

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

MISSISSIPPI STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE;
DR. ANDREA WESLEY; DR. JOSEPH
WESLEY; ROBERT EVANS; GARY
FREDERICKS; PAMELA HAMNER,

Plaintiffs,

vs.

STATE BOARD OF ELECTION
COMMISSIONERS; TATE REEVES *in his
official capacity as Governor of Mississippi*;
LYNN FITCH *in her official capacity as
Attorney General of Mississippi*; MICHAEL
WATSON *in his official capacity as Secretary
of State of Mississippi*; DAN EUBANKS *in his
official capacity as Ranking House Member of
the Standing Joint Legislative Committee on
Reapportionment and Redistricting*; DEAN
KIRBY *in his official capacity as Vice
Chairman of the Standing Joint Legislative
Committee on Reapportionment and
Redistricting*.

Defendants.

**CIVIL ACTION NO.
3:22-cv-00734-DPJ-HSO-LHS**

NOTICE OF DISMISSAL WITHOUT PREJUDICE

1. Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure,
Plaintiffs Mississippi State Conference of the National Association for the

Advancement of Colored People, *et al.*, hereby voluntarily dismiss all the claims asserted against Defendants Dan Eubanks and Dean Kirby without prejudice, with each party to bear its own attorneys' fees and costs. Defendants Dan Eubanks and Dean Kirby have not served an answer or a motion for summary judgment.

2. The Plaintiffs' claims against the remaining Defendants, who have answered the Complaint, are not affected by this dismissal.

Dated: February 17, 2023

/s/ Joshua Tom
Joshua Tom, MSB 105392
jtom@aclu-ms.org
ACLU OF MISSISSIPPI
101 South Congress Street
Jackson, MS 39201
(601) 354-3408

Robert B. McDuff, MSB 2532
rbm@mcdufflaw.com
MISSISSIPPI CENTER FOR JUSTICE
767 North Congress Street
Jackson, MS 39202
(601) 969-0802

Carroll Rhodes, MSB 5314
Law Offices of Carroll Rhodes
crhodes6@bellsouth.net
PO Box 588
Hazlehurst, MS 39083
(601) 894-1464

John P. Lavelle, Jr.*
MORGAN, LEWIS & BOCKIUS LLP

Respectfully submitted,

Ari J. Savitzky*
asavitzky@aclu.org
Kelsey Miller*
kmiller1@aclu.org
Ming Cheung*
mcheung@aclu.org
ACLU FOUNDATION
125 Broad Street, 18th Floor
New York, New York 10004
(212) 549-2500

Patricia Yan*
pyan@aclu.org
ACLU FOUNDATION
915 15th Street NW
Washington, DC 20005
(202) 457-0800

Ezra D. Rosenberg*
erosenberg@lawyerscommittee.org
Jennifer Nwachukwu*
jnwachukwu@lawyerscommittee.org
David Rollins-Boyd*
drollins-boyd@lawyerscommittee.org

1701 Market Street
Philadelphia, PA 19103-2921
Telephone: +1.202.739.3000
Facsimile: +1.202.739.3001
john.lavelle@morganlewis.com

LAWYERS' COMMITTEE FOR CIVIL
RIGHTS UNDER LAW
1500 K Street NW Suite 900
Washington, DC 20005
(202) 662-8600

Drew C. Jordan*
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Ave. NW
Washington, DC 20004-2541
Telephone: +1.713.890.5000
Facsimile: +1.713.890.5001
drew.jordan@morganlewis.com

James A. Nortey*
MORGAN, LEWIS & BOCKIUS LLP
1000 Louisiana, Suite 4000
Houston, Texas 77002
Telephone: +1.713.890.5000
Facsimile: +1.713.890.5001
james.nortey@morganlewis.com

* *admitted pro hac vice*

Attorneys for Plaintiffs

CERTIFICATION OF SERVICE

I, Joshua Tom, hereby certify that on February 17, 2023, a true and correct copy of the foregoing was electronically filed using the CM/ECF filing system, which automatically transmits email notifications to all counsel of record.

/s/ Joshua Tom
Joshua Tom

RETRIEVED FROM DEMOCRACYDOCKET.COM