

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

ALABAMA STATE CONFERENCE OF THE
NAACP, et al.,

Plaintiffs,

v.

STEVE MARSHALL, in his official capacity
as Alabama Attorney General, et al.,

Defendants.

Civil Action No. 2:24-cv-00420-RDP

JOINT MOTION TO DISMISS THE DISTRICT ATTORNEY DEFENDANTS

In support of this motion, the parties state as follows:

1. Plaintiffs contend that the Defendant District Attorneys are proper Defendants in this action. However, in an effort to streamline this action, Plaintiffs agree to dismiss the District Attorney Defendants without prejudice from the action on the following conditions.

2. The District Attorney Defendants, and their employees, agents, and successors in office agree to be bound by the terms of any injunctive (including but not limited to a temporary restraining order or preliminary injunction), declaratory, and/or other relief issued against the Attorney General and/or any other Defendants in this action. However, the District Attorney Defendants shall not be liable for any award of attorneys' fees, costs, or other monetary damages that might be included as part of such relief.

3. It is further understood and agreed that the District Attorney Defendants, and their employees, agents, and successors in office shall only be bound by injunctive, declaratory, and /or other relief falling within the preceding paragraph to the extent such relief remains binding against the Attorney General and/or any other Defendants in this action. The District Attorney Defendants,

and their employees, agents, and successors in office shall not be bound by any relief as to the Attorney General and/or any other Defendants that subsequently is reversed, vacated, set aside, or otherwise limited. However, it is understood and agreed that the District Attorney Defendants, and their employees, agents, and successors in office will take no enforcement action inconsistent with any relief entered in this action premised on conduct that occurred while such relief was in effect. Furthermore, as consideration for the release of liability in this matter, the District Attorney Defendants, and their employees, agents, and successors in office waive their right to intervene in the above-captioned matter should it continue.

4. Pursuant to this Court's General Order and the Civil and Criminal Administrative Procedures regarding Electronic Case Filing, it is hereby certified that all signing parties have agreed to the electronic filing of this document by one party with electronic signatures of counsel for Plaintiffs and for the District Attorney Defendants.

Respectfully submitted,

/s/ Alison Mollman
Alison Mollman
ASB-8397-A33C

Alison Mollman
Laurel Hattix
ACLU OF ALABAMA
P.O. Box 6179
Montgomery, AL 36106-0179
(510) 909-8908
amollman@aclualabama.org
lhattix@aclualabama.org

/s/Valencia Richardson
Valencia Richardson*
Danielle Lang*
Alice Huling*
Molly Danahy*
Ellen Boettcher*

Reginald Thedford*
CAMPAIGN LEGAL CENTER
1101 14th Street NW, Suite 400
Washington, DC 20005
(202) 736-2200
vrichardson@campaignlegalcenter.org
dlang@campaignlegalcenter.org
ahuling@campaignlegalcenter.org
mdanahy@campaignlegalcenter.org
eboettcher@campaignlegalcenter.org
rthedford@campaignlegalcenter.org

/s/ William Van Der Pol

William Van Der Pol, Jr.
Larry G. Canada
ALABAMA DISABILITIES
ADVOCACY PROGRAM
University of Alabama
Box 870395
Tuscaloosa, AL 35487
(205) 348-4928
wvanderpoljr@adap.ua.edu
lcanada@adap.ua.edu

/s/ Anuja D. Thatte

Anuja D. Thatte*
NAACP LEGAL DEFENSE & EDUCATIONAL FUND, INC.
700 14th Street NW, Suite 600
Washington, DC 20009
(202) 249-2170
athatte@naacpldf.org

Amir Badat*

Uruj Sheikh*
NAACP LEGAL DEFENSE & EDUCATIONAL FUND, INC.
40 Rector Street, 5th Floor
New York, NY 10006
(212) 965-2200
abadat@naacpldf.org
usheikh@naacpldf.org

/s/ Jess Unger

Bradley E. Heard*
Sabrina Khan*
Jess Unger*
Ahmed Soussi*
SOUTHERN POVERTY LAW CENTER
150 E. Ponce de Leon Avenue,

Suite 340
Decatur, GA 30030
(470) 521-6700
bradley.heard@splcenter.org
sabrina.khan@splcenter.org
jess.unger@splcenter.org
ahmed.soussi@splcenter.org

Attorneys for Plaintiffs

* *Admitted Pro Hac Vice*

Steve Marshall
Attorney General

/s/ James W. Davis
James W. Davis (ASB-4063-I58J)
Deputy Attorney General

Brenton M. Smith (ASB-1656-X27Q)
Charles A. McKay (ASB-7256-K18K)
Assistant Attorney General

OFFICE OF THE ATTORNEY GENERAL
STATE OF ALABAMA
501 Washington Avenue
P.O. Box 300152
Montgomery, Alabama 36130-0152
Telephone: (334) 242-7300
Fax: (334) 353-8400
Jim.Davis@AlabamaAG.gov
Brenton.Smith@AlabamaAG.gov
Charles.McKay@AlabamaAG.gov

Counsel for Attorney General Steve Marshall
Counsel for Secretary of State Wes Allen
Counsel for the District Attorney Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of April, 2024, I electronically filed the foregoing with the Clerk of Court for the United States District Court for the Middle District of Alabama using the CM/ECF system thereby serving all counsel of record.

/s/ Alison Mollman
Alison Mollman
Alabama State Bar No. 8397-A33C
ACLU OF ALABAMA
P.O. Box 6179
Montgomery, AL 36106-0179
(510) 909-8908
amollman@aclualabama.org

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