

IN UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

NORTHWEST AUSTIN MUNICIPAL
UTILITY DISTRICT NUMBER ONE

Plaintiff,

v.

ALBERTO GONZALES, in his official capacity
as Attorney General of the United States of
America

Defendant

Civil Action No. 1:06-CV-01384
(PF, ES, DT)

DECLARATION OF KRISTEN M. CLARKE IN SUPPORT OF RESPONSE TO
PLAINTIFF'S 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, LISA DIAZ, DAVID DIAZ, GABRIEL DIAZ, PEOPLE
FOR THE AMERICAN WAY, TRAVIS COUNTY, NATHANIEL LESANE, JOVITA
CASARES, ANGIE GARCIA, OFELIA ZAPATA

I, KRISTEN M. CLARKE, hereby declare, pursuant to 28 U.S.C. § 1746, as follows:

I am an attorney at the NAACP Legal Defense and Educational Fund, Inc., counsel for Defendant-Intervenors Rodney Louis and Nicole Louis ("Louis Intervenors"), and Winthrop Graham, Yvonne Graham, Wendy Richardson, Jamal Richardson and Marisa Richardson ("Graham Intervenors"). Attached hereto are true and correct copies of the following documents, to which reference is made in the Memorandum of Points and Authorities in Support of Response to Plaintiff's 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, Lisa Diaz, David Diaz and Gabriel

Diaz, People for the American Way, Travis County, Nathaniel Lesane, Jovita Casares, Angie Garcia, Ofelia Zapata, (collectively “Defendant-Intervenors,” and together with Defendant Attorney General, “Defendants”):

1. *Shenandoah County, Virginia v. Reno*, (Civ. No. 99-0992 D.D.C.) (Henderson, Friedman, and Johnson, JJ.) Consent Judgment and Decree. *See Voting Rights Act: Section 5 of the Act-History, Scope, and Purpose: Hearing Before the Subcomm. on the Constitution of the H. Comm. on the Judiciary*, 109th Cong. 2769-2777 (2005) (“October 25, 2005 Hearing”) (Vol. II).
2. June 23, 2006 Letter from City of Salem, Virginia to Senators Patrick Leahy and Arlen Specter, regarding Voting Rights Act, as amended. *See Renewing the Temporary Provisions of the Voting Rights Act: Legislative Options After LULAC v. Perry: Hearing Before the Subcomm. on the Constitution, Civil Rights, and Property Rights of the S. Comm. on the Judiciary*, 109th Cong. 353-355 (2006) (“July 13, 2006 Hearing”).
3. June 19, 2006 Letter from County of Augusta, Virginia to Senators Patrick J. Leahy and Specter, Voting Rights Act. *See Reauthorizing the Voting Rights Act’s Temporary Provisions: Policy Perspectives and Views from the Field: Hearing Before the Subcomm. on the Constitution, Civil Rights, and Property Rights of the S. Comm. on the Judiciary*, 109th Cong. 265-66 (2006) (“June 21, 2006 Hearing”).
4. Table of data received from Texas Secretary of State’s Office, reflecting units that conduct elections by county (2007).
5. March 24, 2006 Letter from Marc Levin, Potts & Reilly to Chief, Voting Section, Department of Justice regarding Austin Community College District election. (Letter authorized by Donald Zimmerman, former President of the Northwest Austin Municipal Utility District Number One).
6. *Louisiana House of Representatives v. Ashcroft*, (Civ. No. 02-62 D.D.C.) (Garland, Walton, and Robertson, JJ.), Memorandum Order. *See Voting Rights Act: Evidence of Continued Need: Hearing Before the Subcomm. on the Constitution of the H. Comm. on the Judiciary*, 109th Cong. 1675-78 (2006) (“March 8, 2006 Hearing”) (Vol. II).

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 15, 2007.

/s/ _____ Kristen M. Clarke _____
Kristen M. Clarke