

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

TRACI JONES, et al.,

Plaintiffs,

v.

JEFFERSON COUNTY
BOARD OF EDUCATION, et al.,

Defendants.

Civil Case No. 2:19-cv-01821

JOINT MOTION FOR ENTRY OF CONSENT ORDER

Plaintiffs Traci Jones and Greater Birmingham Ministries (collectively, “Plaintiffs”) and Defendants the Jefferson County Board of Education (“Board”) and Alan King, in his official capacity as the Probate Judge of Jefferson County (collectively, “Defendants”), by and through their counsel, jointly move this Court to enter the proposed Order attached hereto as **Exhibit A**.

Plaintiffs and Defendants are collectively referred to herein as “the Parties.”

After engaging in good faith discussions, by and through their counsel, the Parties have agreed to settle the litigation, contingent upon Court approval, according to the terms set out therein and in the proposed Order.

In support of this motion, the Parties stipulate to the following:

1. Plaintiffs filed the above-captioned lawsuit (“the Lawsuit”) against Defendants on November 7, 2019 alleging that the Board’s at-large multimember district used to elect four of its members violates Section 2 of the Voting Rights Act of 1965 and the United States Constitution.
2. Pursuant to the terms of the proposed Order, the Board admits liability and agrees to change its method of electing Board members in numbered places 1 to 4 from an at-large

multimember district to four single-member districts, which are depicted in the “Remedial Map” in “Attachment 1” of the proposed Order. One of the four single-member districts in the Remedial Map has a majority Black citizen voting-age population. The proposed Order would not change or alter the subdistrict, which elects a Board member from the independent municipal school systems located in Jefferson County. The subdistrict has a plurality Black citizen voting-age population.

3. Prior to initiating the Lawsuit, Plaintiffs contacted Defendants about the allegations ultimately contained in the Complaint. After arms-length negotiations and the exchange of relevant information between the Parties, on October 30, 2019, the Board unanimously passed a resolution approving of the Remedial Map and giving Board President Oscar Mann and Superintendent Walter Gonsoulin the full authority to enter into the proposed Order. **Exhibit B.** Through their signatures below, Mr. Mann and Dr. Gonsoulin are agreeing to the proposed Order as to form and substance.

4. In support of this motion, Plaintiffs submit the following expert declarations:

- a. The Declaration of Dr. Baodong Liu attached as **Exhibit C**; and
- b. The Declaration of Mr. William Cooper attached as **Exhibit D**.

5. Under the proposed Order, the Remedial Map will begin being used for Board elections in Districts 1 and 2 scheduled for 2022; Districts 3 and 5 scheduled for 2024; and District 4 scheduled for 2026, and every election thereafter. Each Board member serves a six-year term.

6. The proposed Order addresses all of the disputes and legal claims asserted in the Lawsuit and provides that the Court shall retain jurisdiction pursuant to 52 U.S.C. § 10302(c) to enforce the proposed Order, but otherwise the Lawsuit is settled, with costs to-date taxed as paid.

7. The Parties and their counsel believe that the proposed Order is fair, adequate, reasonable, and in the best interests of the Parties.

8. For the reasons stated above and in the proposed Order, the Parties respectfully request that the Court grant this motion and enter the proposed Order as soon as practicable.

Respectfully submitted on November 7, 2019.

On Behalf of Plaintiffs:

/s/ Deuel Ross

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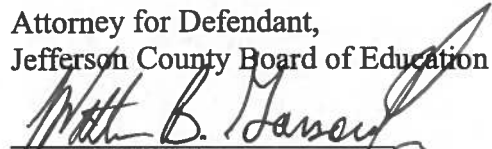
**Pro Hac Vice*

*On Behalf of Defendant Jefferson County
Board of Education:*

/s/ Whit Colvin

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On Behalf of Probate Judge Alan King:

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing Joint Motion for Entry of Consent Order has been delivered to all counsel of record by the Court's electronic filing system on November 8, 2019.

/s/ Deuel Ross

Deuel Ross