**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

League of United Latin American Citizens of Arizona; Arizona Students' Association, Plaintiffs, v. Michele Reagan, in her official capacity as Secretary of State of Arizona; Adrian Fontes, in his official capacity as Maricopa County Recorder, Defendants.	No. CV17-4102-PHX DGC **CONSENT DECREE**

Before the Court is the Joint Motion Requesting Entry of Consent Decree, filed by Plaintiff League of United Latin American Citizens of Arizona ("LULAC-Arizona"), Plaintiff Arizona Students' Association ("ASA"), Defendant Michele Reagan, in her official capacity as Secretary of State of Arizona (the "Secretary"), and Defendant Adrian Fontes, in his official capacity as Maricopa County Recorder ("Recorder Fontes"). Doc. 36. All Plaintiffs and Defendants shall hereafter be referred to as the "Parties."

On November 7, 2017, LULAC-Arizona and ASA initiated this action against the Secretary and Recorder Fontes. The complaint alleged that Arizona's dual voter registration policies violate the First and Fourteenth Amendments to the United States Constitution. Specifically, LULAC-Arizona and ASA alleged that Arizona treats voter

registration applicants differently depending on whether they use Arizona's state registration form (the "State Form") or the national registration form (the "Federal Form"). At the time the lawsuit was filed, fourteen of Arizona's County Recorders rejected State Form applications submitted without valid documentary proof of citizenship ("DPOC"). Federal law required the County Recorders to accept Federal Form applications, even when they are submitted without DPOC. The Motor Vehicles Department ("MVD") Proxy Table was then electronically checked through an automated process to determine whether the Federal Form applicants had a valid driver's license, which indicates that DPOC is supposed to be on file with the MVD. Those with DPOC on file are eligible to vote in both state and federal elections ("Full Ballot Voter"). Those who did not have DPOC on file with the MVD were only able to vote in federal elections ("Fed Only Voter").

As a result, whether one who does not present valid DPOC is registered to vote in federal elections is entirely dependent on which form the applicant uses to register. Those using the Federal Form but not providing DPOC, are registered to vote in federal elections; and, depending on the results of the Secretary's automated review of the MVD database, may be registered to vote in state elections as well. But those using the State Form, and not providing valid DPOC, are not registered to vote in any elections because the application is rejected in its entirety. LULAC-Arizona and ASA alleged that this dual voter registration process violated the First and Fourteenth Amendments.

The Secretary denies that Arizona's voter registration policies violate the First and Fourteenth Amendments or are otherwise illegal under state or federal law. The Secretary asserts that Federal and State Form applicants are not similarly situated for equal protection purposes. The Secretary asserts that Arizona is constitutionally permitted to require those applying to register to vote using the State Form to personally provide DPOC at the time that they submit their State Form. The Secretary further asserts that there is no constitutional or statutory requirement that Arizona election officials register applicants for federal elections when they have chosen to use the State Form to register to vote rather than the Federal Form.

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Nevertheless, the Secretary and Recorder Fontes desire to make it as easy possible for Arizona's citizens to register to vote, while remaining consistent with Arizona and federal law and also providing necessary safeguards to deter those who would commit voter registration fraud. Having reviewed the applicable law, the Secretary and Recorder Fontes have concluded that current technology allows the Secretary, Recorder Fontes, and the other Arizona County Recorders to treat State Form applications exactly as they treat Federal Form applications, and that because of current technology such treatment is consistent with the provisions of Arizona law, including the requirements of Proposition 200, codified at A.R.S. §§ 16-166(F) and 16-152(A)(23). The Secretary and Recorder Fontes agree that treating Federal Form and State Form applications the same will make it easier for Arizona's citizens to register to vote, while also providing important safeguards to prevent unlawful voter registration. Accordingly, on February 8, 2018, the Secretary and Recorder Fontes through their counsel notified counsel for LULAC-Arizona and ASA of their desire to enter into an agreement that will resolve the underlying litigation and also benefit Arizona's citizens.

The Parties have negotiated in good faith and agree to the entry of this Consent Decree as an appropriate resolution. Accordingly, the Parties stipulate and agree as follows:

PRELIMINARY RECITALS

1.   LULAC-Arizona is the Arizona-based branch of the oldest and largest national Latino civil rights organization. LULAC is a non-profit membership organization with a presence in most of the fifty states. Founded in 1929, it works to advance the economic condition, educational attainment, political influence, health and civil rights, including voting rights, of the Hispanic population of the United States.

2.   ASA is a student-led, non-partisan membership organization created to represent the collective interest of the over 140,000 university students and over 400,000 community college students in Arizona. ASA advocates at the local, state, and national levels for the interests of students. As a part of its mission, ASA encourages students throughout Arizona to register to vote through voter registration activity.

3.   Michele Reagan is the Arizona Secretary of State. The Secretary of State is responsible for supervising voter registration throughout the state and providing binding regulations and guidelines for voter registration. A.R.S. § 16-142. Secretary Reagan was sued in her official capacity only.

4.   Adrian Fontes is the Maricopa County Recorder, an elected countywide officer. Recorder Fontes is responsible for conducting voter registration in Maricopa County. A.R.S. §§ 16-131, -134. Recorder Fontes was sued in his official capacity only.

5.   This action was brought by LULAC-Arizona and ASA to vindicate First and Fourteenth Amendment rights relating to voter registration.

6.   Arizona's practice of treating Federal Form and State Form applications differently, described above, arose from past Arizona election officials' understanding of the effect of Proposition 200, which was passed by Arizona's voters in 2004 and codified at A.R.S. §§ 16-166(F), 16-152(A)(23), in conjunction with the technology available at the time. Since the passage of Prop. 200 in 2004, a new statewide voter registration database has been implemented and provides additional tools to election officials.

7.   Arizona's voter registration technology, including its voter registration database, now allows DPOC already on file with the MVD database to be associated near-instantaneously with voter registration applications submitted without DPOC, irrespective of whether the applications are State Forms or Federal Forms.

8.   The Secretary denies that prior practices, challenged in this lawsuit, were unlawful. By agreeing to this Consent Decree, the Secretary and Recorder Fontes seek to serve Arizona's citizens by (1) continuing to comply with Arizona law while (2) making the voter registration process using the State Form easier.

DEFINITIONS

1.   "ADOT" means the Arizona Department of Transportation, which is established pursuant to A.R.S. § 28-331. It has the responsibility to "provide for an integrated and balanced state transportation system." The Arizona Motor Vehicles Division is a division of ADOT. A.R.S. § 28-332(C).

2.   "AHCCCS" means the Arizona Health Care Cost Containment System,

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which is established pursuant to A.R.S. § 36-2902. AHCCCS is Arizona's Medicaid agency that offers health care programs to serve Arizona residents.

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    3.   "Applicant" means an individual who has submitted an application to register to vote in the State of Arizona.

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    4.   "AVID Database" means the voter registration database, currently being developed for the state of Arizona and intended to replace the current Database. The AVID Database is projected to be operational sometime in 2019 or early 2020, but shall be operational no later than July 1, 2020 except as provided in subparagraph (a), below.

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    (a) The date of July 1, 2020, contemplated for the operational function of the AVID Database, is contingent on the vendor with whom the Secretary has contracted to develop AVID fulfilling its obligations to have AVID operational in 2019 or early 2020 at the latest. Should the vendor be unable to meet this contingency, or should the implementation of the AVID Database otherwise be delayed, the Secretary shall notify the Court and the Parties to this Consent Decree, in writing, and shall indicate in writing the date by which the vendor believes that AVID will be operational. Plaintiffs retain the right to seek a remedy from the Court to enforce this agreement if the implementation of the AVID database is unduly delayed.

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    (b) The provisions in this consent decree that apply to the AVID database will also apply to any future voter registration system adopted by the Secretary of State's office.

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    5.   "County Recorder" means the County Recorder of each of Arizona's fifteen counties, and includes all county election officials working in or in conjunction with their offices.

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    6.   "Database" means the existing electronic storage system developed and administered by the Secretary that contains the official voter registration record for every voter in the state. *See* A.R.S. § 16-168(J).

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    7.   "DES" means the Arizona Department of Economic Security, which is established pursuant to A.R.S. § 41-1952.

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    8.   "Designated voter registration agencies" are agencies that are required to

provide voter registration services pursuant to the National Voter Registration Act.

9.   "DHS" means the Arizona Department of Health Services, which is established pursuant to A.R.S. § 36-102.

10.   "DPOC" means documentary proof of citizenship, and is limited to the forms of satisfactory evidence of citizenship listed in A.R.S. § 16-166(F).

11.   "F-type License" means the designation that the MVD uses in its database to distinguish Arizona driver's license holders who, at the time that their driver's licenses were issued, were presumed by MVD to not be United States citizens.

12.   "Fed Only Voter" means an individual who is registered to vote solely in Arizona elections for federal office.

13.   "Federal Form" means the National Mail Voter Registration Form, provided by the U.S. Elections Assistance Commission and used to register to vote in elections for federal office, as well as the Federal Write-in Absentee Ballot and Federal Post Card Application as those terms are used in 52 U.S.C. §§ 20302 and 20303.

14.   "Federal Office" means the office of President or Vice President; or of Senator or Representative in, or Delegate or Resident Commissioner to, the United States Congress. 52 U.S.C. § 20502(2).

15.   "Full Ballot Voter" means an individual who is registered to vote in Arizona elections for federal, state, and local office.

16.   "Guidance" means formal guidance on voter registration procedures that the Secretary of State will provide to the County Recorders pursuant to her role as chief election official responsible for prescribing uniform procedures for voting. *See* A.R.S. § 16-142. The Secretary will provide Plaintiffs' counsel with copies of her Guidance before it is sent to the County Recorders.

17.   "MVD" means the Arizona Motor Vehicles Division.

18.   "MVD database" means the electronic storage system developed and administered by the Arizona Motor Vehicle Department.

19.   "MVD Proxy Table" means the MVD data provided to the Secretary of State that includes the nightly updates of MVD transactions that occurred in the past

twenty-four hours that MVD sends to the Secretary in batch form.

20.   "Procedures Manual" means the State of Arizona Elections Procedures Manual, which provides the rules related to voting and the conduct of elections. A.R.S. § 16-452. The Secretary is required to develop the Procedures Manual in conjunction with the fifteen County Recorders. *Id*. The Procedures Manual has the force of law. A.R.S. § 16-452(C). The Procedures Manual, 2018 Edition, has been drafted by the Secretary and submitted to the Governor and Attorney General as required by law for their review. *Id*.

21.   "Protected Voter Registration" means the program to ensure anonymity to survivors of stalking, domestic violence, and sexual assault through the Address Confidentiality Program provided by A.R.S. § 41-161, et seq., and certain other individuals pursuant to A.R.S. § 16-153.

22.   "Secretary" means the Arizona Secretary of State and her office, as well as successors in office.

23.   "State Form" means the options for voter registration created and provided by the State of Arizona and its agencies, including but not limited to the online registration available through Service Arizona, the paper application available on the Secretary of State's website, the paper application available at all County Recorder offices, and the Protected Voter Registration process.

24.   "State Office" means any elected statewide, county-wide, or municipal public office, other than a Federal Office, for which a voter registered in the State of Arizona is eligible to vote.

ORDER

Accordingly, the Parties having freely given their consent, and the terms of the Consent Decree being fair, reasonable, and consistent with the requirements of state and federal law,

IT IS ORDERED as follows:

1.   The Joint Motion for Approval of Consent Judgment (Doc. 36) is **granted.**

2.   **The Procedures Manual.** The Parties are aware that the draft Procedures Manual, 2018 Edition has been submitted by the Secretary to Arizona's Governor

and Attorney General for their review as required by statute. *See* A.R.S. § 16-452(B). Within thirty days after entry of this Consent Decree, the Secretary shall revise the Procedures Manual to incorporate the terms of this Consent Decree ("Procedures Manual Revisions") and send the Procedures Manual Revisions, together with the Secretary's recommendation of approval, to the Governor and Attorney General for their review, *see* A.R.S. § 16-452(B), and also to Plaintiffs' counsel. If Plaintiffs determine that the Procedures Manual Revisions do not comply with this Consent Decree, Plaintiffs may seek review by this Court through the Court's procedures for motions. If the Governor and Attorney General do not approve the Procedures Manual Revisions or request modifications, the Secretary will send the Attorney General and/or Governor's rejections or proposed modifications to Plaintiffs' counsel. If those rejections or proposed modifications are in any respect inconsistent with this Consent Decree, Plaintiffs may use any available legal remedies to secure compliance with this Consent Decree.

2.   **State Form Applications Submitted Without DPOC.** Within thirty days after entry of this Consent Decree, the Secretary shall, in writing:

        a.   provide guidance to the County Recorders to accept State Form applications submitted without DPOC;

        b.   provide guidance to the County Recorders to enter all such applications in the Database (or, in the case of Maricopa County and Pima County, to enter all such applications in their county voter registration databases and transmit such entries to the Database);

        c.   provide guidance to the County Recorders to immediately register the applicants for federal elections, provided the applicant is otherwise qualified and the voter registration form is sufficiently complete; and

        d.   check all State Form applications submitted without DPOC against the MVD database Proxy Table, via the automated processes in the

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Database, to determine whether the MVD has DPOC on file for the applicants. If DPOC is located, the Secretary shall promptly notify the applicable County Recorder via the automated processes in the Database that the State Form applicant has DPOC on file with the MVD and so must be made a Full Ballot Voter via the automated process in the Database.

i.   if the Secretary's check performed by the automated processes in the Database against the MVD database Proxy Table indicates that a State Form applicant holds an F-Type License, the Secretary shall promptly notify the applicable County Recorder of that fact via the automated processes of the Database. The automated processes of the Database will also flag this issue so that the County Recorder will know to change that applicant's voter registration status to "not eligible." The Secretary shall provide guidance to the County Recorders that the County Recorders shall notify the applicant by U.S. Mail within ten business days after receiving notice via the automated process in the database, according to information on file with the MVD database, that the applicant holds an F-Type License indicating non-citizenship and so will not be registered to vote. The notification from the County Recorder shall also inform the applicant that the applicant can provide valid DPOC to the County Recorder in order to become a Full Ballot Voter. The notification will be accompanied by the form described in Paragraph 3 (the "DPOC Submission Form"). The applicant may submit DPOC to the County Recorder through the process described in Paragraph 3 to become a Full Ballot Voter.

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ii.   if the Secretary's check via the automated features of the Database determines that a State Form applicant does not hold an F-Type License, but also does not have DPOC on file with the MVD, the Secretary shall promptly notify the applicable County Recorder of that result via the automated processes of the Database. The County Recorder shall notify these applicants by U.S. Mail within ten business days after receiving notice from the Secretary that (1) the County Recorder does not have the requisite DPOC to process their application; (2) they must submit DPOC if they wish to be a Full Ballot Voter; and, (3) until such time as they submit DPOC, they will be a Fed Only Voter and so will only be eligible to vote in Federal elections. The notification shall be accompanied by the form described in Paragraph 3 (the "DPOC Submission Form"). The applicant may submit DPOC to the County Recorder through the process described in Paragraph 3 to become a Full Ballot Voter. Until and unless the applicant submits valid DPOC, the County Recorders shall cause those voter registration applicants to be made Fed Only Voters.

3.   **Provision of DPOC After the Submission of a State Form Application.** Applicants who do not submit DPOC with their State Form application and do not have DPOC on file with MVD, and are notified by the applicable County Recorder that they will be Fed Only Voters unless and until they submit DPOC, may submit valid DPOC to become a Full Ballot Voter. To do so, they shall submit their DPOC to the County Recorder with a form provided to them by that official. This form (the "DPOC Submission Form"), which shall be developed by the Secretary and the County Recorders within thirty days after entry of this Consent Decree, shall contain sufficient information to allow the County Recorder to link the voter registration applicant's DPOC

with his or her State Form application already on file in the Database.

A.   Applicants who submit their State Form application at least twenty-nine days before an election as required by statute, A.R.S. §§ 16-120(A), -134(C), and whose valid DPOC with the DPOC Submission Form is received by their County Recorder by 5 p.m. local time on the Thursday before the election, will be made Full Ballot Voters by the County Recorder and may vote in the upcoming election as a Full Ballot Voter. The registrations of such applicants shall be deemed to have occurred on the date that they originally submitted their State Form application. If the County Recorder has already transmitted a Fed Only early ballot to that voter, the voter will have the option to vote either that Fed Only early ballot or else vote a provisional Full Ballot at the polling place or vote center and comply with the rules regarding provisional ballots.

B.   Applicants who submit their State Form application at least twenty-nine days before an election, and whose valid DPOC is received by 5 p.m. local time on the Thursday before the election, but who do not submit the DPOC Submission Form, may be made Full Ballot Voters by the County Recorder if the County Recorder has sufficient information to link the voter registration applicant's DPOC with the applicant's State Form application already on file in the Database. If the County Recorder makes such an applicant a Full Ballot Voter, and if the County Recorder has already transmitted a Fed Only early ballot to that voter, the voter will have the option to vote either that Fed Only early ballot or else vote a provisional Full Ballot at the polling place or vote center and comply with the rules regarding provisional ballots.

C.   Applicants who do not submit their State Form application at least twenty-nine days before an election as provided by statute, or whose valid DPOC is received by their County Recorder after 5 p.m. local time on the Thursday before the election, will not be made Full Ballot Voters for the upcoming election. The County Recorder shall make such applicants Full Ballot Voters within five business days after processing provisional ballots, and they shall be Full Ballot Voters for subsequent elections.

D.   For all applicants who submit State Form applications without valid DPOC, but subsequently submit valid DPOC and do not submit the DPOC Submission

Form, the County Recorder may make the applicant a Full Ballot Voter if the County Recorder has sufficient information to link the voter registration applicant's DPOC with the applicant's State Form application already on file in the Database. If the County Recorder lacks sufficient information to link the DPOC to the voter's application in order to make the applicant a Full Ballot Voter, the County Recorder may follow up with the applicant to seek the missing information if the County Recorder has sufficient information to do so. Applicants who subsequently provide the missing information necessary to link their DPOC to their applications shall be made Full Ballot Voters by the County Recorder within ten business days.

4. **State Form Applications Submitted On or After January 1, 2017.** This Consent Decree will govern all voter registration applications submitted after entry of this Consent Decree, including applications submitted within thirty days after entry of this Consent Decree. However, within thirty days after entry of this Consent Decree, the Secretary shall also provide written guidance to all County Recorders except the Maricopa County Recorder that, pursuant to the Consent Decree, they may, at their discretion, implement the new procedures outlined in Paragraphs 2–3 of this Consent Decree for State Form applications dating back to January 1, 2017, provided that they have the capability to ensure that such applicants have not moved, become deceased, or otherwise subsequently already registered to vote. Any applicants whose applications were filed before entry of this Consent Decree who are newly registered as Fed Only or Full Ballot Voters as a result of that process will be given the proper notice of their new registration status by U.S. Mail.

Within ninety days of entry of this Consent Decree, the Maricopa County Recorder shall implement the new procedures outlined in Paragraphs 2–3 of this Consent Decree for State Form applications dating back to January 1, 2017. This process shall include: (1) entering all State Forms submitted without DPOC into the database and immediately registering those applicants for federal elections, (2) checking the applicants' status against the MVD database, and (3) sending the applicants notification of their new registration status.

5.   **Federal Form Applications.** Within thirty days after entry of this Consent Decree, the Secretary shall provide written guidance to the County Recorders to promptly register all applicants who submit their Federal Form application with valid DPOC as Full Ballot Voters and promptly register all applicants who submit their Federal Form application without valid DPOC as Fed Only Voters. From the date of the entry of the Consent Decree, the Secretary shall also cause all new Federal Form applications submitted without DPOC to be checked against the MVD Proxy Table promptly upon entry into the Database, via the automated processes in the Database, to determine whether the MVD has DPOC on file for such Federal Form applicants, and take the following steps:

a.   If this check determines that the MVD Proxy Table has DPOC on file for any Federal Form applicant, the Secretary shall promptly notify the applicable County Recorder via the automated process in the Database that the applicant has DPOC on file with MVD and so must be made a Full Ballot Voter via the automated process in the Database.

b.   If this check determines that the MVD Proxy Table has information indicating that any Federal Form applicant holds an F-Type License, the Secretary shall promptly notify the applicable County Recorder of that fact via the automated processes of the Database and flag this record for the County Recorder to change that applicant's voter registration status to "not eligible." The County Recorder shall notify the applicant by U.S. Mail within ten business days after receiving notice from the Secretary that, according to information on file with the MVD database, the applicant holds an F-Type License indicating non-citizenship and so will not be registered to vote. The County Recorder's notice shall also inform the applicant that, if this information is not correct, the applicant may provide valid DPOC in order to become a Full Ballot Voter. The notification will be accompanied by the DPOC Submission Form described in Paragraph 3. The applicant may submit valid DPOC to the County Recorder through the process described in Paragraph 3 to become a Full Ballot Voter.

c.   If this check determines for any applicant that the MVD database does not

have DPOC on file and also that the applicant does not hold an F-Type License, the Secretary shall promptly notify the applicable County Recorder of that result via the automated processes of the Database. The County Recorder shall notify these applicants by U.S. Mail within ten business days after receiving notice from the Secretary that (1) the County Recorder does not have the requisite DPOC to process their application; (2) they must submit valid DPOC if they wish to be a Full Ballot Voter; and, (3) until such time as they submit valid DPOC, they will be a Fed Only Voter and so will only be eligible to vote in Federal elections. The notification will be accompanied by the DPOC Submission Form described in Paragraph 3. The applicant may submit valid DPOC to the County Recorder through the process described in Paragraph 3 to become a Full Ballot Voter. Until and unless the applicant submits valid DPOC, the County Recorders shall cause those voter registration applicants to be made Fed Only Voters.

d.   Federal Form applicants who subsequently submit valid DPOC shall be made Full Ballot Voters according to and in conformity with the process described in Paragraph 3.

6**.   Registered Voters Who Move From One Arizona County to Another.** The AVID Database or another voter registration database similar to the AVID Database shall be operational as described, and according to the terms set forth, in the Definitions section of this consent decree. When the AVID Database is operational, the Secretary and County Recorders will be able to verify DPOC and append that information to applicants' voting records when those applicants change voter registration from one Arizona county to another. Consequently, once the AVID Database is operational and in use by the Secretary and the County Recorders, registered Full Ballot Voters will not be required to independently submit DPOC to their new County Recorder, so long as their DPOC is in the AVID Database.

7.   **Application to Other Forms of Registration.** The procedures outlined above for processing voter registration applications submitted without valid DPOC will apply equally to all forms of voter registration, including voter registration through designated voter registration agencies, the Federal Post Card Application (FPCA), the

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Federal Write-In Absentee Ballot, and the In-Person EZ Voter Registration system.

8.   **Education of the Public.** The Secretary shall continue to make reasonable efforts to better educate the citizens of Arizona concerning their opportunities to register to vote, including opportunities presented by the Federal Form. The Secretary will provide Plaintiffs' counsel with a copy of the planned notice that she intends to place on her website. Within thirty days after the entry of this Consent Decree, the Secretary shall:

a.   Update her website to explain that:

i. the State Form requires valid DPOC for state elections only;

ii. submission of a sufficiently complete State Form with valid DPOC will make the applicant a Full Ballot Voter;

iii. submission of a sufficiently complete State Form without DPOC will make the applicant a Fed Only Voter;

iv. the Federal Form does not require DPOC;

v. submission of the Federal Form without valid DPOC will make the applicant a Fed Only Voter; and

vi. submission of the Federal Form with valid DPOC will make the applicant a Full Ballot Voter.

b.   Provide guidance to the County Recorders that they should provide the information required in this Section 8 on their websites;

c.   Notify ADOT, DHS, AHCCCS, and DES of the changes in voter registration procedures outlined in this Consent Decree;

d.   Within four months after the entry of this Consent Decree, the Secretary shall create a new State Form that explains that citizens who do not submit DPOC with their registration forms will be registered only for federal elections until the appropriate proof of citizenship is provided or acquired. The Secretary will provide notice to Plaintiffs' counsel regarding the form of the explanation described in the previous sentence. The Secretary will create the new State Form within three months if the Secretary determines that it is possible to do so. The Secretary shall provide guidance to the County Recorders and all State Offices that disseminate voter registration forms,
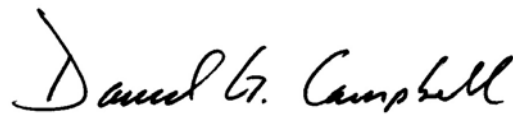
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including designated voter registration agencies, that they should utilize the new State Form as soon as practicable. *See* A.R.S. § 16-352(C). Within thirty days after entry of the Consent Decree, the Secretary will provide written notice to the County Recorders that there will be changes made to the State Form within four months after the date the Consent Decree was entered.

10.   **Continuing Jurisdiction**. The Court shall retain jurisdiction over this action until December 31, 2020 to enter such further relief as may be necessary for the effectuation of the terms of this Consent Decree.

11.   **Attorneys' Fees and Costs.** The Parties will continue to confer regarding what amount, if any, the State Defendants should pay to Plaintiffs for their attorneys' fees and costs. If the Parties are unable to agree privately upon payment of fees and costs, Plaintiffs will file a motion for attorneys' fees and costs pursuant to 42 U.S.C. § 1988 within forty-five days after entry of this consent decree.

The Clerk of Court is directed to terminate this action.

Dated this 18th day of June, 2018.

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David G. Campbell
United States District Judge

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