IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

THE SOUTH CAROLINA STATE CONFERENCE OF THE NAACP, and

TAIWAN SCOTT, on behalf of himself and all other similarly situated persons,

Plaintiffs,

v.

THOMAS C. ALEXANDER, in his official capacity as President of the Senate; LUKE A. RANKIN, in his official capacity as Chairman of the Senate Judiciary Committee; JAMES H. LUCAS, in his official capacity as Speaker of the House of Representatives; CHRIS MURPHY, in his official capacity as Chairman of the House of Representatives Judiciary Committee; WALLACE H. JORDAN, in his official capacity as Chairman of the House of Representatives Elections Law Subcommittee; HOWARD KNAPP, in his official capacity as interim Executive Director of the South Carolina State Election Commission; JOHN WELLS, Chair, JOANNE DAY, CLIFFORD J. EDLER, LINDA MCCALL, and SCOTT MOSELEY, in their official capacities as members of the South Carolina Election Commission,

Defendants.

Civil Action No. 3:21-cv-03302-MBS-TJH-RMG

JOINT NOTICE OF REVISED PROPOSED AGREEMENT TO RESOLVE PLAINTIFF'S CLAIMS REGARDING CHALLENGED STATE HOUSE DISTRICTS

Plaintiff The South Carolina State Conference of the NAACP ("Plaintiff") and all above-named Defendants, by and through undersigned counsel, jointly provide this notice to the Panel that Plaintiff[1] has reached an agreement in principle (the "Agreement") with Defendants James H.

[1] Plaintiff Taiwan Scott does not have any claims against Defendants regarding the challenged state House districts and therefore is not a party to this Agreement.

Lucas, Chris Murphy, and Wallace H. Jordan ("House Defendants") (collectively with Plaintiff, the "Moving Parties"), to resolve all of Plaintiff's claims regarding the challenged state House districts enacted in H.4493. As noted herein, all named Defendants have specifically agreed to consent to this settlement.

After reviewing the Panel's April 25, 2022 Order denying the Moving Parties' initial request for approval of a forthcoming settlement through a binding consent decree (ECF No. 236), the Moving Parties conferred with the other Defendants in the above-captioned action after the Court indicated that *Lawyer v. Department of Justice*, 521 U.S. 567 (1997) "requires the parties present evidence that both bodies which passed the challenged redistricting legislation—namely, the House and Senate—explicitly consent to the proposed settlement." (ECF No. 236 at 2).

The Moving Parties, along with the Senate Defendants and the Election Commission Defendants, are now able to represent that all Parties to the litigation consent to the Agreement to resolve Plaintiffs' claims regarding the challenged House districts adopted in H.4493. Specifically, the Parties now represent to the Court (and do so through undersigned counsel) that Thomas C. Alexander, in his official capacity as President of the Senate, and Luke A. Rankin, in his official capacity as Chairman of the Senate Judiciary Committee (collectively, the "Senate Defendants") consent to the Agreement to resolve Plaintiff's claims regarding the challenged House districts adopted in H.4493. In addition, Howard Knapp, in his official capacity as Executive Director of the South Carolina State Election Commission; John Wells, Chair, JoAnne Day, Clifford J. Edler, Linda McCall, and Scott Moseley, in their official capacities as members of the South Carolina State Election Commission (collectively, the "Election Commission Defendants"), also consent to resolving Plaintiff's claims regarding the challenge House districts adopted in H.4493 through the forthcoming Agreement. In addition, the Senate and Election

Commission Defendants will file their own individual consents prior to the April 26, 2022 status conference.

The Parties will be prepared to address any questions the Panel may have about the representations contained in this Notice during the upcoming Status Conference and will provide the court with the terms of the Agreement before the status conference. The Parties respectfully request that the Court revisit the issue of the whether they House Defendants have now established with *Lawyer* and that the Court and the Parties discuss next steps during today's status conference.

[SIGNATURE BLOCKS TO FOLLOW]

Dated: April 26, 2022

Respectfully submitted,

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** Motion for admission Pro Hac Vice forthcoming*
*** Admitted Pro Hac Vice*

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