



Court to bring about a proper and efficient resolution of these cases, the parties in HICA make the following representations and requests regarding the various statutory provisions at issue:

1. **Section 28 of H.B. 56.**<sup>3</sup> The parties in HICA agree that the Eleventh Circuit panel's decision in *Hispanic Interest Coalition of Alabama v. Bentley*, 691 F.3d 1236 (11th Cir. 2012), holds that Section 28 of H.B. 56 (Ala. Code § 31-13-27) violates the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. The HICA Plaintiffs and State Defendants agree that the plaintiff previously expressly found by the Eleventh Circuit Court of Appeals to have standing to challenge Section 28, Alabama Appleseed, satisfies the other requirements for obtaining a final injunction against Section 28.<sup>4</sup> S

2. **Section 11(f) and (g) of H.B. 56.** The

the United States Constitution. The HICA

of the United States Constitution. *Id.* Accordingly, the State Defendants represent that, to address those constitutional problems, they interpret Sections 12, 18, and 20 of H.B. 56 (Ala. Code §§ 31-13-12, 31-13-19, & 32-6-9) to neither require nor authorize state or local law-enforcement officers to stop, detain, arrest, or prolong the detention of any person for the purpose of ascertaining that person's immigration status or because of a belief that the person lacks lawful immigration status.<sup>6</sup>

because of a belief that the person lacks lawful immigration status.<sup>7</sup> State Defendants further represent that in light of Article 1, Section 16, of the Alabama Constitution, they understand that Section 19(b) of H.B. 56 (Ala. Code § 31-13-18(b)) can only be applied to deny bail to persons arrested for a capital crime, and cannot be applied to deny bail to individuals arrested for or charged with solely for non-capital crimes, regardless of their immigration status. On the basis of State Defendants' representations, HICA Plaintiffs move to voluntarily dismiss their claims as to Section 19, without prejudice to HICA Plaintiffs' ability to re-file claims against Section 19 in the future. The State Defendants consent to the voluntary dismissal.

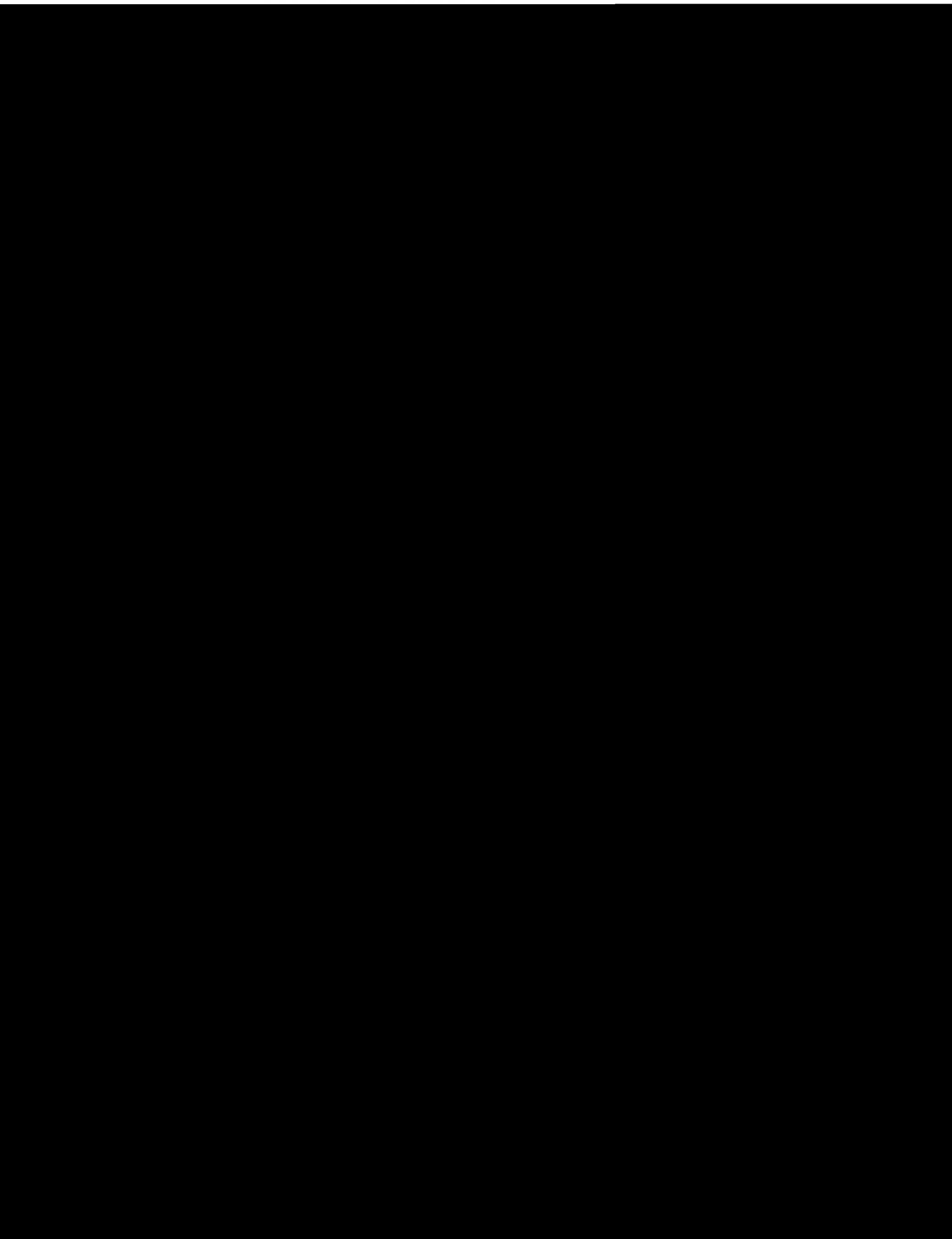
6. **HICA Plaintiffs' Remaining Claims.** The HICA Plaintiffs will voluntarily dismiss all claims not specifically referenced above without prejudice. The Defendants consent to the voluntary dismissal of these claims.

7. **Attorneys' Fees and Costs.** State Defendants shall remit to counsel for the HICA plaintiffs payment in the amount of \$350,000.00, as settlement of plaintiffs' claim to any and all attorneys' fees and expenses incurred, charged, or otherwise generated by counsel for the HICA plaintiffs from the inception of this

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<sup>7</sup> The State Defendants note that their representation is limited to the proper meaning of Section 19(a) under state law, and that they are not making any representations in this document about whether officials have separate authority under federal law, independent of any provisions set out in H.B. 56, to take actions at the direction of the federal government.

litigation through the date of entry of this Joint Reportd accompanying  
Proposed Final Judgment. In consideration of the foregoing payment by the State  
Defendants, the HICA plaintiffs and their counsel hereby voluntarily, completely,  
and unconditionally waive any and all right, claim, and/or entitlement to the  
recovery of any other monies of any kind from any Defendant in this litigation for  
any and all attorneys' fees and expenses incurred, charged, or otherwise generated  
by counsel for the HICA plaintiffs from the inception of this litigation through the  
date of entry of this Joint Report





Winifred Kao\*

Justin B. Cox\*  
AMERICAN CIVIL LIBERTIES  
UNION FOUNDATION  
233 Peachtree St., NE, Suite 2150  
Atlanta, Georgia 30303  
T: (404) 5215854  
jcox@aclu.org

Los Angeles, California 90014  
T: (213) 6292512 x 133  
vviramontes@maldef.org  
mgomez@maldef.org

Nina Perales\*  
MEXICAN AMERICAN LEGAL  
DEFENSE AND EDUCATIONAL  
FUND  
110 Broadway, Suite 30  
San Antonio, Texas 78205  
T: (210) 22455476 x 206  
nperales@maldef.org

Amy Pedersen\*  
MEXICAN AMERICAN LEGAL  
DEFENSE AND EDUCATIONAL  
FUND  
1016 16<sup>th</sup> Street NW, Suite 100  
Washington, DC 20036  
T: (202) 2932828 x 12  
apedersen@maldef.org

\* admittedpro hacvice.

Counsel for Plaintiffs

OF COUNSEL:

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Whitney W. Hines, Plaintiff

vs. The State of Tennessee, Defendant

Case No. 11-2001, 11-9122

Case No. 11-2001, 11-9122

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**Attach. 1**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA

HISPANIC INTEREST COALITION )  
OF ALABAMA, et al., )  
 )  
Plaintiffs, )  
 )  
vs. ) Case Number:  
 ) 5:11 cv-02484SLB  
ROBERT BENTLEY, in his official capacity )  
as Governor of the State of Alabama, et al. )  
 )  
Defendants. )

[PROPOSED] FINAL JUDGMENT

Pursuant to the parties' Joint Report Regarding Case Status and Disposition, the Court hereby enters final judgment in this action as follows:

1. The state defendants<sup>1</sup> are PERMANENTLY ENJOINED from implementing Sections 11(f) & (g) of Alabama's H.B. 56 (Ala. Code §§ 13-11-11(f) & (g)), which violates the First Amendment to the United States Constitution;
2. The state defendant TJ 0 Tc 0 Tw 22.359 0 Td ( )Tj 0.004 Tc -0.015 Tw -33



6. By agreement of the parties, State Defendants are ORDERED to remit to counsel for the HICA plaintiffs payment in the amount of \$350,000.00 within 21 days, and subject to the conditions outlined in Paragraph 7 of the parties' Joint Report filed on October 29, 2013

SO ORDERED, this \_\_\_\_ day of \_\_\_\_\_, 2013

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SHARON LOVELACE BLACKBURN  
CHIEF UNITED STATES DISTRICT JUDGE