

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NORTHWEST AUSTIN MUNICIPAL)
UTILITY DISTRICT NUMBER ONE,)

Plaintiff,)

v.)

ALBERTO GONZALES, Attorney General of)
the United States, et al.,)

Defendants.)

Civil Action No. 1:06-CV-01384
(DST, PLG, EGS)

MOTION FOR SUMMARY JUDGMENT OF DEFENDANT-INTERVENORS TEXAS
STATE CONFERENCE OF NAACP BRANCHES, AUSTIN BRANCH OF THE
NAACP, RODNEY LOUIS, NICOLE LOUIS, WINTHROP GRAHAM, YVONNE
GRAHAM, WENDY RICHARDSON, JAMAL RICHARDSON, MARISA
RICHARDSON, NATHANIEL LESANE, PEOPLE FOR THE AMERICAN WAY,
JOVITA CASARES, ANGIE GARCIA, AND OFELIA ZAPATA

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Defendant-
Intervenors Texas State Conference of NAACP Branches, Austin Branch of the NAACP,
Rodney Louis, Nicole Louis, Winthrop Graham, Yvonne Graham, Wendy Richardson,
Jamal Richardson, Marisa Richardson, Nathaniel Lesane, People For The American Way,
Jovita Casares, Angie Garcia, And Ofelia Zapata move for summary judgment in this
case. The grounds for this motion are set forth in the accompanying Memorandum of
Points and Authorities as well as in the accompanying Statement of Material Facts as to
Which There is No Genuine Issue and declarations and exhibits.

Respectfully submitted,

/s/ Seth P. Waxman .

Seth P. Waxman (D.C. Bar No. 257337)

John A. Payton (D.C. Bar No. 282699)

Paul R.Q. Wolfson (D.C. Bar No. 414759)

Ariel B. Waldman (D.C. Bar No. 474429)

Daniel A. Zibel (D.C. Bar No. 491377)

WILMER CUTLER PICKERING HALE and
DORR LLP

1875 Pennsylvania Ave. N.W.

Washington, D.C. 20006

Telephone: (202) 663-6000

Facsimile: (202) 663-6363

Jon M. Greenbaum (D.C. Bar No. 489887)

Benjamin J. Blustein (D.C. Bar No. 418930)

Jonah H Goldman (D.C. Bar No. 497507)

LAWYERS' COMMITTEE FOR CIVIL
RIGHTS UNDER LAW

1401 New York Avenue, NW, Suite 400

Washington, D.C. 20005

Telephone: 202-662-8600

Facsimile: 202-628-2858

Dennis C. Hayes (admitted *pro hac vice*)

General Counsel

NATIONAL ASSOCIATION FOR THE ADVANCEMENT
OF COLORED PEOPLE, INC.

NAACP National Office

4805 Mt. Hope Drive

Baltimore, MD 21215

Telephone: (410) 580-5777

Facsimile: (410) 358-9350

Counsel for Defendant-Intervenors

Texas State Conference of NAACP Branches and Austin Branch of the NAACP

/s/ Debo P. Adegbile .
Debo P. Adegbile

/s/ Norman J. Chachkin .
Norman J. Chachkin (D.C. Bar No.235283)
Theodore Shaw
President and Director-Counsel
Jacqueline A. Berrien
Ryan P. Haygood
Jenigh J. Garrett
NAACP LEGAL DEFENSE AND
EDUCATIONAL FUND, INC.
99 Hudson Street, Suite 1600
New York, New York 10013
(212) 965-2200

Kristen M. Clarke
NAACP LEGAL DEFENSE AND
EDUCATIONAL FUND, INC.
1444 Eye Street, N.W., 10th Floor
Washington, D.C. 20005
(202) 682-1300

Samuel Spital
HOLLAND & KNIGHT
195 Broadway, 24th Floor
New York, NY 10007
(212) 513-3454

*Counsel for Defendant-Intervenors
Rodney and Nicole Louis; Winthrop and Yvonne Graham;
Wendy Richardson, Jamal Richardson, and Marisa Richardson*

/s/ Laughlin McDonald

Moffatt Laughlin McDonald
Neil Bradley
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION, INC.
2600 Marquis One Tower
245 Peachtree Center Avenue
Atlanta, GA 30303-1227
Telephone: (404) 523-2721

Arthur B. Spitzer
AMERICAN CIVIL LIBERTIES UNION
1400 20th Street, NW, Suite 119
Washington, DC 20036
Telephone: (202) 457-0800
Facsimile: (202) 452-1868

Michael J. Kator
KATOR, PARKS & WEISER, PLLC
1020 19th Street, NW, #350
Washington, DC 20036-6101
Telephone: (202) 898-4800
Facsimile: (202) 289-1389

Jeremy Wright
KATOR, PARKS & WEISER, PLLC
812 San Antonio Street, Suite 100
Austin, Texas 78701

Lisa Graybill
Legal Director
ACLU FOUNDATION OF TEXAS
1210 Rosewood Avenue
Austin, Texas 78702

Counsel for Defendant-Intervenor Nathaniel Lesane

/s/ David J. Becker

David J. Becker (D.C. Bar No. 496318)

PEOPLE FOR THE AMERICAN WAY FOUNDATION

2000 M Street NW, Suite 400

Washington, DC 20036

Telephone: (202) 467-4999

Counsel for Defendant-Intervenor People for the American Way

/s/ Jose Garza .

Jose Garza
Judith A. Sanders-Castro
George Korbel
TEXAS RIOGRANDE LEGAL AID, INC.
1111 N. Main Street
San Antonio, Texas 78212
210-212-3700
210-212-3772 (fax)

/s/ Michael T. Kirkpatrick .

Michael T. Kirkpatrick (DC Bar No. 486293)
Brian Wolfman (DC Bar No. 427491)
PUBLIC CITIZEN LITIGATION GROUP
1600 20th Street NW
Washington, DC 20009
202-588-7728
202-588-7795 (fax)
mkirkpatrick@citizen.org

Counsel for Defendant-Intervenors Angie Garcia, Jovita Casarez, Ofelia Zapata

CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2007, I caused to be served a copy of the foregoing MOTION FOR SUMMARY JUDGMENT OF DEFENDANT-INTERVENORS TEXAS STATE CONFERENCE OF NAACP BRANCHES, AUSTIN BRANCH OF THE NAACP, RODNEY LOUIS, NICOLE LOUIS, WINTHROP GRAHAM, YVONNE GRAHAM, WENDY RICHARDSON, JAMAL RICHARDSON, MARISA RICHARDSON, NATHANIEL LESANE, PEOPLE FOR THE AMERICAN WAY, JOVITA CASARES, ANGIE GARCIA, AND OFELIA ZAPATA to all counsel of record via the Court's CM/ECF filing system.

/s/ Ariel B. Waldman
Ariel Waldman