

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

EVAN MILLIGAN, et al.,

Plaintiffs,

vs.

WES ALLEN, et al.,

Defendants.

No. 2:21-cv-01530-AMM

MARCUS CASTER, et al.,

Plaintiffs,

vs.

WES ALLEN, et al.,

Defendants.

No. 2:21-cv-01536-AMM

**MILLIGAN AND CASTER PLAINTIFFS' MOTION FOR
CLARIFICATION**

The current remedial process concerns the sufficiency of Alabama's attempt to draw a new congressional map that remedies the likely Voting Rights Act (VRA) violation found by this Court and affirmed by the Supreme Court, and what VRA-compliant plan should be adopted. *See generally* ECF No. 168; *Caster v. Allen*, Case.

No. 2:21-cv-01536-AMM, ECF No. 156. This motion seeks clarity as to the status of consolidation and role of the *Singleton* Plaintiffs in this process.

On November 23, 2021, this Court consolidated *Milligan* with *Singleton v. Merrill*, Case No. 2:21-cv-1291-AMM, “for the limited purposes of preliminary injunction discovery and a preliminary injunction hearing[.]” ECF No. 40 at 3. Several months later—in denying the *Singleton* Plaintiffs’ request for a ruling from the Court on their racial gerrymandering claim after the Supreme Court accepted review of the *Milligan* and *Caster* Plaintiffs’ VRA claim—the Court also noted that “*Singleton* and *Milligan* were consolidated for the limited purpose of expedited preliminary injunction proceedings” Order, *Singleton*, Case No. 2:21-cv-1291-AMM, ECF No. 114 at 2 n.1 (N.D. Ala. Feb, 25, 2022). The only issue currently before the Court in the remedial proceedings is adoption of a remedy to effectuate the preliminary injunction finding a likely VRA violation—a claim brought only by the *Milligan* and *Caster* Plaintiffs and not at issue in the *Singleton* case.

Because remedial proceedings before this Court are imminent and will move quickly to culminate in a hearing beginning August 14, 2023, ECF No. 107 at 216–17, the *Milligan* and *Caster* Plaintiffs seek clarification as to the status of consolidation and role of the *Singleton* Plaintiffs for the sake of efficiency and planning for all parties and the Court. For the reasons above, *Milligan* and *Caster* Plaintiffs seek confirmation that the *Singleton* Plaintiffs are not parties to the VRA

remedial proceedings outlined in this Court's June 20, 2023 Order. *Milligan*, ECF No. 168; *Caster*, ECF No. 156.

Dated: July 24, 2023

Respectfully submitted,

By /s/ Abha Khanna

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