

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

FILED

ANTHONY T. LEE, et al.,)
)
Plaintiffs,)
)
UNITED STATES OF AMERICA,)
)
Plaintiff-Intervenor)
and Amicus Curiae,)
)
NATIONAL EDUCATION)
ASSOCIATION, INC.,)
)
Plaintiff-Intervenor,)
)
v.)
)
MACON COUNTY BOARD OF)
EDUCATION, et al.,)
)
Defendants.)
_____)

AUG 28 1970

R. C. DOBSON, CLERK
By ms
Deputy Clerk

CIVIL ACTION
NO. 604-E

MOTION TO
ADD PARTIES DEFENDANT

The United States, Plaintiff-Intervenor and Amicus Curiae, pursuant to Rules 19a and 21 of the Federal Rules of Civil Procedure, moves the Court for entry of an Order ex parte adding as parties defendant to this action: the Alabama Trade School and Junior College Authority, its President, Honorable Albert P. Brewer, Governor of Alabama, its Vice President, Dr. Earnest Stone, State Superintendent of Education, and its Secretary, Robert B. Ingram, Director of Finance of the State of Alabama.

The United States' Motion is made upon the following grounds:

(1) The Alabama Trade School and Junior College Authority (hereinafter the "Authority") is a public body corporate created by the State of Alabama. Under Alabama Law, the Authority's powers include:

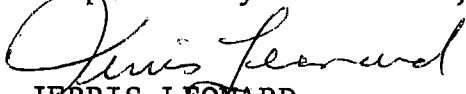
* * * [T]o provide for acquiring and improving sites for additional trade schools and junior colleges, constructing, acquiring, reconstructing, improving and altering buildings therefor and purchasing, acquiring and installing the original equipment thereof, and to make capital improvements to existing trade schools and at institutions of higher learning heretofore or hereafter established. 12A Ala. Code (Mitchie 1969) Tit. 52, §509 (84).

(2) Said Authority is comprised of the Governor of Alabama, the Honorable Albert P. Brewer, President; the State Superintendent of Education, Dr. Earnest Stone, Vice President; and the Director of Finance of the State of Alabama, Robert B. Ingram, Secretary.

(3) On August 14, 1970, this Court ordered that facilities should be constructed and a curriculum developed that will expand the program at Mobile State so that it is comparable to that offered in and by the James H. Faulkner State Junior College. Since control of the expenditure of capital outlay for Junior Colleges is in the hands of said Authority

and its members, it is therefore necessary to add
these party defendants.

IRA DE MENT
United States Attorney

Respectfully submitted,

JERRIS LEONARD
Assistant Attorney General


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ROSS L. CONNEALY
Attorneys
Department of Justice

CERTIFICATE OF SERVICE

I, Craig M. Crenshaw, attorney of the United States hereby certify that service was made of the attached Motion to add Parties Defendant on the 28th day of August, 1970, by Mail sent to the attorneys for the plaintiffs and defendants as follows:

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CRAIG M. CRENSHAW
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