

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

PEOPLE FIRST OF ALABAMA, et
al.,

Plaintiffs,

v.

JOHN MERRILL, et al.

Defendants.

Case No.: 2:20-cv-00619-AKK

***PRO TANTO* MOTION TO DISMISS ALL CLAIMS AGAINST
FRANK BARGER AND DEBRA KIZER AND TO RETAIN
JURISDICTION TO ENFORCE THE SETTLEMENT**

Plaintiffs People First of Alabama, Eric Peebles, Howard Porter, Jr., Annie Carolyn Thompson, Greater Birmingham Ministries, the Alabama State Conference of the NAACP, Black Voters Matter Capacity Building Institute, Teresa Bettis, and Sheryl Threadgill-Matthews (collectively, “Plaintiffs”), and Defendants Frank Barger and Debra Kizer, the Probate Judge and Circuit Clerk respectively of Madison County, Alabama, (collectively, with Plaintiffs, the “Parties”) hereby move the Court to dismiss all claims against Barger and Kizer, with prejudice, with costs and fees taxed as paid, and retain jurisdiction to enforce a settlement on the following terms.

The Parties state that following initiation of this litigation, Plaintiffs have discussed local voting practices with Defendants Barger and Kizer and reached a

settlement agreement under which Plaintiffs are to dismiss all claims against Defendants Barger and Kizer pursuant to terms set out in the settlement agreement, subject to this Court to retaining jurisdiction to enforce the terms of the settlement agreement.

WHEREFORE, these Parties move the Court to dismiss all claims against Defendants Frank Barger and Debra Kizer, with prejudice, and with costs and fees taxed as paid, and for this Court to retain jurisdiction to enforce their settlement agreement.

DATED this 4th day of Sept. 2020.

/s/Deuel Ross

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CERTIFICATE OF SERVICE

I hereby certify that on September 4, 2020 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such to counsel of record.

/s/ Deuel Ross
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