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17 April 1984

Re: NAACP et al v. Tillman et al., Civil Action 83-108 VAL

Dear Participant,

It has been some time since the last update. Negotiations in the Voting Rights Suit are continuing, and we are joining with the Justice Department in deposing past members of the City Council (as well as members of the school board and County Commission).

Although I have spoken to many of you in the last few months, the following is a run down of events:

January 1984: Although many people sent letters to the Justice Department to proceed with some form of Injunctive request to halt the elections, they decided that there was not enough time to adequately prepare the case. We agreed to proceed if adequate discovery could be done in January, but decided it could not be.

The attorneys in charge of the City suit, Bob Cullen, Chris Coates, and myself, agreed that consolidation with the U.S. Justice Department Suit would allow for much free discovery and would be potentially very helpful at this stage. The parties were required to file discovery plans with the Court in January. After discussing the matter with some plaintiffs, we consolidated the suit. (It is likely that the Judge would have done it anyway, and this way we used the timing to our advantage). One of the practical advantages is that none of our plaintiffs have been scheduled for depositions or other possible harassment in paper form.

February 1984: The first round of depositions followed the Valdosta elections in February. The elections added proof to our claim that there is racial bloc voting in Valdosta which stops black people from winning. Black candidates did poorly in the North and great in the South, right along racial lines.

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Depositions were held in mid-February 1984. Among the people deposed were Fred Walker, the legislator in 1963, W.P. Langdale, a long term County Commission, and other members of the 1963 City Council. People did not remember very much from 1963, (like how the first black person was allowed to use the Carnegie Library in the spring of 1963 or how black folk wanted the auditorium and the hospital closer to the center of town).

March 1984: No depositions were taken, but I managed to take in a voting rights conference on the 23rd and 24th which proved to be very helpful. I met many people who practice voting rights law, and who offered future advice on our suit. Responsiveness is now less important as a proof.

April 1984: The depositions for the March week were moved into April into a little more than one week. The change in schedule was requested by the city and school board attorneys, but I managed to go to the conference because of it. The type of proof which is now required in the case has shifted from emphasizing how the city has not responded to how the change in system keeps out blacks because of bloc voting. We will still show Valdosta's lack of responsiveness through things like the APDC studies in the 70's the road situation, and the health care situation, but it will not be as crucial to the case.

This week, depositions of many old City Council members will be taken. On the following Monday, I will go to Macon to help depose the legislator who first introduced the majority vote bill in 1963. (Denmark Groover). I plan on asking the new Council people from past councils (Jack May and Bette Bechtel) whether they would like a settlement talk with the plaintiffs. Of course, each candidate swore they wanted to get the suit resolved quickly.....

Our discovery schedule ends in the late summer. This will mean a possible autumn trial in 1984. We hope to have settlement achieved by then, but we have prepared sufficiently to go to trial if necessary. We will be able to review the Justice Department discovery (articles) and copy what has been weeks and weeks of their work.

Please call me if you have questions about the suit. I will be back in touch.

Sincerely,



Todd Johnson
Staff Attorney

*Willie — what do you think about the
plaintiffs' meetings w/ the Council? Would they
(including myself)*



cc: Bob Cullen
Chris Coates