IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

GOLDEN BETHUNE-HILL, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
VIRGINIA STATE BOARD OF ELECTIONS, et al.,	)	Civil Action No. 3:14-cv-00852-REP-AWA-BMK
	)	
Defendants,	)	
and	)	
	)	
WILLIAM J. HOWELL, SPEAKER OF THE HOUSE OF DELEGATES, and THE HOUSE OF DELEGATES,	)	
	)	
Intervenor-Defendants.	)	

DEFENDANTS' STATEMENT OF POSITION

Defendants, the Virginia State Board of Elections *et al*., state the following in response to the Court's order of April 6, 2017 (ECF No. 136).

1. As this Court has noted, "Defendants are 'administrative agencies that implement elections' but '[did] not draw the districts'" whose constitutionality is at issue in this case. (ECF No. 108 at 6 (quoting Trial Tr. 12:14-25).)

2. Throughout this case Intervenor-Defendants have asserted, and they continue to assert, the constitutionality of the challenged districts. Both in this court and the Supreme Court, they have "carr[ied] the burden of litigation." *Id. See also Bethune-Hill v. Va. State Bd. of Elections*, No. 15-680, slip op. at 5 (U.S. Mar. 1, 2017).

3. In light of those respective roles, Defendants express no position on the specific issues raised in Paragraph 4 of the Court's April 6 order.

4. Defendants support a speedy resolution of the issues in this case, however, and will endeavor to answer the Court's questions about the effect that a particular ruling may have on their operations or on the administration of elections.

Respectfully submitted,

VIRGINIA STATE BOARD OF ELECTIONS; JAMES B. ALCORN, in his capacity as Chairman of the Virginia State Board of Elections; CLARA BELLE WHEELER, in her capacity as Vice-Chair of the Virginia State Board of Elections; SINGLETON B. McALLISTER, in her capacity as Secretary of the Virginia State Board of Elections; VIRGINIA DEPARTMENT OF ELECTIONS; and EDGARDO CORTÉS, in his capacity as Commissioner of the Virginia Department of Elections

By: /s/

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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the counsel of record for all parties.

By: /s/
Stuart A. Raphael