IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MERCED COUNTY, a political subdivision of the State of California, Plaintiff, v. ERIC H. HOLDER, JR., Attorney General Of the United States of America, and THOMAS E. PEREZ, Assistant Attorney General, Civil Rights Division, Defendants.	Civil Action No. 1:12-cv-00354 (TFH-DST-ABJ) Three-Judge Court

JOINT MOTION FOR ENTRY OF CONSENT JUDGMENT AND DECREE

Plaintiff Merced County ("the County"), a political subdivision of the State of California, and Defendants Eric H. Holder, Jr., Attorney General of the United States, and Thomas E. Perez, Assistant Attorney General, Civil Rights Division (collectively "the Attorney General"), respectfully move for entry of the attached Consent Judgment and Decree.

As grounds for this motion, the parties would show the following:

1. Merced County initiated this action on March 6, 2012, pursuant to Section 4(a) of the Voting Rights Act, 42 U.S.C. § 1973b(a). In this litigation, the County seeks to demonstrate that it meets the statutory requirements for bailout from coverage under Section 4(b) of the Act, 42 U.S.C. § 1973b(b). A declaratory judgment granting bailout exempts a covered jurisdiction and the political subdivisions within the covered jurisdiction from the preclearance requirements of Section 5 of the Act, 42 U.S.C. § 1973c. Merced County contains some 84 other political

subdivisions, including cities, school districts and special districts, that conduct elections (though some are presently inactive).

2. The Attorney General has conducted an independent investigation to determine if Merced County and the political subdivisions within the County have satisfied the necessary requirements for a bailout, as required by Section 4(a)(9) of the Act, 42 U.S.C. § 1973b(a)(9). Based on that investigation, as well as information provided by the County, the Attorney General has determined that Merced County and the political subdivisions located in the county, meet the requirements of Section 4(a) and that the Attorney General would consent to a declaratory judgment granting bailout under Section 4(a).

3. The parties have conferred concerning a resolution of this litigation and have agreed on the terms of the attached Consent Judgment and Decree, which would grant the requested bailout.

4. The enclosed Consent Judgment and Decree is similar to those that have been entered by three-judge courts in other declaratory judgment actions brought in this Court under Section 4(a) of the Voting Rights Act. *See, e.g.*, *Prince William County v. Holder*, No. 12-014 (D.D.C. Mar. 9, 2012); *Culpeper County v. Holder*, No. 11-1477 (D.D.C. Oct. 3, 2011); *Bedford County v. Holder*, No. 11-499 (D.D.C. Aug. 30, 2011); *City of Manassas Park v. Holder*, No. 11-749 (D.D.C. Aug. 3, 2011); *Alta Irrigation District v. Holder*, No. 11-758 (D.D.C. July 15, 2011); *City of Kings Mountain v. Holder*, No. 10-1153 (D.D.C. Oct. 22, 2010); *Amherst County v. Mukasey*, No. 08-780 (D.D.C. Aug. 13, 2008); *Middlesex County v. Gonzales*, No. 07-1485 (D.D.C. Jan. 7, 2008).

5. The parties request that this Court wait 30 days after the filing of this motion before approving the Consent Judgment and Decree. During that time, the proposed settlement will be publicized by the County pursuant to Section 4(a)(4) of the Act, 42 U.S.C. § 1973b(a)(4).

For the reasons above and as set forth in the attached Consent Judgment and Decree, the parties respectfully submit that this Joint Motion should be granted and the attached Consent Judgment and Decree entered.

Respectfully submitted:

For the Plaintiff
MERCED COUNTY:

/s/ J. Gerald Hebert

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Dated: July 27, 2012

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