9. Rep. Pringle admits this Court has such authority generally. Rep. Pringle denies that Plaintiffs are entitled to such relief.

10. Rep. Pringle admits that this case should proceed before a single-judge district court. Rep. Pringle denies that Plaintiffs have a private cause of action under the Voting Rights Act or 42 U.S.C. § 1983.

11. Rep. Pringle admits he is a citizen of Alabama, and does not presently contest the Court's assertion of personal jurisdiction over him in this matter.

12. Rep. Pringle does not presently contest venue in this action for purposes of challenges to Alabama's 2021 State Senate districts.

**PARTIES**

13. Rep. Pringle lacks sufficient information to admit or deny allegations concerning Plaintiff Khadidah Stone's residence and voter registration, which operates as a denial. Rep. Pringle denies any remaining allegations contained in Paragraph 13.

14. Rep. Pringle lacks sufficient information to admit or deny allegations concerning Plaintiff Evan Milligan's residence and voter registration, which operates as a denial. Rep. Pringle denies any remaining allegations contained in Paragraph 14.

15. Paragraph 15 contains no allegations against Rep. Pringle, requiring no response. To the extent that Paragraph 15 does contain allegations against Rep. Pringle, Rep. Pringle denies those allegations.

16. Paragraph 16 contains no allegations against Rep. Pringle, requiring no response. To the extent that Paragraph 16 does contain allegations against Rep. Pringle, Rep. Pringle denies those allegations.

17. Rep. Pringle admits that GBM uses the terms “donor” and “member” synonymously, and uses the term “member” in this Answer for the sake of clarity, but does not adopt this term. Rep. Pringle further reserves the right to contest whether GBM has “members” for the purposes of standing. Rep. Pringle lacks sufficient information to admit or deny allegations concerning GBM members’ residence and voter registration, which operates as a denial. Rep. Pringle denies that GBM members are denied opportunity to elect candidates of their choice and live in packed and/or cracked districts. Rep. Pringle lacks sufficient information to admit or deny any remaining allegations contained in Paragraph 17, which operates as a denial.

18. Paragraph 18 contains no allegations against Rep. Pringle, requiring no response. To the extent that Paragraph 18 does contain allegations against Rep. Pringle, Rep. Pringle denies those allegations.

19. Rep. Pringle lacks sufficient information to admit or deny allegations concerning Alabama NAACP members' residence and voter registration, which operates as a denial. Rep. Pringle denies that the Alabama NAACP has members whose voting strength is diluted in violation of the VRA or who lack the opportunity to elect candidates of their choice, thus further denying that Alabama NAACP members have suffered harm resulting from such allegations. Rep. Pringle lacks sufficient information to admit or deny any remaining allegations contained in Paragraph 19, which operates as a denial.

20. Paragraph 20 contains no allegations against Rep. Pringle, requiring no response. To the extent that Paragraph 20 does contain allegations against Rep. Pringle, Rep. Pringle denies those allegations.

21. Paragraph 21 contains no allegations against Rep. Pringle, requiring no response. To the extent that Paragraph 21 does contain allegations against Rep. Pringle, Rep. Pringle denies those allegations.

22. Senator Steve Livingston is no longer a defendant to this action, having been dismissed by this Court on the basis of legislative immunity. Defendant Rep. Pringle admits that he is the House of Representatives representative to the Alabama Permanent Legislative Committee on Reapportionment (the "Committee"), and that he and serves as the House Chair of the Committee in that capacity. Rep. Pringle further admits that the Committee plays a role in the reapportionment process based on the decennial census. Rep. Pringle specifically denies, however, that he – as House Chair – “led the drawing of the challenged districts,” which are Senate districts. In fact, Rep. Pringle denies that he played any role in the “drawing of the challenged districts,” or that he would play any such role in “re-draw[ing] the districts to remedy their illegality if the Court orders the State to do so.” As House Chair, Rep. Pringle has no role in drawing Senate districts,

and his role in approving the Senate districts is minimal and procedural, limited to: (1) presenting the districting plans, including the Senate districting plan, to the House for approval; and (2) voting on the districting plan as a member of the House of Representatives. Any and all allegations of Paragraph 22 not specifically admitted are hereby denied.

### **STATEMENT OF FACTS**

23. Rep. Pringle emphasizes that he is a member of the State House of Representatives, and House Chair of the Committee. He has minimal involvement – and no substantive involvement – in the passage of the State Senate map as a member of the House of Representatives, and no role in its creation. Rep. Pringle admits that, on November 4, 2021, Governor Ivey signed into law SB 1 of the Special Session of the Alabama Legislature which redistricted the Alabama State Senate map for the next decade. the Paragraph 23 contains no additional allegations against Rep. Pringle, requiring no response. To the extent that Paragraph 23 does contain additional allegations against Rep. Pringle, Rep. Pringle denies those allegations.

### **Recent History of Statewide Redistricting in Alabama**

24. The cited court decisions speak for themselves, and Rep. Pringle admits that Plaintiffs accurately quote the holding of the 1965 decision in *Sims v. Baggett*. Rep. Pringle avers that the Supreme Court admonishes that “history did not end in 1965” and that the purpose of the Fifteenth Amendment is “not to punish the past.” *Shelby County v. Holder*, 570 U.S. 529, 552-53 (2013). Rep. Pringle further avers that “past discrimination cannot, in the manner of original sin, condemn governmental action that is not itself unlawful.” *City of Mobile v. Bolden*, 446 U.S. 55, 74 (1980). Rep. Pringle admits that the Legislature did not reapportion for fifty years, which led to the Supreme Court’s development of the one-person, one-vote principle. Any allegation of Paragraph 24 not specifically admitted is denied.

25. Rep. Pringle admits that a three-judge court drew new district lines following the 1970 Census. Rep. Pringle avers that “past discrimination cannot, in the manner of original sin, condemn governmental action that is not itself unlawful.” *Id.* Any allegation of Paragraph 25 not specifically admitted is denied.

26. The letter and cited court decisions speak for themselves. Rep. Pringle denies any remaining allegations contained in Paragraph 26.

27. The cited court decisions speak for themselves. Rep. Pringle admits that challenges to Alabama’s Congressional, State House, Senate, and Districts following the 1990 Census resulted in settlements. Rep. Pringle denies any remaining allegations contained in Paragraph 27.

28. The cited court decisions speak for themselves.

29. Admitted.

30. Admitted that a three-judge panel recently enjoyed two congressional districting plans, passed by the Alabama Legislature in 2021 and 2023. Those opinions and case dockets speak for themselves. Rep. Pringle denies any remaining allegations contained in Paragraph 30.

### **Redistricting Criteria**

31. The Alabama Constitution speaks for itself. Paragraph 31 contains no allegations against Rep. Pringle, requiring no response. To the extent that Paragraph 31 does contain allegations against Rep. Pringle, Rep. Pringle denies those allegations.

32. The Alabama Constitution and cited court decisions speak for themselves. To the extent a response is required, Rep. Pringle admits that the Alabama Constitution requires districts that are contiguous, but denies that any “whole-county proviso” continues to apply.

33. Admitted.

34. Rep. Pringle admits that Plaintiffs have quoted a portion of the Redistricting Guidelines, which speak for themselves. Rep. Pringle denies any remaining allegations contained in Paragraph 34.

35. The Redistricting Guidelines speak for themselves. Paragraph 35 contains no allegations against Rep. Pringle, requiring no response. To the extent that Paragraph 35 does contain allegations against Rep. Pringle, Rep. Pringle denies those allegations.

36. The Redistricting Guidelines speak for themselves. Rep. Pringle admits that Plaintiffs have summarized and/or paraphrased portions of the Redistricting Guidelines, and that the Redistricting Guidelines at “i” require compliance with eight listed criteria. Rep. Pringle denies that “all districts must be contiguous with each other”—the relevant portion of the Redistricting Guidelines provides that “[e]very part of every district shall be contiguous with every other part of the district.” Rep. Pringle further denies any implication that the mere order in which the Redistricting Guidelines present certain redistricting principles indicates a preference for one, or some, over others. Any remaining allegations in Paragraph 36 are denied.

37. Rep. Pringle admits that Plaintiffs have summarized and/or paraphrased portions of the Redistricting Guidelines, which speak for themselves. Rep. Pringle further admits that the Court in *Allen* held that “core retention” is not a defense to a Section 2 claim. Rep. Pringle denies any implication that the mere order in which the Redistricting Guidelines present certain redistricting principles indicates a preference for one, or some, over others. Any remaining allegations in Paragraph 37 are denied.

38. Admitted.

### **The 2021 Legislative Process for Redistricting**

39. Rep. Pringle admits that Plaintiffs accurately recounted the results of the 2020 Census listed in Paragraph 39. Rep. Pringle lacks sufficient information to admit or deny any remaining allegations contained in Paragraph 39, which operates as a denial.

40. Denied. Rep. Pringle avers that some preliminary redistricting work began before the Census data were released.

41. Admitted.

42. The Redistricting Guidelines speak for themselves. Rep. Pringle admits that the Redistricting Guidelines provide that “[a]ll meetings . . . will be open to the public,” that “[a]ll interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting,” and that “[r]easonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments [sic] redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established.” Rep. Pringle denies any remaining allegations contained in Paragraph 42.

43. Rep. Pringle admits that between September 1, 2021 and September 16, 2021, the Legislature held twenty-eight public meetings across the state, which started between 9 AM and 4 PM (with the exception of the Statehouse meeting, which began at 6 PM). Rep. Pringle avers that some or all of the aforementioned public hearings were virtually accessible. Additionally, Rep. Pringle avers that the aforementioned meetings occurred after the Census Bureau released the results of the 2020 Census (making clear the ideal district population and which districts needed to gain or lose population), and before any proposed maps were drawn.



44. Rep. Pringle admits that the aforementioned public hearings allowed the public to have input in the redistricting process—for instance, offering suggestions for how the lines should be drawn. Rep. Pringle further admits that an article on AL.com reported: “‘There won’t be any surprises for the candidates or for the voters,’ McClendon said. ‘There will be some changes, obviously, there will have to be as people shift around. But they’ll be recognizable.’” Rep. Pringle denies any remaining allegations contained in Paragraph 44.

45. Rep. Pringle admits that the letter sent by GBM and the Alabama NAACP, which speaks for itself, described their views of the State’s legal obligations. Rep. Pringle denies any remaining allegations contained in Paragraph 45.

46. Admitted.

47. Rep. Pringle admits that proposed maps were officially released at the Reapportionment Committee meeting on October 26, 2021, and that Representative England published the proposed maps on Twitter one day prior. Rep. Pringle further admits that the Chairs of the Committee and/or the Committee’s map-drawer met with each incumbent legislator or his/her staff who wanted to meet, and as was relevant to their role. Specifically, Rep. Pringle and/or the Committee’s map-drawer would meet with interested incumbent legislators in the House of Representatives, while Senator McClendon or the Committee’s map drawer would meet with incumbent Senators. Additionally, Rep. Pringle avers that, in addition to drawing the Alabama Senate (which Rep. Pringle plays a very limited role in) and the Alabama House plans, plans for Alabama’s Congressional delegation and the State Board of Education had to be drawn during the same time period—after the release of the Census data, and in time to meet various statutory deadlines. Rep. Pringle denies that the Committee’s first public meeting of the cycle was in October 2021. Rep. Pringle denies any remaining allegations in Paragraph 47.

48. Rep. Pringle denies any implication that there is a requirement to perform a “racially polarized voting analysis” on each district. Rep. Pringle lacks sufficient information to admit or deny any remaining allegations contained in Paragraph 48, which operates as a denial.

49. Admitted. Rep. Pringle avers that voting on the motion was also along party lines.

50. Rep. Pringle denies that the alleged lack of a racial polarization study for Congressional District 7 is illustrative and/or relevant to these proceedings. Rep. Pringle lacks sufficient information to admit or deny any remaining allegations contained in Paragraph 50, which operates as a denial.

51. Rep. Pringle lacks sufficient information to admit or deny any allegations contained in Paragraph 51, which operates as a denial.

52. Rep. Pringle admits that the plans were passed out of the Committee and that votes were along racial lines. Rep. Pringle avers that the votes were also along party lines.

53. Admitted.

54. Admitted.

55. Rep. Pringle reiterates that he is a member of the State House, and although he is House Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map. To the extent a response is required, admitted.

56. Rep. Pringle reiterates that he is a member of the State House, and although he is House Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map. Paragraph 56 contained no allegations against Rep. Pringle, requiring no response. To the extent that Paragraph 56 does contain allegations against Rep. Pringle, Rep. Pringle denies those allegations.

57. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 57, which operates as a denial.

58. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 58, which operates as a denial.

59. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 59, which operates as a denial.

60. Admitted.

61. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 61, which operates as a denial.

62. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 62, which operates as a denial.

63. Rep. Pringle denies that no racial polarization analyses were conducted. Rep. Pringle admits the remaining allegations contained in Paragraph 63.

64. Rep. Pringle reiterates that he is a member of the State House, and although he is House Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map. Paragraph 64 contains no allegations against Rep. Pringle, requiring no response. To the extent that Paragraph 64 does contain allegations Rep. Pringle, Rep. Pringle denies those allegations.

65. Paragraph 65 contains no allegations against Rep. Pringle, requiring no response. To the extent that Paragraph 65 does contain allegations against Rep. Pringle, Rep. Pringle denies those allegations.

66. Admitted.

67. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 67, which operates as a denial.

68. Admitted.

69. Admitted.

70. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 70, which operates as a denial.

71. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 71, which operates as a denial.

72. Rep. Pringle admits that the State Government Committee gave the Senate bill a favorable report. Rep. Pringle denies any remaining allegations contained in Paragraph 72.

73. Rep. Pringle admits that the full Senate considered the House map the next day. Rep. Pringle lacks sufficient information to admit or deny the remaining allegations contained in Paragraph 73, which operates as a denial.

74. Paragraph 74 contains no allegations against Rep. Pringle, requiring no response. To the extent that Paragraph 74 does contain allegations against Rep. Pringle, Rep. Pringle denies those allegations.

75. Admitted.

76. Admitted.

77. Admitted.

**The State's Failure to Create Additional Districts in Which Black Voters Can Elect Candidates of their Chouse in Montgomery and Huntsville Violates Section 2 of the Voting Rights Act**

78. The cited court decisions speak for themselves. Paragraph 78 contains no allegations against Rep. Pringle, requiring no response. To the extent that Paragraph 78 does contain allegation against Rep. Pringle, Rep. Pringle denies those allegations. Additionally, Paragraph 78 asserts a legal conclusion, requiring no response.

79. Denied.

80. Rep. Pringle reiterates that he is a member of the State House, and although he is House Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map. Rep. Pringle admits that Senate District 25 covers parts of Elmore County and Montgomery County, and all of Crenshaw County. Rep. Pringle lacks sufficient information to admit or deny allegations regarding the District's BVAP in Paragraph 80, which operates as a denial. Rep. Pringle denies any remaining allegations contained in Paragraph 80.

81. Rep. Pringle reiterates that he is a member of the State House, and although he is House Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map. Rep. Pringle admits that District 26 includes must of the City of Montgomery. Rep. Pringle lacks sufficient information to admit or deny allegations regarding the District's BVAP in Paragraph 81, which operates as a denial. Rep. Pringle denies any remaining allegations contained in Paragraph 81.

82. Denied.

83. Denied.

84. Rep. Pringle reiterates that he is a member of the State House, and although he is House Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map. Rep. Pringle admits that Senate District 7 lies within Madison County. Rep. Pringle denies any remaining allegations contained in Paragraph 84.

85. Denied.

86. Denied.

87. Denied.

88. Rep. Pringle admits that Paragraph 88 describes Plaintiffs' preferred plan. Rep. Pringle denies that the plan is lawful. Rep. Pringle denies any remaining allegations contained in Paragraph 88.

89. Rep. Pringle admits that Paragraph 89 describes Plaintiffs' preferred plan. Rep. Pringle denies that the plan is lawful. Rep. Pringle denies any remaining allegations contained in Paragraph 89.

90. Rep. Pringle admits that Paragraph 90 describes Plaintiffs' preferred plan. Rep. Pringle denies that the plan is lawful. Rep. Pringle denies any remaining allegations contained in Paragraph 90.

91. Rep. Pringle admits that Paragraph 91 describes Plaintiffs' preferred plan. Rep. Pringle denies that the plan is lawful. Rep. Pringle denies any remaining allegations contained in Paragraph 91.

92. Rep. Pringle admits that Paragraph 92 describes Plaintiffs' preferred plan. Rep. Pringle denies that the plan is lawful. Rep. Pringle denies any remaining allegations contained in Paragraph 92.

93. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 93, which operates as a denial.

94. Rep. Pringle admits that Plaintiffs have quoted *United States v. Marengo County Commission*, which speaks for itself. Rep. Pringle denies any remaining allegations contained in Paragraph 94.

95. The cited court decisions speak for themselves, and are mischaracterized by Plaintiffs. Rep. Pringle denies that racial bias is the cause of the political choices of voters. Rep. Pringle further denies any remaining allegations contained in Paragraph 95.

96. The cited court decision speaks for itself. Rep. Pringle denies that some white voters voting for Republicans is evidence of ongoing racial discrimination or racism. Rep. Pringle further denies the remaining allegations contained in Paragraph 96.

97. Rep. Pringle reiterates that he is a member of the State House, and although he is House Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map. Rep. Pringle admits that Will Barfoot won the election in 2018. Rep. Pringle denies that Section 2 establishes any right to proportional representation—instead, Section 2 provides “[t]hat nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion in the population.” 52 U.S.C. § 10301(b). Rep. Pringle denies any remaining allegations contained in Paragraph 97.

98. Rep. Pringle reiterates that he is a member of the State House, and although he is Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map. Rep. Pringle avers that only one election has been held using the 2021 Plan’s lines for current Senate District 25—in that election Will Barfoot beat Libertarian Louie Woolbright. Rep. Pringle denies any remaining allegations contained in Paragraph 98.

99. Rep. Pringle reiterates that he is a member of the State House, and although he is House Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map. Rep. Pringle admits that Justice Gregory Cook was elected to the Alabama Supreme Court in 2022, and that Sam Givhan won the election to the Alabama Senate in 2018. Rep. Pringle denies that Section 2 establishes any right to proportional representation—instead, Section 2 provides “[t]hat nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion in the population.” 52 U.S.C. § 10301(b). Rep. Pringle denies any remaining allegations contained in Paragraph 99.

100. Rep. Pringle denies that the majority of Alabama voters are making choices at the polls based on racial bias. Rep. Pringle further denies that black voters only support black candidates, or that every election shows racial polarization. Rep. Pringle lacks sufficient information to admit or deny any remaining allegations contained in Paragraph 100, which operates as a denial.

101. Rep. Pringle reiterates that he is a member of the State House, and although he is Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map. Rep. Pringle admits that courts have identified at least nine Senate Factors. Rep. Pringle denies that the aforementioned Senate Factors have any force of law, or are probative.

102. Rep. Pringle reiterates that he is a member of the State House, and although he is House Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map. The cited court decision speaks for itself. Additionally, Paragraph 102 asserts a legal conclusion, requiring no response. Rep. Pringle denies that he cannot prevail under the under the totality of the circumstances test even if the *Gingles* factors are established, but also emphasizes that these are *Senate* factors.



103. Denied. Rep. Pringle reiterates that he is a member of the State House, and although he is House Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map, and also emphasizes that these are *Senate* factors.

104. Rep. Pringle admits that some courts and the DOJ have so determined that Alabama's congressional map or state legislative maps were discriminatory and in violation of the Constitution or the VRA. Rep. Pringle denies that such decisions evidence ongoing voter discrimination. Rep. Pringle avers that the 2011 Congressional Plan was precleared by the DOJ, and no federal court held the plan unlawful.

105. The court decisions speak for themselves. Rep. Pringle admits that the Legislature did not reapportion for fifty years, which led to the Supreme Court's development of the one-person, one-vote principle. Rep. Pringle further admits that Plaintiffs accurately quote the holding of the 1965 decision in *Sims v. Baggett*, which again, speaks for itself. Rep. Pringle avers that the Supreme Court admonishes that "history did not end in 1965," and that the purpose of the Fifteenth Amendment is "not to punish the past." *Shelby County*, 570 U.S. at 552-53. Rep. Pringle also avers that "past discrimination cannot, in the manner of original sin, condemn governmental action that is not itself unlawful." *Bolden*, 446 U.S. at 74.

106. Rep. Pringle admits that a three-judge court drew new district lines following the 1970 Census. Rep. Pringle avers that "past discrimination cannot, in the manner of original sin, condemn governmental action that is not itself unlawful." *Bolden*, 446 U.S. at 74.

107. Rep. Pringle admits that U.S. Attorney General denied preclearance, and that a three-judge court rejected Alabama's proposed interim remedial state maps. But the cited court decision and the DOJ letter speak for themselves. Rep. Pringle avers that "past discrimination cannot, in the manner of original sin, condemn governmental action that is not itself unlawful." *Id.* at 74.

108. The cited court decision speaks for itself. Rep. Pringle admits that *Brooks v. Hobbie* describes the procedural history of litigation concerning the State Legislature and says that litigation was resolved based on a consent judgment adopting a plan that was precleared by the DOJ.

109. Rep. Pringle admits that Plaintiffs ultimately prevailed as to one-third of the districts they challenged.

110. Rep. Pringle neither denies nor defends past discrimination in Alabama. Rep. Pringle denies that conditions remain the same, and further denies any implication that Alabama has a recent history of racial discrimination.

111. Rep. Pringle neither denies nor defends past discrimination in Alabama. Rep. Pringle denies that conditions remain the same, and further denies any implication that Alabama has a recent history of racial discrimination.

112. Rep. Pringle neither denies nor defends past discrimination in Alabama. Rep. Pringle denies that conditions remain the same, and further denies any implication that Alabama has a recent history of racial discrimination.

113. Rep. Pringle neither denies nor defends past discrimination in Alabama. Rep. Pringle denies that conditions remain the same, and further denies any implication that Alabama has a recent history of racial discrimination.

114. Rep. Pringle neither denies nor defends past discrimination in Alabama. Rep. Pringle denies that conditions remain the same, and further denies any implication that Alabama has a recent history of racial discrimination.

115. Rep. Pringle neither denies nor defends past discrimination in Alabama. Rep. Pringle denies that conditions remain the same, and further denies any implication that Alabama has a recent history of racial discrimination.

116. Rep. Pringle neither denies nor defends past discrimination in Alabama. Rep. Pringle denies that conditions remain the same, and further denies any implication that Alabama has a recent history of racial discrimination.

117. Rep. Pringle neither denies nor defends past discrimination in Alabama. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 117, which operate as a denial.

118. Rep. Pringle neither denies nor defends past discrimination in Alabama. Rep. Pringle denies that conditions remain the same, and further denies any implication that Alabama has a recent history of racial discrimination.

119. Rep. Pringle does not defend past discrimination in Alabama. Rep. Pringle denies that conditions remain the same, and further denies any implication that Alabama has a recent history of racial discrimination. Rep. Pringle admits that in 1964 and 1965, Dallas County Sheriff Jim Clark, Alabama State Troopers, and vigilantes violently assaulted peaceful black protestors in Selma attempting to gain access to the franchise. Rep. Pringle denies any remaining allegations contained in Paragraph 119.

120. Rep. Pringle neither denies nor defends past discrimination in Alabama. Rep. Pringle denies that conditions remain the same, and further denies any implication that Alabama

has a recent history of racial discrimination. Rep. Pringle lacks sufficient information admit or deny allegations in regarding to voter registration in Selma in 1965. Rep. Pringle admits any remaining allegations contained in Paragraph 120.

121. Rep. Pringle admits that the website referenced in Paragraph 121 includes a list of at least one hundred objections by the DOJ to changes adopted by the State, county officials, city officials, and/or political parties. Rep. Pringle avers that the list is known to contain at least one error in that that the second to last objection was actually in regard to a State change, not a Mobile change, and the objection was withdrawn following the Supreme Court’s decision in Governor Riley’s favor in *Riley v. Kennedy*, 553 U.S. 406 (2008). Rep. Pringle further admits that at least sixteen of the objections were to redistricting plans adopted by the State, or a county or city. Rep. Pringle avers that the last objection to a redistricting plan adopted by the State was in 1992. Rep. Pringle denies that the fact of an objection means “a proposed state or local redistricting plan had the purpose or would have had the effect of diminishing the ability of Black voters to elect their candidates of choice.”

122. Rep. Pringle neither denies nor defends past discrimination in Alabama. Rep. Pringle denies that conditions remain the same, and further denies any implication that Alabama has a recent history of racial discrimination.

123. Rep. Pringle neither denies nor defends past discrimination in Alabama. Rep. Pringle denies that conditions remain the same, and further denies any implication that Alabama has a recent history of racial discrimination. Rep. Pringle avers that many jurisdictions chose to settle litigation rather than devote resources to fighting it; that the Democratic Attorney General offered some defendant jurisdictions assistance with settlement but not litigation; that some of the settlements contained changes to the size of challenged bodies—which were not required by

Section 2—as subsequently held in *Holder v. Hall*, 512 U.S. 874 (1994); and that Alabama responded by adopting the changes via State law rather than moving to have the judgments undone.

124. The cited court decisions speak for themselves. Rep. Pringle admits that, without a Defendant, some of Plaintiffs’ counsel reached agreements with local officials in the cited cases and that the court in the *Jones* decision held that a violation occurred based on a sparse recitation of facts. Rep. Pringle denies that *Jones* involved a municipal entity.

125. The *Hunter* and *Pleasant Grove* decisions speak for themselves. Rep. Pringle admits that such suits have been filed that alleged racial discrimination.

126. Rep. Pringle admits that two political subdivisions have been bailed into preclearance review under Section 3 of the Voting Rights Act. Rep. Pringle lacks sufficient information to admit or deny any remaining allegations contained in Paragraph 126, which operates as a denial.

127. The cited court decision speaks for itself. Rep. Pringle admits that Plaintiffs have quoted a statement from *Singleton v. Milligan*.

128. Rep. Pringle denies that Alabama continues to use majority vote requirements which hinder the opportunity of Black voters to elect candidates of choice on equal terms. Rep. Pringle lacks sufficient information to admit or deny any remaining allegations contained in Paragraph 128, which operates as a denial.

129. Rep. Pringle neither denies nor defends past discrimination in Alabama. Rep. Pringle denies that conditions remain the same, and further denies any implication that Alabama has a recent history of racial discrimination.

130. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 130, which operates as a denial.

131. Rep. Pringle neither denies nor defends past discrimination in Alabama. Rep. Pringle denies that conditions remain the same, and further denies any implication that Alabama has a recent history of racial discrimination.

132. The *Stout* decision speaks for itself. Rep. Pringle admits that some Alabama school districts remain under desegregation orders. Rep. Pringle lacks sufficient information to admit or deny any remaining allegations contained in Paragraph 132, which operates as a denial.

133. Rep. Pringle admits that the Alabama Constitution, at one time, contained such language, and avers that it no longer contains such language. Rep. Pringle denies that the aforementioned language is evidence of ongoing discrimination or underlying prejudice.

134. Rep. Pringle neither denies nor defends past discrimination in Alabama. Rep. Pringle denies that conditions remain the same, and further denies any implication that Alabama has a recent history of racial discrimination.

135. The cited court decisions speak for themselves. Rep. Pringle admits that a few Alabama school districts remain under desegregation orders. Rep. Pringle denies that such cited decisions are evidence of the “vestiges of segregation” that exist in the present.

136. The cited court decisions speak for themselves. Rep. Pringle denies that such cited decisions are evidence of the “vestiges of segregation” that exist in the present.

137. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 137, which operates as a denial.

138. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 138, which operates as a denial.

139. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 139, which operates as a denial.

140. Rep. Pringle denies that racial discrimination currently finds expression in employment opportunities. Rep. Pringle lacks sufficient information to admit or deny any remaining allegations contained in Paragraph 140, which operates as a denial.

141. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 141, which operates as a denial.

142. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 142, which operates as a denial.

143. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 143, which operates as a denial.

144. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 144, which operates as a denial.

145. Rep. Pringle denies that there is ongoing racial discrimination. Rep. Pringle lacks sufficient information to admit or deny any remaining allegations contained in Paragraph 137, which operates as a denial.

146. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 146, which operates as a denial.

147. Rep. Pringle denies that racial discrimination currently finds expression in the healthcare system. Rep. Pringle lacks sufficient information to admit or deny any remaining allegations contained in Paragraph 147, which operates as a denial.

148. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 148, which operates as a denial.

149. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 149, which operates as a denial.

150. Admitted upon information and belief.

151. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 151, which operates as a denial.

152. Denied. Rep. Pringle avers that Plaintiffs have mischaracterized a passage from *Singleton v. Milligan*.

153. Denied. Rep. Pringle reiterates that he is a member of the State House, and although he is House Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map, and also emphasizes that these are *Senate* factors.

154. Rep. Pringle admits that Plaintiffs have quoted a passage from *Singleton v. Milligan*. Rep. Pringle lacks sufficient information to admit or deny any remaining allegations contained in Paragraph 154, which operates as a denial.

155. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 155, which operates as a denial.

156. Rep. Pringle admits that a federal court so found while finding an absence of vote dilution in Alabama. Rep. Pringle lacks sufficient information to admit or deny any remaining allegations contained in Paragraph 137, which operates as a denial.

157. The cited case speaks for itself. Rep. Pringle admits that Plaintiffs have quoted a passage from *Singleton v. Milligan*, and further admits that the said ad aired. Rep. Pringle denies that the aforementioned ad could be understood as a racial appeal. Rep. Pringle reiterates that he is a member of the State House, and although he is House Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map.

158. Rep. Pringle denies that Section 2 establishes any right to proportional representation—instead, Section 2 provides “[t]hat nothing in this section establishes a right to



have members of a protected class elected in numbers equal to their proportion in the population.”  
52 U.S.C. § 10301(b). Rep. Pringle denies any remaining allegations contained in Paragraph 158.

159. Rep. Pringle admits that only one member of Alabama’s congressional delegation is black. Rep. Pringle denies any remaining allegations contained in Paragraph 159.

160. Rep. Pringle admits that Justice Adams, Justice Cook, and Justice England were appointed to the Alabama Supreme Court, and that they were or are black. Rep. Pringle further admits that Justice Adams and Justice Cook subsequently won election to the Alabama Supreme Court. Rep. Pringle also admits that Justice Cook and Justice England, both Democrats, lost as part of a Republican takeover of the court—both Justices lost to Republicans who were white. Rep. Pringle further admits that no current statewide officeholder is black, and no current statewide officeholder was elected as a Democrat.

161. Rep. Pringle lacks sufficient information to admit or deny the allegations contained in Paragraph 161, which operates as a denial.

162. Admitted. Rep. Pringle reiterates that he is a member of the State House.

163. Admitted.

164. Denied. Rep. Pringle avers that Plaintiffs have mischaracterized a passage from *Singleton v. Milligan*. Rep. Pringle reiterates that he is a member of the State House, and although he is House Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map.

165. Rep. Pringle denies that only black representatives can respond to the particularized needs of black communities. Rep. Pringle lacks sufficient information to admit or deny any remaining allegations contained in Paragraph 165, which operates as a denial.

166. Denied. Rep. Pringle reiterates that he is a member of the State House, and although he is House Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map.

167. Denied. Rep. Pringle reiterates that he is a member of the State House, and although he is House Chair of the Reapportionment Committee, he is not involved in the creation of the State Senate map.

168. The cited court decision speaks for itself. Additionally, Paragraph 168 asserts a legal conclusion, requiring no response.

169. Rep. Pringle admits that seven State Senators are black. Rep. Pringle denies that only seven State Senators are the candidate of choice of black voters. Rep. Pringle further denies that Section 2 establishes any right to proportional representation—instead, Section 2 provides “[t]hat nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion in the population.” 52 U.S.C. § 10301(b). Rep. Pringle reiterates that he is a member of the State House.

### **CLAIM FOR RELIEF**

#### **Count One: SB 1’s violations of Section 2 of the Voting Rights Act of 1965 52 U.S.C. § 10301, 42 U.S.C. § 1983 (Racial Vote Dilution)**

170. Rep. Pringle adopts and incorporates the foregoing responses as if fully set forth herein.

171. Denied.

172. Denied.

173. Denied.

174. Rep. Pringle neither denies nor defends past discrimination in Alabama. Rep. Pringle denies that conditions remain the same, and further denies any implication that Alabama

has a recent history of racial discrimination. Rep. Pringle denies that a totality of the circumstances analysis supports Plaintiffs. Rep. Pringle denies any remaining allegations contained in Paragraph 174.

175. Denied.

176. Denied.

**REP. PRINGLE FURTHER DENIES THAT PLAINTIFFS ARE ENTITLED TO ANY OF THE RELIEF REQUESTED AGAINST HIM, OR ANY RELIEF WHATSOEVER, INCLUDING WITHOUT WAIVER ANY OF THE RELIEF SOUGHT IN THE UNNUMBERED PARAGRAPHS BEGINNING WITH “WHEREFORE” AND ANY CLAIMED RIGHT TO A JURY TRIAL.**

**UNLESS EXPRESSLY ADMITTED IN ONE OF THE FOREGOING PARAGRAPHS, ALL MATERIAL ALLEGATIONS OF PLAINTIFFS’ COMPLAINT, INCLUDING ANY CONTAINED IN UNNUMBERED PARAGRAPHS, ARE DENIED.**

#### **DEFENSES**

1. Plaintiffs’ Complaint, in whole or in part, fails to state a claim upon which relief may be granted.
2. Plaintiffs have no standing and cannot recover under some or all of their claims because they have no actual injury.
3. Plaintiffs have no standing and cannot recover under some or all of their claims based on the principles of redressability, causal connection, and/or remoteness.
4. Plaintiffs’ claims fail because Section 2 of the Voting Rights Act does not contain a private cause of action.
5. Rep. Pringle is entitled to legislative immunity, and as such is immune from Plaintiffs’ suit.
6. Plaintiffs’ claims fail against Rep. Pringle, specifically, because Rep. Pringle has no ability to grant Plaintiffs’ the relief they seek.

7. Plaintiffs' claims fail against Rep. Pringle, specifically, because Rep. Pringle had no involvement with the drawing the challenged Senate districts, and has no substantive involvement with the passage of the challenged Senate districting map.

8. Plaintiffs have no lawful remedy.

9. The districts that Plaintiffs propose are inconsistent with traditional districting criteria.

10. The Senate districts that Plaintiffs propose fail to properly defer to the Legislature's primary role in the redistricting process.

11. The districts that Plaintiffs propose are not reasonably constructed.

12. The districts that Plaintiffs propose are impermissibly drawn on the basis of race.

13. The relief sought by Plaintiffs would involve an unconstitutional racial gerrymander because it would require racial considerations to predominate over traditional districting criteria.

14. Plaintiffs seek inappropriate relief.

15. Section 2, properly construed, does not support a claim for vote dilution based on a challenge to a districting plan.

16. To the extent that Section 2 requires Alabama to consider race when drawing districts, Section 2 is unconstitutional.

17. Present-day circumstances do not justify a remedy of drawing districts on the basis of race.

18. To the extent that Section 2 requires Alabama to violate traditional districting criteria when drawing districts, Section 2 is unconstitutional.

19. To the extent that Section 2 permits a finding of liability without proof of intentional discrimination, Section 2 is unconstitutional.

20. Alabama neither “cracked” nor “packed” minority voters in its Senate districts.

21. If Section 2 permits the relief Plaintiffs request, or recognizes the claim Plaintiffs assert, Section 2 is not proportional and congruent.

22. Section 2 does not create new federal rights privately enforceable under 42 U.S.C. § 1983.

23. Plaintiffs fail to satisfy the three *Gingles* requirements.

24. The totality of the circumstances does not support a claim of vote dilution.

25. Plaintiffs fail to allege that black voters in the Montgomery and Huntsville regions are denied access to the political system.

26. Any alleged vote dilution is not on account of race or color.

27. To the extent that Section 2 requires a court to assume that polarized voting is evidence of racial bias in the community, Section 2 is unconstitutional.

28. To the extent that Section 2 requires a court to assume that a white voter’s support of Republican candidates is evidence of racial bias, Section 2 is unconstitutional.

29. Rep. Pringle reserves the right to assert additional affirmative defenses to the extent warranted by discovery and the factual developments in this case.

Done this 1st day of March, 2024.

/s/ Dorman Walker

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***Counsel for Rep. Chris Pringle***

**CERTIFICATE OF SERVICE**

I certify that on March 1, 2024, I electronically filed the foregoing notice with the Clerk of the Court using the CM/ECF system, which will send notice to all counsel of record.

*/s/ Dorman Walker*

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OF COUNSEL