

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

ELAINE BLANCHARD, et al, and
ACLU of TENNESSEE, INC.

PLAINTIFFS,

ACLU of Tennessee, Inc.,

Intervener-Plaintiff,

V.

CIVIL ACTION NO. 2:17-CV-02120-JPM-dkv

THE CITY OF MEMPHIS,

DEFENDANT.

DEFENDANT'S NOTICE OF FILING OF MOTION IN A RELATED CASE

Please take notice that on March 3, 2017, Defendants filed a Motion to Transfer a Related Case to this Court in *Mid-South Organizing Committee, and Antonio Blair Cathey v. City of Memphis, Mayor James Strickland, In His Official Capacity Only, and Director Michael Rallings, In His Official Capacity Only*, docket number 2:17-cv-02140-SHL-cgc. Because this Court is presiding over an earlier filed, related case, Defendants filed the Motion to Transfer in the interests of judicial economy and to avoid inconsistent rulings.

1. The Complaint in this case was filed on February 22, 2017 alleging violations of a 1978 Consent Order, Judgment and Decree entered by Judge Robert McRae in the case styled *Kendrick et. al. v. Chandler*, Civil Action No. C76-449 (the *Kendrick* Consent Order).

2. On March 1, 2017, a related case was filed and assigned docket number 2:17-cv-02140-SHL-cgc with caption *Mid-South Organizing Committee, and Antonio Blair Cathey v. City of Memphis, Mayor James Strickland, In His Official Capacity Only, and Director*

Michael Rallings, In His Official Capacity Only. The *Mid-South Organizing Committee* case alleges similar violations of the 1978 Consent Order, Judgment and Decree entered by Judge McRae. There is currently a pending Motion to Dismiss before this Court. Accordingly, counsel for Defendant has filed a Motion to Transfer the *Mid-South Organizing Committee* matter to this Honorable Court.

3. It is Defendant's position that these are related cases because the issues are very similar, the result of transferring the case will conserve judicial resources.
4. A copy of the Motion to Transfer and the Memorandum in Support are attached as Exhibit A.
5. The Motion to Transfer is opposed.

Respectfully Submitted,

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.

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CERTIFICATE OF SERVICE

I hereby certify that on March 3, 2017 the foregoing will be served by this Court's ECF system to:

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