

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

ALABAMA LEGISLATIVE BLACK CAUCUS, et al.,)	
)	
Plaintiffs,)	
v.)	Case No. 2:12-cv-691
)	WKW-MHT-WHP
THE STATE OF ALABAMA, et al.,)	
)	
Defendants.)	
<hr/>		
DEMETRIUS NEWTON, et al.,)	
)	
Plaintiffs,)	
v.)	Case No. 2:12-cv-1081
)	WKW-MHT-WHP
THE STATE OF ALABAMA, et al.,)	
)	
Defendants.)	

**MOTION FOR PARTIAL SUMMARY JUDGMENT
WITH RESPECT TO THE ALBC PLAINTIFFS’
RESTATED PARTISAN GERRYMANDERING CLAIM**

Pursuant to Federal Rule of Civil Procedure 56, the State of Alabama and Beth Chapman, in her official capacity as Secretary of State of Alabama, defendants in this action (the “ALBC State Defendants”), move for entry of summary judgment in their favor and against the ALBC Plaintiffs on their restated partisan gerrymandering claim. As grounds for this Motion, the ALBC State

Defendants state that they are entitled to judgment as a matter of law and there are no genuine issues of material fact.

Additional grounds for this Motion are set forth in the Memorandum in Support of Motion for Summary Judgment.

Respectfully submitted,

Dated: April 3, 2013

LUTHER STRANGE
Attorney General of Alabama
By:

/s/John J. Park, Jr.
Deputy Attorney General
Alabama State Bar ID ASB-xxxx-P62J
E-mail: jjp@sblaw.net
STRICKLAND BROCKINGTON LEWIS LLP
Midtown Proscenium Suite 2200
1170 Peachtree Street NE
Atlanta, GA 30309
Telephone: 678.347.2200
Facsimile: 678.347.2210

/s/James W. Davis
Assistant Attorney General
Alabama State Bar ID ASB-xxxx-I58J
E-mail: jimdavis@ago.state.al.us

/s/Misty S. Fairbanks Messick
Assistant Attorney General
Alabama State Bar ID ASB-xxxx-T71F
E-mail: mmessick@ago.state.al.us

[CONTINUED ON NEXT PAGE]

OFFICE OF THE ATTORNEY GENERAL
State of Alabama
501 Washington Avenue
P.O. Box 300152
Montgomery, Alabama 36130-0152
Telephone: 334-242-7300
Facsimile: 334-353-8440

CERTIFICATE OF SERVICE

I hereby certify that, on April 3, 2013, I electronically filed the foregoing MOTION FOR PARTIAL SUMMARY JUDGMENT WITH RESPECT TO THE ALBC PLAINTIFFS' RESTATED PARTISAN GERRYMANDERING CLAIM with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

James H. Anderson, Esq.
William F. Patty, Esq.
Jesse K. Anderson, Esq.
Jackson, Anderson & Patty, P.C.
Post Office Box 1988
Montgomery, AL 36102
bpatty@jaandp.com
janderson@jaandp.com

Walter S. Turner, Esq.
2222 Narrow Lane Road
Montgomery, AL 36106
wsthayer@juno.com

John K. Tanner, Esq.
3734 Military Road NW
Washington, DC 20015
john.k.tanner@gmail.com

Joe M. Reed, Esq.
Joe M. Reed & Associates, LLC
524 South Union Street
Montgomery, AL 36104-4626
joe@joereedlaw.com

James U. Blacksher, Esq.
Post Office Box 636
Birmingham, AL 35201
jblacksher@ns.sympatico.ca

Edward Still, Esq.
130 Wildwood Parkway, Suite 108
PMB 304
Birmingham, AL 35209
still@votelaw.com

U.W. Clemon, Esq.
White Arnold & Dowd, P.C.
2025 Third Avenue North, Suite 500
Birmingham, AL 35203
uwclemon@waadlaw.com

/s/John J. Park, Jr.
Deputy Attorney General
Alabama State Bar ID ASB-xxxx-P62J