

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA
NEW ORLEANS DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA
1999 DEC 27 P 12:43
LORETTA G. WHYTE
CLERK

RONALD CHISOM, et al.,
Plaintiffs,

UNITED STATES OF AMERICA,

Plaintiff-intervenor,

v.

CIVIL ACTION NO.
86-4075

EDWIN W. EDWARDS, et al.,

Defendants,

Section A

PASCAL F. CALOGERO, JR., et al.

Intervenors.

JOINT MOTION TO AMEND
CONSENT JUDGMENT

NOW INTO COURT, through undersigned counsel, come RONALD CHISOM, et al., Plaintiffs, the UNITED STATES OF AMERICA, Plaintiff-intervenor, M.J. "MIKE" FOSTER, JR., Governor of the State of Louisiana, et.al., Defendants [substituted for former Governor, Edwin W. Edwards], and PASCAL F. CALOGERO, JR., et al, Intervenors, who move this Court for an Order to Amend the Consent Judgment of August 21, 1992, as follows:

JAN - 3 2000

DATE OF ENTRY _____

FILE _____
PROCESSED _____
X Dkt'd _____
Clerk/Dep _____
Doc. No. 86-4075

1.

On August 21, 1992, the parties to this matter effected a settlement of the issues raised by the complaint and consented to the entry of a Consent Judgment in Civil Action No. 86-4075, *Chisom, et al. v. Edwards, et al.* [Exhibit A].

2.

Paragraph (C)(8) of the Consent Judgment reads:

8. Legislation will be enacted in the 1998 regular session of the Louisiana Legislature which provides for the reapportionment of the seven districts of the Louisiana Supreme Court in a manner that complies with the applicable federal voting law, taking into account the most recent census data available. The reapportionment will provide for a single-member district that is majority black in voting age population that includes Orleans Parish in its entirety. The reapportionment shall be effective on January 1, 2000, and future Supreme Court elections after the effective date shall take place in the newly reapportioned districts.

3.

Amendment of LSA-Const. Art. III, § 2 (1974), providing for regular sessions convening in even-numbered years to be restricted to the consideration of legislation which provides for fiscal matters, forced the legislature to reapportion the Louisiana Supreme Court in 1997, rather than 1998.

4.

Louisiana Acts 1997, No. 776 amends R.S. 13:101, 101.1 and 312.4(D), to redistrict the Supreme Court. [Exhibit B]. Section 4 provides for the act to become effective on January 1, 1999. Orleans Parish was split between District 1 and District 7 in Act 776 (1997), which is not in strict conformity with the Consent Judgment, but which meets the intent of all parties to this litigation for final resolution of the matter.

5.

The Louisiana Attorney General's office, on behalf of the State, submitted Act 776 (1997) to the United States Attorney General for approval under Section 5 of the Voting Rights Act. This approval, dated October 17, 1997, was conditioned upon the modification of the Consent Judgment. [Exhibit C].

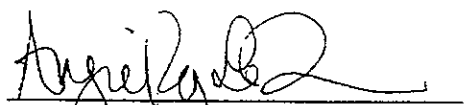
6.

All parties to this matter agree to modify the Consent Judgment so that it reflects the intent of the parties to accept Act 776 (1997) as an addendum to the Consent Judgment, and present an Order for the court's approval.

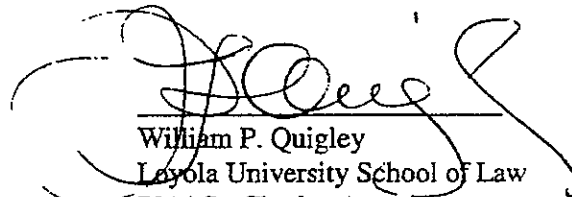
WHEREFORE, on joint motion herein, all parties pray for an Order allowing the Consent Judgment of August 21, 1992 to be amended to adopt Act 776 (1997) as an addendum to the Consent Judgment, and for the court's approval of same.

Respectfully submitted:

RICHARD P. IEYOUB
ATTORNEY GENERAL



ROY A. MONGRUE, JR., 9549
ANGIE ROGERS LAPLACE, 19669
Assistant Attorneys General
P. O. Box 94005
Baton Rouge, LA 70804-9005
Telephone: (225) 342-1111
Fax: (225) 342-2090



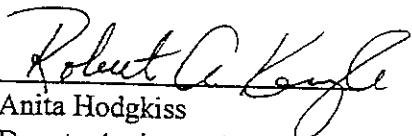
William P. Quigley
Loyola University School of Law
7214 St. Charles Avenue
New Orleans, LA 70118
(504) 861-5590

Elaine R. Jones
Director-Counsel

Norman J. Chachkin
Charles Stephen Ralston
Victor A. Bolden
Jacqueline A. Berrien
NAACP Legal Defense & Educational Fund, Inc.
99 Hudson Street
Suite 1600
New York, New York 10013
(212) 219-1900

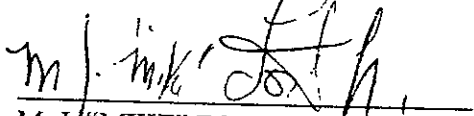
Ronald L. Wilson
837 Gravier Street
New Orleans, LA 70113
(504) 586-1241

Attorneys for Ronald Chisom et al.

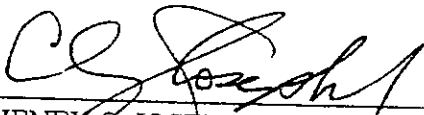


Anita Hodgkiss
Deputy Assistant Attorney General
Joseph D. Rich
ROBERT A. KENGLE
Attorneys, Voting Section
Civil Rights Division
United States Department of Justice
P. O. Box 66128
Washington, D.C. 20035-6128
(202) 514-6196

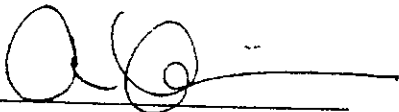
*Counsel for Plaintiff-Intervenor-Appellant
United States of America*



M. J. "MIKE" FOSTER, JR.
Governor of Louisiana
P. O. Box 94004
Baton Rouge, Louisiana 70804-9004
(225) 342-0955

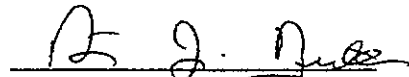


CHENEY C. JOSEPH, JR.
Executive Counsel
Honorable M. J. "Mike" Foster, Jr.
Governor of Louisiana
Office of the Governor
P. O. Box 94004
Baton Rouge, LA 70804-9004
(225) 342-0955



ALLEN KANER
Allan Kaner & Associates
701 Camp Street
New Orleans, LA 70163
(504) 582-2320

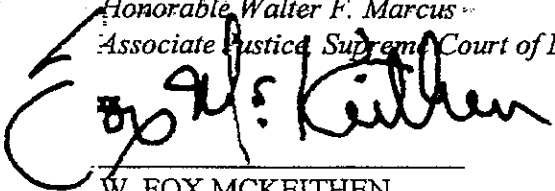
*Counsel for Intervenor
Honorable Pascal F. Calogero, Jr.
Chief Justice, Supreme Court of Louisiana*



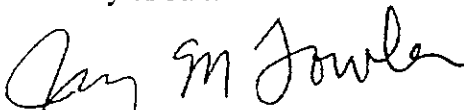
PETER J. BUTLER, SR.
909 Poydras Street, Suite 1500
New Orleans, Louisiana 70112
(504) 584-5454

Counsel for Intervenor

*Honorable Walter F. Marcus
Associate Justice, Supreme Court of Louisiana*



W. FOX MCKEITHEN
in his Ministerial Capacity as
Secretary of State



JERRY M. FOWLER
in his Ministerial Capacity as
Commissioner of Elections

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA
NEW ORLEANS DIVISION

RONALD CHISOM, et al.,
Plaintiffs,

UNITED STATES OF AMERICA,
Plaintiff-intervenor,

v.

CIVIL ACTION NO.
86-4075

EDWIN W. EDWARDS, et al.,

Defendants,

Section A

PASCAL F. CALOGERO, JR., et al.

Intervenors.

ORDER

Considering the consent of all parties herein to amend the Consent Judgment of August 21, 1992 to reflect the intent of the parties to accept Louisiana Acts 1997, No. 776 as compliance with the mandates of said consent judgment;

IT IS HEREBY ORDERED that Louisiana Acts 1997, No. 776 be and is hereby added as an addendum to the Consent Judgment in Civil Action No. 86-4075, *Chisom, et al. v. Edwards, et al.*

Thus approved this 3rd day of January ²⁰⁰⁰ ~~1999~~.


UNITED STATES DISTRICT JUDGE

