

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA**

INDIANA STATE CONFERENCE OF THE  
NATIONAL ASSOCIATION FOR THE  
ADVANCAMENT OF COLORED PEOPLE  
(NAACP), et al.,

Plaintiffs,

v.

ANNE W. MURPHY, in her official capacity  
as Secretary of the Indiana Family and Social  
Services Administration, et al.,

Defendants.

CIVIL ACTION NO. 1:09-CV-0849 WTL  
DML

Joint Motion to Excuse Certain Individuals from Attending, In Person,  
the April 30, 2010 Settlement Conference Before Judge Lynch

Plaintiffs and Defendants respectfully request that certain individuals be excused from attending in-person the April 30, 2010 settlement conference before Magistrate Judge Lynch and, instead, be available by telephone on an as-needed basis. The parties agree that this arrangement will not, in any way, hinder or impede the April 30 settlement discussions or the ability of the parties to reach a settlement on April 30.

The parties' specific requests are as follows:

1. On behalf of plaintiff NAACP, Barbara Bolling, the president of the Indiana State Conference of the NAACP, will attend the conference. However, any settlement also will require the approval of the NAACP's national general counsel. The interim general counsel is Laura D. Blackburne, and her office is in Baltimore, Maryland. Plaintiffs request that Ms. Blackburne be permitted to attend the conference by telephone on an as-needed basis. Defendants do not object to this request.

2. Defendants request that the two Co-Directors of the Indiana Election Division, J. Bradley King and Pamela Potsta, be permitted to attend the conference by telephone on an as-needed basis. On April 30, the Co-Directors will be assisting in preparations for the May 4, 2010 statewide primary election. In addition, defendants request that the members of the Indiana Election Commission, Thomas E. Wheeler (Chairman), S. Anthony Long (Vice-Chair), Daniel A. Dumezich, and Sarah Steele Riordan, be permitted to designate one member to attend the conference by telephone on an as-needed basis. Plaintiffs do not object to these requests.

A proposed order is attached.

Respectfully submitted,

s/ Mark A. Posner

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For Defendants

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CIVIL ACTION NO. 1:09-CV-0849 WTL  
DML

Proposed Order Excusing Certain Individuals From Attending, In Person,  
the April 30, 2010 Settlement Conference Before Magistrate Judge Lynch

For good cause shown, the following individuals are excused from attending the April 30, 2010 settlement conference in person and, instead, shall be available during that day to participate by telephone should that become necessary in order to assist in the settlement of this action: Interim NAACP General Counsel Laura D. Blackburne; and the Co-Directors of the Indiana Election Division, J. Bradley King and Pamela Potesta. In addition, the Commissioners of the Indiana Election Commission, Thomas E. Wheeler (Chairman), S. Anthony Long (Vice-Chair), Daniel A. Dumezich, and Sarah Steele Riordan are, as a group, excused from attending the conference in person and, instead, shall designate one Commissioner to be available during that day to participate by telephone should that become necessary in order to assist in the

settlement of this action.

SO ORDERED.

Date: \_\_\_\_\_

\_\_\_\_\_  
Debra McVicker Lynch  
United States Magistrate Judge  
Southern District of Indiana