

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ALABAMA STATE)
CONFERENCE OF THE NAACP,)
et al.,)
)
Plaintiffs,)
)
v.)
)
WES ALLEN, *in his official*)
capacity as Alabama Secretary of)
State,)
)
Defendant.)

Case No.: 2:21-cv-1531-AMM

ORDER

This state legislative redistricting case is before the Court for remedial proceedings. At the status conference the Court held on August 28, 2025, counsel for Alabama Secretary of State Wes Allen expressed uncertainty about whether the Alabama Legislature will attempt to enact a districting plan to remedy the vote dilution this Court found. *See* Docs. 274, 275. Accordingly, to facilitate timely remedial proceedings, the Secretary is **ORDERED** to supplement the parties' Joint Status Report, Doc. 275, at or before 10:00 AM Central Time on September 4, 2025, with an update on the status of the Legislature's intentions as far as he or his counsel is aware of them.

The parties agree that if the Legislature proceeds in a manner that results in the Court undertaking the “unwelcome obligation of . . . impos[ing] a reapportionment plan,” *Wise v. Lipscomb*, 437 U.S. 535, 540 (1978) (opinion of White, J.) (internal citation and quotation marks omitted), the Court will need to appoint a Special Master to prepare remedial plans for the Court to consider. The parties further agree that this appointment may be made on a contingent basis before the Legislature decides whether to enact a remedial plan.

Accordingly, the parties are **ORDERED** to supplement their Joint Status Report, Doc. 275, at or before 10:00 AM Central Time on September 4, 2025, to advise the Court whether they have any objection to the contingent appointment of Mr. Richard Allen as the Special Master, Mr. David Ely as the Special Master’s cartographer, and Mr. Michael Scodro and his law firm, Mayer Brown LLP, as the Special Master’s legal counsel. The parties and their counsel are well familiar with these prospective contingent appointees from the Alabama congressional redistricting litigation, so the court does not recite their professional qualifications. *See Milligan* Docs. 129 at 4–5, 204 at 3–4.

If any party has any objection to the contingent appointment of any of these persons or the Mayer Brown firm, that party is further **ORDERED** to file such objection in writing at or before 10:00 AM Central Time on September 4, 2025. As the parties, their counsel, and their affiliates consider these potential contingent

appointees, they should be aware that according to the Court's preliminary consultations, each potential appointee is willing and able to serve and free from any conflict of interest.

DONE and **ORDERED** this 29th day of August, 2025.

A handwritten signature in black ink, appearing to read "A Manasco", written over a horizontal line.

ANNA M. MANASCO
UNITED STATES DISTRICT JUDGE

RETRIEVED FROM DEMOCRACYDOCKET.COM