

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

DORIS POWELL,

Plaintiff,

v.

THE STATE OF ALABAMA,
JEFFERSON COUNTY ELECTION
COMMISSION, et al.,

Defendants.

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Case No. 2:08-CV-1345-LSC

ANSWER

Come now the Jefferson County Election Commission and Alan King and Anne-Marie Adams in their official capacities as members of the Jefferson County Election Commission, and for Answer to the Complaint state as follows:

1. These Defendants admit the factual allegations in paragraphs 2 through 25 of the Complaint. These Defendants neither admit nor deny the legal and other conclusions contained in said paragraphs.

2. These Defendants have been directed by the Supreme Court of Alabama and the Jefferson County Circuit Court to conduct an election on November 4, 2008, to fill the vacancy for the seat of Commission District 1 on the Jefferson County Commission.

3. These Defendants are presently complying with said orders of the state courts.

4. These Defendants do not assert a position on the merits of the claims asserted in this case.

5. These Defendants waive participation in the trial, if any, on said claims.

6. These Defendants state that they were not parties to either the *Plump v. Riley* or *Riley v. Kennedy* cases and assert no position regarding the applicability of those cases to this case.

7. These Defendants state that they will follow the lawful orders of this Court.

8. These Defendants deny that Plaintiff is entitled to any fees or costs from these Defendants.

/s/ Jeffrey M. Sewell

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CERTIFICATE OF SERVICE

I hereby certify that on August 21, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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Respectfully submitted,

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