

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

|                           |   |                    |
|---------------------------|---|--------------------|
| UNITED STATES OF AMERICA, | ) |                    |
|                           | ) |                    |
| Plaintiff,                | ) |                    |
|                           | ) |                    |
| v.                        | ) | Case No. 3:08CV709 |
|                           | ) |                    |
| JEAN CUNNINGHAM, et al.,  | ) |                    |
|                           | ) |                    |
| Defendants.               | ) |                    |
|                           | ) |                    |
| _____                     | ) |                    |

**UNITED STATES' THIRD NOTICE REGARDING FUTURE RELIEF**

The United States respectfully notifies the Court that:

1. On November 4, 2009, the United States noted its intent to confer with the Defendants as to appropriate measures to be adopted to ensure UOCAVA compliance in future elections.
2. While the parties have conferred in good faith as to these measures, their discussions have not yet concluded. Further, members of the Virginia General Assembly have proposed a number of bills that include provisions relating directly related to UOCAVA voting and potentially impacting the scope of future relief at issue before this Court.
3. Accordingly, the United States respectfully notifies the Court of its intention to monitor the General Assembly's progress in passing legislation potentially impacting relief issues pending before the Court, and to recommence its discussions with the Defendants as to what additional future relief if any may be necessary after the General Assembly adjourns on March 13, 2010. The United States shall report to the Court by March 31, 2010 on what additional measures, if any, may be appropriate under the circumstances.

Respectfully submitted,

THOMAS E. PEREZ  
ASSISTANT ATTORNEY GENERAL

NEIL H. MACBRIDE  
UNITED STATES ATTORNEY

/s/ \_\_\_\_\_  
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## CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of February 2010, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following counsel of record:

Robert A. Dybing  
rdybing@t-mlaw.com  
*Attorney for the Defendant*

By:

/s/

\_\_\_\_\_  
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