

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF GEORGIA  
NEWNAN DIVISION**

GEORGIA STATE CONFERENCE OF  
THE NAACP, *et al.*,

Plaintiffs,

v.

FAYETTE COUNTY BOARD OF  
COMMISSIONERS, *et al.*,

Defendants.

CIVIL ACTION NO. 3:11-CV-  
00123-TCB

**COUNTY DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

COME NOW Defendants Fayette County Board of Commissioners; Herb Frady, Robert Horgan, Lee Hearn, Steve Brown and Allen McCarty, in their official capacities; Fayette County Board of Elections and Voter Registration; and Tom Sawyer, in his official capacity, (collectively "County Defendants"), Defendants in the above-styled case, and pursuant to Fed. R. Civ. P. 56 and L.R. 56.1, move this Court for summary judgment in their favor. As shown by the attached Brief in Support of County Defendants' Motion for Summary Judgment, the Exhibits and Declarations attached to and filed with that Brief, and the deposition testimony filed contemporaneously herewith, there are no material

issues of fact in dispute and, as a matter of law, County Defendants are entitled to summary judgment on Plaintiffs' claims.

WHEREFORE, County Defendants respectfully request that the Court enter summary judgment in their favor and cast all costs against Plaintiffs.

**CERTIFICATE OF COMPLIANCE**

Pursuant to L.R. 7.1(D), the undersigned hereby certifies that the foregoing COUNTY DEFENDANTS' MOTION FOR SUMMARY JUDGMENT has been prepared in Times New Roman 14, a font and type selection approved by the Court in L.R. 5.1(B).

Respectfully submitted this 13th day of September, 2012.

s/ Anne W. Lewis

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Georgia Bar No. 687600

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have this day electronically filed the within and foregoing COUNTY DEFENDANTS' MOTION FOR SUMMARY JUDGMENT with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to the following attorneys of record:

Dale E. Ho, Esq.  
Natasha Korgaonkar, Esq.  
Ryan P. Haygood, Esq.  
Leah C. Aden, Esq.  
Phillip L. Hartley, Esq.

This 13th day of September, 2012.

s/ Anne W. Lewis  
Anne W. Lewis  
Georgia Bar No. 737490