

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Civil Action Number
v.)	
)	2:06-CV-00392-WKW
STATE OF ALABAMA, and)	
NANCY L. WORLEY,)	
Alabama Secretary of State,)	
in her official capacity,)	
)	
Defendants.)	

RESPONSE TO OCTOBER 6, 2006 ORDER

Come now Defendants State of Alabama and Nancy L. Worley, in her official capacity as Secretary of State, by and through Troy King, Attorney General for the State of Alabama, and, in response to this Honorable Court’s October 6, 2006 Order (Doc. 74) states as follows:

1. On Tuesday, October 3, 2006, the Special Master’s Second (October 2006) Interim Report was filed. (Doc. 73.)
2. On Friday, October 6, 2006, this Honorable Court issued an Order requiring that “Defendant Nancy L. Worley, Secretary of State, shall file a complete, detailed, and verified response to the Special Master’s representations in paragraphs F, G, H, I, and L of the Report.” (Doc. 74 at 3.)

3. Attached hereto as Exhibit A is a letter prepared by Secretary Worley in response to this Court's order. This letter was prepared without input from the Attorney General's Office, although assistance was offered.¹

4. As to the representations made by the Special Master in Paragraph L of his October Report, the Court's attention is respectfully directed to the letter attached hereto as Exhibit B.

Respectfully submitted,

TROY KING
ATTORNEY GENERAL
BY:

s/Winfield J. Sinclair

Winfield J. Sinclair
Assistant Attorney General
Attorney No. ASB-1750-S81W

s/ Misty S. Fairbanks

Misty S. Fairbanks
Assistant Attorney General
Attorney No. ASB-1813-T71F

Attorneys for Defendants

¹ In response to the first sentence of the Secretary's letter, it is to be noted that the Secretary has been represented in this litigation by the Office of the Alabama Attorney General, consistent with Ala. Code § 36-15-1(2) and *Ex parte Weaver*, 570 So.2d 675 (Ala. 1990). The Attorney General respectfully disagrees with the Secretary's allegations about the quality of representation she has been afforded in this case.

CERTIFICATE OF SERVICE

This is to certify that on the 12th day of October, 2006, a copy of the foregoing has been electronically filed with the Clerk of the Court using the CM/ECF system, which will electronically send a copy of the same to the following:

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And by first class mail, postage prepaid, to the following:

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s/Winfield J. Sinclair

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