

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

STATE OF TEXAS,

Plaintiff,

v.

ERIC H. HOLDER, JR. in his
Official capacity as Attorney General
Of the United States,

Defendants,

ERIC KENNIE, *et al.*,

Defendants-Intervenors.

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Case No. 1:12-cv-00128
RMC-DST-RLW

**NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF THE KENNIE
INTERVENORS' MOTION FOR ATTORNEYS' FEES, COSTS, AND EXPENSES**

The Kennie Intervenors respectfully submit the attached notice of supplemental authority in support of their Motion for Attorneys' Fees, Costs, and Expenses, filed on September 10, 2013 (ECF No. 383). Plaintiff, the State of Texas, filed its "Advisory" in opposition to the motion on September 12, 2013 (ECF No. 384).

On May 28, 2014, U.S. District Court Judge John Bates rendered a decision in *Shelby County, Alabama v. United States*, (No. 10-651.), denying Shelby County's motion for an award of attorneys' fees (in the amount of \$2 million). The decision is attached as Exhibit A. At pages 14-17 of the decision, the court provides an overview of the law in this Circuit respecting an award of attorneys' fees to defendant-intervenors in declaratory judgment actions under Section 5 of the Voting Rights Act. The decision further supports the arguments made by the Kennie

Defendant-Intervenors regarding the propriety of awarding fees to Defendant-Intervenors in this case.

Respectfully submitted,

/s/ J. Gerald Hebert

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ATTORNEYS FOR KENNIE
DEFENDANT-INTERVENORS

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of May, 2014, I served a copy of the foregoing Kennie Intervenors' Notice of Supplemental Authority and Attached Exhibit A on counsel registered to receive NEFs through the CM/ECF system. All attorneys who have not yet registered to receive NEFs have been served via first-class mail, postage prepaid.

/s/ J. Gerald Hebert
J. GERALD HEBERT