

DECLASSIFIED

Authority E.O. 12501

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

ANTHONY T. LEE, ET AL.,)
)
 Plaintiffs,)
)
 UNITED STATES OF AMERICA,)
 Plaintiff-Intervenor)
 and Amicus Curiae,)
)
 vs.)
)
 MACON COUNTY BOARD OF EDUCATION,)
 ET AL.,)
 Defendants.)

ALABAMA NAACP STATE CONFERENCE)
 OF BRANCHES, ETC., ET AL.,)
)
 Plaintiffs,)
)
 vs.)
)
 GEORGE C. WALLACE, Governor of)
 The State of Alabama, ET AL.,)
)
 Defendants.)

FILED

OCT 18 1966

R. C. DOBSON, CLERK

By Deputy Clerk

CIVIL ACTION NO. 604-E

#1-087-2A
144-100-2-1

DOCKETED

OCT 17 1966

CIVIL RIGHTS

CIVIL ACTION NO. 2457-N

#1-125-36A
169-1-11

DOCKETED

OCT 17 1966

ORDER

Civil Action No. 604-E is presently pending before
a three-judge district court composed of Circuit Judge Richard
T. Rives, District Judge H. Hobart Grooms and District Judge
Frank M. Johnson, Jr., and by order dated September 30, 1966
was set for hearing on its merits on November 30, 1966, at
9:30 A.M., in the United States District Court, Montgomery,
Alabama.

Civil Action No. 2457-N is presently pending before
a three-judge district court composed of Circuit Judge Richard
T. Rives, District Judge Frank M. Johnson, Jr. and District

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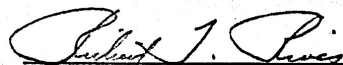
preliminary injunction in Civil Action No. 2457-N may appropriately be consolidated with the trial of the action on its merits. [See Rule 65(a)(2), Fed.R.Civ.P.]

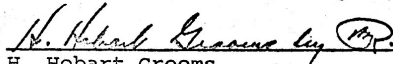
It also appears appropriate for the court to order a joint hearing or trial on the merits in the two actions since they involve one or more common questions of law and fact. [See Rule 42(a), Fed.R.Civ.P.]

It is therefore ORDERED by the three-judge district court designated to hear Civil Action No. 2457-N that the trial of the action on its merits be consolidated with the hearing of the application for preliminary injunction.

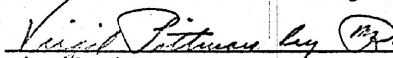
It is further ORDERED by the district court designated to hear and determine Civil Action No. 604-E and by the district court designated to hear and determine Civil Action No. 2457-N that a joint hearing or trial on the merits be held in the two actions and that such joint hearing or trial be set for November 30, 1966, at 9:30 A.M., in the United States District Court, Montgomery, Alabama.

Done this the 13th day of October 1966.


Richard T. Rives
United States Circuit Judge


H. Hobart Grooms
United States District Judge


Frank M. Johnson, Jr.
United States District Judge


Virgil Pittman