

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
NORTHWEST AUSTIN MUNICIPAL)	
UTILITY DISTRICT NUMBER ONE,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:06-cv-1384
)	
ALBERTO GONZALES,)	Three-judge court (PLF, DST, EGS)
Attorney General of the United States, <i>et al.</i>)	
)	
Defendants.)	
_____)	

DEFENDANT’S MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56, Fed. R. Civ. P., Defendant Alberto Gonzales, Attorney General of the United States, respectfully moves this Court for entry of an Order granting summary judgment to Defendant with respect to all of Plaintiff’s claims in this action. In particular, Defendant moves for a summary judgment that Plaintiff is not entitled to bail out of the temporary provisions of the Voting Rights Act pursuant to Section 4(a) of the Act, 42 U.S.C. 1973b(a), and that the preclearance requirement of Section 5 of the Act, 42 U.S.C. 1973c, is constitutional. There is no genuine issue as to any material fact, and Defendant is entitled to judgment as a matter of law.

Pursuant to Local Civil Rules 7 and 56.1, Defendant is filing a memorandum of points and authorities, a proposed order, a statement of facts, a notice of filing, and exhibits in support of this motion. Defendant also relies on the legislative record and the record in this case, as lodged with the Court.

Defendant respectfully prays that this Court enter an Order granting Defendant’s Motion for Summary Judgment.

Respectfully submitted,

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