

TITLE OF CASE

ATTORNEYS

CIVIL ACTION NO. 604-E

For plaintiff:

ANTHONY T. LEE, et al

~~Donald V. Watkins~~~~Solomon S. Seay, Jr.~~~~Gray, Seay & Langford~~~~352 Dexter Avenue- 524 South Union St.~~~~Montgomery, Alabama 36104~~~~(for plttf. and NEA 834-2000~~

VS

~~Ronald L. Oleson~~~~Attorney~~~~Department of Justice 10th & Constitution
Washington, D. C. 20530 (for U.S.)~~

MACON COUNTY BOARD OF EDUCATION, et al

~~Ira DeMent Redding Pitt~~~~United States Attorney~~~~P.O. Box 197~~~~Montgomery, Alabama 36101 (for U.S.)~~

For defendant:

~~T. W. Thagard, Jr.~~~~Charles S. Coody, State Dept. of Educ.~~~~Smith, Bowman, Thagard, State Office Bldg.~~~~Creek & Culpepper Montgomery, Al~~~~600 Bell Building 36130~~~~Montgomery, Alabama 36104~~~~(for deft. Alabama State Board of Education)~~

AND

~~Jeffery A. Foshee~~~~State Dept. of Postsecondary Education~~~~419 South Perry St.~~~~Montgomery, AL 36104~~~~(205) 834-2200~~~~Renee Culverhouse~~~~Dept. of Postsecondary Education~~~~401 Adams, Aven., Suite 710 242-2900~~

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed	Clerk	6-22-1967	Lange, Simpson et al	5 00	
J.S. 6 mailed	Marshal	6-22	Lange, Simpson et al	5 00	
Basis of Action:	Docket fee	6-23	C/D-T-75		10 00
	Witness fees				
Action arose at:	Depositions	1970			
		3-26	Gray et al	5 00	
		3-27	C/D-T-58		5 00
		10/29	Smith, Bowman et al.	5 00	
		10-30	C/D-T-28		5 00

November 5, 1999

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RENEE CULVERHOUSE
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DEPT OF POSTSECONDARY EDUC
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for State Brd. Of Educ.

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???

Gloria J. Browne (NAACP)
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223-7280
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D EUGENE HAYES
BETHANY RAY GRIFFIN
JOHNSTON BARTON PROCTOR & POWELL
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1901 6TH AVE N
BIRMINGHAM AL 35203-2618
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STANLEY F GRAY
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NATHANSON
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TUSKEGEE AL 36083-0239
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for Plaintiff

LARRY E CRAVEN
MICHAEL WHITE
TANYA C ROBINSON
P O BOX 302101
MONTG AL 36130-2101
242-0982
for Superintendent of Education

UNITED STATES DISTRICT COURT

Jury demand date:

D.C. Form No. 106A Rev.

FPI ATLANTA-12-16-55-10W-27

TITLE OF CASE

ATTORNEYS

Civil Action No. 604-E

ANTHONY T. LEE and HENRY A. LEE, by Detroit Lee and Hattie M. Lee, their parents and next friends;

PALMER SULLINS, JR., ALAN D. SULLINS and MARSHA MARIE SULLINS, by Palmer Sullins and Della D. Sullins, their parents and next friends;

GERALD WARREN BILLES and HELOISE ELAINE BILLES, by I.V. Billes, their father and next friend;

WILLIE M. JACKSON, JR., by Mabel H. Jackson, his mother and next friend;

WILLIE B. WYATT, JR., and BRENDA J. WYATT, by Willie B. Wyatt and Thelma A. Wyatt, their parents and next friends;

NELSON N. BOGGAN, JR., by Nelson Boggan, Sr., and Mamie Boggan, his parents and next friends;

WILLIE C. JOHNSON, JR., BRENDA FAYE JOHNSON and DWIGHT W. JOHNSON, by Willie C. Johnson and Ruth Johnson, their parents and next friends, and

WILLIAM H. MOORE and EDWINA M. MOORE, by L. James Moore and Edna M. Moore, their parents and next friends, Plaintiffs,
vs.

MACON COUNTY BOARD OF EDUCATION (Wiley D. Ogletree, Chairman, Madison Davis, John M. Davis, Harry D. Raymon and F. E. Guthrie) and C. A. PRUITT, Superintendent of Schools of Macon County, Alabama, Defendants.

For plaintiff: Gray, Seay & Langford
Fred D. Gray and Solomon S. Seay
~~300XXXPERYXXX~~ 352 Dexter Ave.
Montgomery, Ala. 36104

Constance Baker Motley
Jack Greenberg
Norman Amaker
✓ 10 Columbus Circle
New York 19, New York

Also: Melvyn Zarr
Henry Aronson, 10 Columbus
Circle, New York, N.Y.
Janell Byrd
99 Hudson St., 16th Floor
New York, NY 10013

For defendant:

✓ ~~Richmond M. Flowers~~ Wm. Pryor
Attorney General, State of Alabama

Robert P. Bradley
Asst. Atty. Gen., State of Alabama

Gordon Madison
Asst. Atty. Gen., State of Alabama
Hill, Robison & Belser, P.O. Box 901,
Montgomery, Ala., for Autauga Co.
Board of Education.

Reid B. Barnes
Exchange Security Bank Bldg., Birmingham, Ala
for Bibb Co. Board of Edu. and other named
appellants.

STATISTICAL RECORD

COSTS

DATE

NAME OR RECEIPT NO.

REC.

DISB.

J.S. 5 mailed

Clerk

1963

1/28

F.D. Gray

15 00

1/31

C/D-T-37

15 00

12-6

State of

144 04

Alabama

12-31

Fred Gray

144 04

1965

1-6

State of

812 24

Alabama

1-12

Fred D. Gray

812 24

1967

4/7

Gordon

5 00

4-11

Madison

5 00

C/D-T-58

5 00

J.S. 6 mailed

Marshal

Vo. # 7

Basis of Action: For permanent
injunction enjoining debts
from operating compulsory
biracial school system.

Docket fee

Witness fees

Depositions

Vo. # 8

Action arose at:

DATE	PROCEEDINGS	Date Order or Judgment Noted
1/28/63	Complaint filed and summons issued. ✓ *	
1/29/63	Marshal's returns on summons and complaint. On January 28, 1963, served Macon County Board of Education by leaving copy with Dr. Wiley D. Ogletree, Chairman, at his home, Milstead, Alabama; served Dr. Wiley D. Ogletree personally at his home, Milstead, Alabama; served John M. Davis personally at Tuskegee, Alabama; served Harry D. Raymon personally at Tuskegee, Alabama; served F. E. Guthrie personally at Tuskegee, Alabama; served Madison Davis personally at Tuskegee, Alabama, and served C. A. Pruitt personally at Tuskegee, Alabama.	
2/11/63	Defendants' motion to strike and dismiss. ✓ *	
2/15/63	Plaintiffs' notice of taking the deposition of C. A. Pruitt, Macon County Superintendent of Schools, on 2/22/63.	
2/18/63	Defendants' motion to postpone or continue the taking of a deposition of C. A. Pruitt.	
2/18/63	ORDER staying the taking of the deposition of C. A. Pruitt until the Court has had an opportunity to rule on defendants' motion to strike and dismiss filed on 2/11/63.	
2/25/63	Plaintiffs' opposition to defendants' motion to strike and dismiss. ✓	
5/1/63	ORDER that defendants' attorneys file on or before June 3, 1963, a brief of the law considered applicable in support of motion to strike and dismiss, and that plaintiffs have until June 17, 1963, to file their reply brief.	
7/9/63	Plaintiff's motion for preliminary injunction. ✓ *	
7/16/63	Order adding the United States as a party. ✓	
7-17-63	ORDER setting hearing on plaintiffs' motion for preliminary injunction to commence at 9:00 a.m., August 13, 1963; further ORDER authorizing plaintiffs to take the deposition of C. A. Pruitt; further ORDER that defendants file formal answer in this cause on or before Monday, 7/29/63.	
7-25-63	Plaintiffs' notice of taking the deposition of C. A. Pruitt, Superintendent of Schools of Macon County, Alabama	
7-26-63	Defendants' answer to the bill of complaint. ✓ *	
7/30/63	Plaintiffs' request for admissions.	
7/31/63	Defendants' request for admissions.	
8/8/63	Defendants' reponse to plaintiffs' request for admissions.	
8/9/63	Deposition of Clyde A. Pruitt.	
8-16-63	Order substituting Parties - Harry D. Raymon substituted as Chairman of the Macon County Board of Education, and B. O. Dukes substituted for Wiley D. Ogletree as a member of the Macon County Board of Education.	
8/22/63	Memorandum Opinion and ORDER. Defendants enjoined from failing to make an immediate start, effective for school term commencing Sept. 1963, in the desegregation of the schools of Macon County through the use of the Alabama School Placement Law; defendants ordered to submit to Court no later than Dec. 12, 1963, a plan under which defendants propose to desegregate Macon County schools, which plan shall provide for carrying into effect a general application	✓ *

DATE	PROCEEDINGS	Date Order Judgment No
	of the Alabama School Placement Law commencing no later than the school term beginning January 1964; Chairman of Board of Education and Superintendent of Schools of Macon County ordered to report to Court on or before 9 a.m., Sept. 3, 1963, the action taken by the Board of Education on each application for admission and/or transfer under the Alabama School Placement Law filed with said Board. Jurisdiction of cause specifically retained.	2
8/22/63	Writ of injunction issued pursuant to said memorandum opinion and order of 8/22/63.	
8/23/63	Marshal's returns on writ of injunction and memorandum opinion and order of 8/22/63. Served on Macon County Board of Education by handing a copy to Harry D. Raymon, Chairman, on 8/22/63. Served on Harry D. Raymon, Chairman, Madison Davis, John M. Davis, B. O. Dukes, F. E. Guthrie, and "A.C." Pruitt, Superintendent of Schools of Macon County, by handing copies to each personally at Tuskegee, Alabama, 8/22/63.	
8/27/63	Court reporter's transcript of tentative findings and conclusions dictated by Court at conclusion of hearing at Opelika on 8/13/63.	
11/18/63	Costs bill (\$144.04) filed by plaintiffs. Costs to be taxed 11/22/63.	
11/22/63	Costs taxed.	
12/9/63	Order amending order entered on 8/22/63 to the extent that it allows defendants until March 2, 1964, to present a plan under which the said defendants propose to desegregate the schools and the school system of Macon County, Alabama.	
12/20/63	Plaintiffs' motion to vacate order of the Court entered herein on 12/9/63 and for additional relief.	
23/63	Order setting hearing on above motion January 9, 1964, at 11 a.m. in the Federal District Court, Montgomery, Alabama.	
1/2/64	Plaintiffs' notice of taking depositions.	
1/9/64	Deposition of C. A. Pruitt.	
1/10/64	Plaintiffs' withdrawal of their motion to vacate and for additional relief filed 12/20/63.	
1/10/64	Order granting plaintiffs' motion to withdraw motion of 12/20/63.	
2/3/64	Plaintiffs' motion for leave to file amended and supplemental complaint.	
"	Order granting leave to file amended and supplemental complaint.	
"	Amended and supplemental complaint filed.	
"	Plaintiffs' motion for preliminary injunction.	
"	Plaintiffs' motion for temporary restraining order.	
"	Temporary restraining order. State Board of Education and individual members added as parties defendant. Defendants enjoined from failing to approve transfer of Negro students to Macon County High School at Notasulga and Shorter High School on same basis as white students and from failing and refusing to transport Negro students on same basis as white students.	
2/3/64	Writ of injunction issued.	
5/64	Motion of defendants Alabama State Board of Education and its members to modify or dissolve temporary restraining order of 2/3/64.	
"	ORDER denying motion to modify or dissolve temporary restraining order.	

DATE	PROCEEDINGS	Date Order or Judgment Note
2/5/64	Marshal's returns on writ of injunction and temporary restraining order. Personal service on J. T. Albritton, N. S. Harden, Principal, Shorter High School, John M. Davis, Madison Davis, B. O. Dukes, F. E. Guthrie, C. A. Pruitt, D. W. Clements, Principal of Notasulga High School, Harry D. Raymon, James D. Nettles, J. P. Faulk, Jr., Cecil Word, W. M. Beck, Sr., Victor P. Poole, Richmond Flowers, George C. Wallace, Austin R. Meadows as Secretary and Executive Officer of Alabama State Board of Education, W. C. Davis, Fred L. Merrell, and Harold C. Martin on Feb. 3, 1964. Alabama State Board of Education served by handing copy to Austin R. Meadows, State Superintendent of Education on Feb. 3, 1964.	3
"	Marshal's returns on summons and amended and supplemental complaint, with attachments. Personal service on J. T. Albritton, James D. Nettles, J. P. Faulk, Jr., Cecil Word, W. M. Beck, Sr., Victor P. Poole, Governor George C. Wallace, Austin R. Meadows, W. C. Davis, Fred L. Merrell, and Harold C. Martin on Feb. 3, 1964. Alabama State Board of Education served by handing copy to Austin R. Meadows, Superintendent of State Board of Education on Feb. 3, 1964.	
2/6/64	Defendants' petition seeking instructions. *	
2/7/64	ORDER of Chief Judge Tuttle of Court of Appeals for Fifth Circuit (entered on 2/6/64) designating Hon. Richard T. Rives, Circuit Judge, and Hon. Harlan Hobart Grooms, District Judge, for Northern District of Alabama, to serve with Judge Johnson as members of, and with him to constitute, the said court to hear and determine the action in this case.	
2/7/64	ORDER (signed by the three above-named judges) continuing restraining order and setting case for hearing on motion for preliminary injunction on Friday, February 21, 1964, at 9:30 a.m., at Opelika, Alabama. Marshal ordered to serve copy forthwith upon the Governor, as Chief Executive Officer of the State of Alabama, and the Attorney General for the State of Alabama.	
2/10/64	Plaintiffs' motion for leave to file amendment to amended and supplemental complaint. ✓ *	
"	Order granting leave to file amendment to amended and supplemental complaint. *	
"	Amendment to amended and supplemental complaint filed.	
"	Amendment to motion for preliminary injunction.	
"	Marshal's returns on order continuing restraining order and setting case for hearing; Personal service on Attorney General Richmond Flowers at Montgomery, Alabama, on 2/7/64; personal service on Governor George C. Wallace at Tuscaloosa, Alabama, on 2/7/64.	
2/11/64	Plaintiffs' motion for leave to take the deposition of Austin R. Meadows.	
"	ORDER granting motion for leave to take deposition.	
"	Plaintiffs' notice of taking the deposition of Austin R. Meadows.	
2/14/64	Stipulation of parties that hearing set for 9:30 a.m., Feb. 21, 1964, at Opelika, be held in Montgomery.	
"	ORDER setting said hearing to commence at 9:30 a.m., Feb. 21, 1964, at Montgomery, Alabama, said hearing to be upon all issues.	

DATE

PROCEEDINGS

4
Date Order
Judgment N

5/64

Plaintiffs' motion for production, inspection and copying of documents and photographing of things.
Plaintiffs' notice of above motion.

2/18/64

Motion of Attorney General for State of Alabama to eliminate from case the issue "whether the action of the State Board of Education requires and/or authorizes the desegregation of the public school system throughout the State of Alabama," or in the alternative to deny all relief prayed for as to this issue.

2/18/64

Deposition of Austin R. Meadows.

2/20/64

Alabama Attorney General's amendment to motion filed 2/18/64.

2/20/64

Motion of defendants State Board of Education and individual members to dissolve temporary restraining order, discharge defendants, and dismiss. *"Opinion of the Justice" attached*

Answer of defendant Alabama State Board of Education.

2/27/64

Court reporter's excerpt transcript containing testimony of C. A. Pruitt, Martha Culbertson Oliver, and Samuel M. Bolding given at hearing at Montgomery, Alabama, Feb. 21-22, 1964, before Hon. Richard T. Rives, U.S. Circuit Judge, Hon. H. H. Grooms, U.S. District Judge, and Hon. Frank M. Johnson, Jr., U.S. District Judge.

2/28/64

Court reporter's excerpt transcript containing testimony of George W. Yarbrough as given at hearing on Feb. 21-22, 1964.

2/28/64

Plan of Macon County Board of Education for desegregation of the public schools of Macon County, Alabama.

3, -4/64

Court Reporter's transcript of proceedings in hearing 2/21/64

4/6/64

Plaintiffs' objections to plan of defendant Macon County Board of Education for desegregation of Macon County Public Schools.

4/24/64

Plaintiffs' motion for additional relief.

4/28/64

Memorandum opinion and injunction. Macon County Board of Education restrained and enjoined from Refusing and failing to provide for and approve the attendance at the existing Macon County School at Notasulga of Anthony T. Lee, Robert Judkins, Jr., Willie B. Wyatt, Jr., Patricia Jones, Marsha Sullins, and Shelby Chambliss, said attendance to commence no later than 4/30/64; Failing and refusing to transport these six Negro students to Macon County School at Notasulga upon the same terms and conditions as allowed and extended to the white students heretofore transported to that school. Ordered that orders of 8/13/63, 8/22/63, and 2/3/64 remain in full force and effect except as herein specifically modified and amended; jurisdiction retained for all purposes.

4/28/64

Writ of injunction issued.

4/30/64

Marshal's returns on writ of injunction and memorandum opinion and injunction. Personal service on Madison Davis, Chairman of Macon County Board of Education, Harry D. Raymon, John M. Davis, F. E. Guthrie, C. A. Pruitt, B. O. Dukes on 4/28/64. Macon County Board of Education served by leaving copy with Madison Davis, Chairman; Richmond M. Flowers, Attorney General, State of Alabama,

DATE	PROCEEDINGS	Date Order or Judgment Noted
	served by leaving copy with Gordon Madison, Assistant Attorney General, on 4/28/64. Service on Governor George C. Wallace, Austin R. Meadows, State Supt. of Education, James D. Nettles, J. T. Albritton, J. P. Faulk, Jr., Fred L. Merrell, W. M. Beck, Victor P. Poole, W. C. Davis, Cecil Word, and Harold C. Martin, members of State Board of Education, by registered mail, mailed 4/29/64. 64 Court reporter's transcript of proceedings at hearing in Montgomery, Alabama, on 4/28/64. 26/64 ORDER substituting Frances (Mrs. J. R.) Rush as a party defendant in place of Harry D. Raymon. 3/64 Opinion of three-judge court. 3/64 DECREE, pursuant to opinion filed this date. The defendants Gov. George C. Wallace, Austin R. Meadows, and members of Alabama State Board of Education, and Alabama State Board of Education enjoined, pending disposition of this case upon its merits, from preventing the Macon County Board of Education and Superintendent of Schools from enrolling a child in a school attended by children of another race; preventing students, teachers, and other authorized persons from entering, leaving, etc., any public school in Macon County; harrasing students, teachers, etc., on account of their attempts to comply with orders of this Court; interfering with elimination of racial discrimination by local school officials in any Alabama school district; authorizing grants in aid under provisions of Chapt. 4B (Sections 61(13)-61(21) of Title 52 of Alabama Code; failing to promote and encourage the elimination of racial discrimination in the public schools. Macon County Board of Education, its individual members, and C. A. Pruitt, Superintendent of Education, enjoined from failing to provide public school education for the plaintiffs and others of their class on a nonsegregated basis; failing to take such additional steps in eliminating racial discrimination in Macon County Public Schools for 1964-65 school year as may be required by any desegregation plan approved by this Court; applying any different procedures in processing Negroes' transfer applications than are applied to similar applications by white; authorizing the payment of grants-in-aid under provisions of Chapter 4B (Section 61(13)-61(21) of Title 52 of Alabama Code. Macon County Board of Education and Superintendent of Education ordered to file on or before August 3, 1964, their detailed plan for operation of Macon County school system commencing for 1964-65 school year; such plan to include desegregation of 9th, 10th, 11th and 12th high school grades and at least one of the elementary school grades in each of the schools in the Macon County school system; Macon Academy, Tuskegee, Alabama, made a party to this action to extent that it be allowed to be heard on plaintiffs' contention that it has become a public institution and a part of the Alabama school system. Jurisdiction of the cause retained. 3/64 Writ of injunction issued.	5

DATE	PROCEEDINGS	Date Order of Judgment Noted
/17/64	Marshal's returns on writ of injunction, decree, and opinion of 7/13/64. Personal service on: MacDonald Gallion at Montgomery on 7/13/64; Madison Davis, Chairman of Macon County Board of Education, at Fort Davis, Ala., on 7/13/64; John M. Davis, Member of Macon County Board of Education at Tuskegee, Ala., on 7/13/64; B. O. Dukes, Member of Macon County Board of Education, at Shorter, Alabama, on 7/13/64; F. E. Guthrie, Member of Macon County Board of Education, at Notasulga, Alabama, on 7/13/64; Frances (Mrs. J. R.) Rush, Member of Macon County Board of Education, at 724 S. Main St., Tuskegee, Alabama, on 7/13/64; Joe C. Wilson, Superintendent of Schools of Macon County, Ala., at Dept. of Education Bldg., Tuskegee, Ala., on 7/13/64; Gov. George C. Wallace, President of Alabama State Board of Education, at Montgomery on 7/13/64; Austin R. Meadows, Secy. and Executive Officer of Alabama State Board of Education, at Montgomery on 7/17/64; James D. Nettles at Thomasville, Ala., on 7/14/64; Fred L. Merrell at Anniston, Ala., on 7/14/64; W. M. Beck at Ft. Payne, Ala., on 7/14/64; Victor C. Poole at Moundville, Ala., on 7/14/64; W. C. Davis at Fayette, Ala., on 7/14/64; Cecil Word at Scottsboro, Ala., on 7/14/64; Harold C. Martin at Ensley, Ala., on 7/13/64; John F. Segrest, Member of Board of Macon Academy at Tuskegee, Ala., on 7/13/64. Returned unexecuted as to J. P. Faulk since he is no longer a member of the State Board of Education.	6
7/27/64	Marshal's further return on writ of injunction, decree, and opinion of 7/13/64. Served on Macon Academy by handing to and leaving copy with Mrs. W. T. Wadsworth as head of the Board of Macon Academy.	
7/28/64	Marshal's further return on writ of injunction, decree, and opinion of 7/13/64. Personal service on J. T. Albritton, Member of State Board of Education, at Andalusia, Alabama, on 7/27/64.	
<u>7/29/64</u>	Desegregation plan of Macon County Board of Education.	
<u>7/31/64</u>	Motion of Macon Academy that it be dismissed as party defendant.	
8/5/64	ORDER amending order of July 13, 1964, to the extent that the citation "Public Laws 85-815 and 85-874" on page 12 is changed to "Public Laws 81-815 and 81-874 as amended by Public Law 85-620."	
8/6/64	Motion of plaintiffs, by and through their attorneys, for counsel fees.	
<u>8/7/64</u>	ORDER approving the desegregation plan of Macon County Board of Education as it relates to school year 1964-65. Approval or disapproval as it relates to school year 1965-66 reserved.	
8/12/64	Defendants' objections to granting motion for counsel fees.	
8-10-64	Order directing service on Macon Academy	
8-12-64	Defendant's objections to granting motion for counsel fees.	
9-13-64	Marshal's return of service on Gallion & Hare by serving a copy MacDonald Gallion on August 11, 1964.	
	Marshal's further return of service on Mrs. Frances (W. T.) Howard Wadsworth, President, Macon County Private School Foundation by serving a copy of the order on Mrs. Frances (W. T.) Howard Wadsworth on the 11th day of August, 1964.	

7

DATE

PROCEEDINGS

- 13-64 Marshal's further return of service on R. C. Edwards, Headmaster, Macon Academy, by serving a copy of the order personally on R. C. Edwards, on the 11th day of August, 1964.
- 3/64 Plaintiffs' objections to Macon County School Board's proposed desegregation plan.
- 14/64 ORDER Denying plaintiffs' motion for payment of counsel fees to plaintiffs' counsel by defendants.
- 25/64 ORDER denying motion of Macon Academy to dismiss it as a party defendant.
- 10/64 Answer of Macon Academy to complaint.
Objections and exceptions of Macon Academy to findings of fact.
- 11/64 ORDER denying objections and exceptions of Macon Academy.
- 12/64 Costs bill in amount of \$812.24 received from plaintiffs' attorney.
Costs to be taxed 12/22/64.
- 24/65 ORDER that plan of desegregation be approved with following modifications: grade 7, in addition to grades 1,2,9,10, 11 and 12, to be desegregated with school term commencing Sept. 1965; applications for transfer or assignment to these grades must be filed by 7/20/65 on forms obtainable from office of Supt. of Education; that Supt. of Education mail to each parent of all children presently attending grades 1, 6, 8, 9, 10 and 11 a notice as set out in the order on or before 6/18/65; that the Board of Education file on or before August 10, 1965 a report to the court in writing as to the action taken by the Board on each application for transfer or assignment filed pursuant to this order; that the Board file with this court on or before 8/14/65 their detailed plan for the operation of the Macon County Public School System commencing with the 1966-67 school year. Jurisdiction of this cause specifically retained.
- 6/3/65 Marshal's return on Order of 5/24/65. On 5/24/65 service on Gov. George C. Wallace, Alabama State Board of Education through Austin R. Meadows and as Secretary and Executive Officer of the Alabama State Board of Education, at Montgomery, Alabama. On 5/25/65 service on Dr. C. G. Gomillion, John M. Davis, Joe Wilson, all at Tuskegee, B. O. Dukes at Shorter, Frances (Mrs. J. R.) Rush at Tuskegee, Madison Davis at Ft. Davis, Alabama, Macon County Board of Education, Madison Davis, Chairman, at Ft. Davis, Alabama. On 6/1/65 service on Mrs. Carl Strang at Eufaula, Alabama. On 5/25/65 service on James D. Nettles at Arlington, Alabama. On 5/26/65 service on J. T. Albritton at Andalusia, W. M. Beck at Ft. Payne, Cecil Word at Scottsboro, Harold C. Martin at Birmingham and Fred L. Merrell at Anniston. On 5/27/65 service on Victor P. Poole at Moundville; W. C. Davis at Fayette.
- 3/12/65 Plaintiffs' objections to defendants' rejection of applicants for transfer.

DATE	PROCEEDINGS	Date Order or Judgment Noted
8/13/65	Objections of the United States to the rejection of applications for transfer by the Board of Education.	8
8/16/65	ORDER setting hearing on objections for 8/27/65 at 10 a.m.	
8/27/65	ORDER granting applications for transfer of nine students previously denied by the Board of Education, and the others denied by the Board are to be considered as still pending before the Board and to be considered in time for action before the beginning of the school semester in January, 1966.	
1/13/66	Plan of Macon County Board of Education for further desegregation of the public schools.	
1/19/66	ORDER that objections to the defendant's plan for the operation of Macon County public schools be filed on or before 2/18/66. (Copies mailed to Fred D. Gray, Constance Baker Motley, Jack Greenberg, Norman Amaker, Chas. H. Jones, Jr., Ben Hardeman, John Doar, Richmond M. Flowers, Goodwyn & Smith, Rushton, Stakely & Johnston, Steiner, Crum & Baker, Hill, Hill, Whiting & Harris, Gallion & Hare, Judge Rives and Judge Grooms.)	
2/18/66	Objections of the United States to the Board of Education's desegregation plan.	
"	Plaintiffs' objections to plan.	
3/1/66	ORDER setting cause for hearing on objections to plan on 3/11/66 at 9 a.m. in U. S. District Courtroom, Montgomery, Alabama. Copies mailed on 2/23/66 to John Doar; Richmond Flowers; Gray & Seay; Ben Hardeman; Goodwyn & Smith; Rushton, Stakely & Johnston; Steiner, Crum & Baker; Hill, Hill, Whiting & Harris; Gallion & Hare; Greenberg & Jones and Judge Rives and Grooms.	
3/4/66	Motion of Constance Baker Motley to withdraw as attorney of record for the plaintiffs.	
"	ORDER granting leave for Constance Baker Motley to withdraw as counsel for the plaintiffs. (Copies of order mailed to Judge Rives and Grooms and attorneys on 3/7/66.)	
3/11/66	ORDER that the defendants (1) Execute the plan for desegregation of the public schools of Macon County, Alabama. (2) Report to the court by May 15, and each such date until further order of the court, the student enrollment in each school by race and grade. (3) Report to the court by June 1 the assignments of the school staff for the next year in each school by race and grade. (4) Report as soon as possible after the opening of the schools, but no later than September 20, the data for the items covered in the reports ordered in (2) and (3). (5) Jurisdiction specifically retained by the court.	
5/13/66	Costs in amount of \$1,051.52 taxed against defendants per costs bill received from plaintiffs.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
1/66	Report of Macon County Board of Education as to anticipated pupil enrollment for school year 1966-67.	
10/66	ORDER that defendants be granted until July 1, 1966, to comply with provision set out in paragraph 3 of the court order of March 11, 1966. (Copies mailed to counsel and to Supt. of Education of Macon County, Alabama.)	
3/66	Report of Macon County Board of Education re professional assignments for school year 1966-67.	
10/66	Motion of U.S. for leave to intervene and to file a supplemental complaint. Proposed supplemental complaint and motion for preliminary injunction attached.	
1/66	ORDER granting motion of U.S. for leave to intervene and to file a supplemental complaint; and setting motion for a preliminary injunction on 9/30/66 in U.S. District Courtroom, Montg., Ala. (Copies mailed to counsel.)	
1/66	Supplemental complaint filed as ordered.	
/66	Copies of order of 8/31/66, motion of U.S. for leave to intervene, supplemental complaint, and motion for a preliminary injunction issued to Marshal for service on defendants.	
/66	Marshal's return on service of order of 8/31/66, motion for leave to intervene and file supplemental complaint, supplemental complaint, and motion for preliminary injunction. Personal service on James D. Nettles at Arlington, Alabama, on 9/1/66.	
2/66	Plaintiff-Intervenor, U.S.'s notice of motion and motion for production of records under Rule 34, F.R.C.P.	
2/66	Marshal's returns on service of order of 8/31/66, motion for leave to intervene and file supplemental complaint, supplemental complaint and motion for preliminary injunction. Personal service on Mrs. Carl Strang, member of Alabama State Board of Education, B. O. Dukes, Member of Macon County Board of Education; Joe Wilson, Superintendent of Schools for Macon County; Mrs. Elizabeth Richardson, Member of Macon County Board of Education; John M. Davis, Chairman of Macon County Board of Education; Dr. Austin R. Meadows, as Secretary and Executive Officer of Alabama State Board of Education, all on Sept. 1, 1966; State Board of Education served on 9/1/66 by service on Dr. Austin R. Meadows, Secretary and Executive Officer; Macon Academy served on 9/1/66 by service on Mrs. Spratling, Secretary and Treasurer; Governor Wallace served on 9/1/66 by service on Hugh Maddox, Legal Advisor; personal service on Ed Dannelly, member of State Board of Education; Mrs. J. B. Rush, member of State Board of Education; Dr. C. G. Gomillion, Member of Macon County Board of Education, and W. C. Davis on 9/7/66; Victor P. Poole served on 9/6/66 by leaving copy with his wife; personal service on Fred L. Merrell, Harold C. Martin, Cecil Word, and W. M. Beck on 9/8/66; service on Macon County Board of Education on 9/1/66 by leaving copies with John M. Davis, Chairman.	
/66	Macon Academy's motion to dismiss and objections to plaintiff-intervenor's motion to produce and to permit agents and attorneys of U.S. on premises of Macon County.	
/66	ORDER granting motion of U.S. for production. Defendants ordered to produce required documents for inspection and copying by plaintiffs within 5 days from date of this order; said copying to be done during regular working hours and from day to day until completed. Copies mailed to counsel with copies of motion enumerating the documents.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
9/16/66	Plaintiff-intervenor's notice of taking depositions of R. C. Edwards, et al.	
9/21/66	Answer of defendants Alabama State Board of Education, Governor George C. Wallace, President of Alabama State Board of Education; Austin R. Meadows, James D. Nettles, J. T. Albritton, J. P. Faulk, Jr., Fred L. Merrell, W. M. Beck, Victor P. Poole, W. C. Davis, Cecil Word and Harold C. Martin, as members of Alabama State Board of Education, to supplemental complaint. Motion of the above-named defendants to dismiss the petition last filed in this case.	
9/22/66	Plaintiffs' motion for order to show cause.	
9/24/66	Macon County Board of Education's report on pupil enrollment by grades in the Macon County Public Schools. Macon County Board of Education's report on staff assignments by schools in the Macon County Public Schools.	
9/26/66	Notice of U.S. of taking depositions and of cancelling depositions.	
9/27/66	Depositions of Mr. and Mrs. John B. Ames.	
9/29/66	Deposition of Thomas Herman Heath.	
"	" " Robert Wilkinson, Jr.	
"	" " Charles Saunders.	
"	" " Robert C. Edwards.	
"	" " Lewis J. Lawson, Jr.	
"	" " Martha C. Oliver.	
"	" " Ray Dean Bass.	
9/30/66	Deposition of Sara Cavanaugh.	
"	" " Robert L. DeWitt.	
"	" " Lelia V. Summerville.	
"	" " Phillip Banks.	
"	Parties' stipulation of facts.	
"	Parties' supplemental stipulation of facts.	
"	Deposition of Mrs. John A. Stanton.	
"	ORDER that motion of Macon Academy seeking to be dismissed from this cause (filed 9/15/66) be granted without prejudice; that motion (filed 9/21/66) of defendants Ala. State Board of Education, Governor George C. Wallace, President of Ala. State Board of Education; Austin R. Meadows, Secretary and Exec. Officer of State Board of Education, and the several members of Ala. State Board of Education for dismissal of motion for preliminary injunction and supplemental complaint be overruled; plaintiffs' motion (filed 9/22/66) to the extent that it prays for an order directing the defendant Governor George C. Wallace to show cause why he should not be adjudged in contempt of injunction of 7/13/64 be denied; that the portion of plaintiffs' motion of 9/22/66 seeking desegregation of all public schools in Ala. and other relief be set for hearing on its merits on 11/30/66 at 9:30 a.m. (Copies mailed to counsel.)	
10/12/66	United States' notice of taking depositions of R. D. Simpson, Superintendent of Randolph County Board of Education, et al.	

DATE	PROCEEDINGS	11
/13/66	ORDER (of Judges Rives, Johnson, Grooms, and Pittman /on panel in 2457-N) consolidating this cause with Civil Action No. 2457-N for purpose of hearing or trial on November 30, 1966, at 9:30 a.m. (Copies mailed to counsel.)	
/18/66	Notice of defendants Alabama State Board of Education, Governor George C. Wallace, President thereof, and its individual members, of taking the deposition of Harold Howe, United States Commissioner of Education.	
"	Notice of defendants Alabama State Board of Education, Governor George C. Wallace, President thereof, and its individual members, of taking the deposition of Eugene Crowder, Alabama Director, United States Office of Education.	
/19/66	Motion of R. D. Simpson, Superintendent of Education of Randolph County, Alabama, to quash subpoena duces tecum served upon him on behalf of the U.S. Department of Justice.	
/19/66	United States' motion and notice of motion for production of records pursuant to Rule 34, Federal Rules of Civil Procedure.	
/20/66	ORDER of Judge Rives denying motion of R. D. Simpson to quash or modify subpoena duces tecum. Question of taxation of costs reserved. (Copies mailed to counsel of record in this case and to counsel for R. D. Simpson.)	
/22/66	Interrogatories propounded to Alabama NAACP State Conference of Branches by defendants George C. Wallace, Governor's Commission, Alabama State Board of Education, Austin R. Meadows, Mary Texas Hurt Garner, Seymore Trammell and John Graves.	
/24/66	ORDER setting motion, of 10/19/66 filed by U.S. for production of records, on 11/1/66, at 9:00 a.m.; briefs to be filed on or before said time and date; if oral argument desired, written notice of intention to argue motion or objection thereto must be filed not later than 10/31/66. (Copies mailed to counsel.)	
/11/66	Defendants, Alabama State Board of Education, Governor George C. Wallace, President, Austin R. Meadows, Secretary, and its individual members, motion and notice of motion for production of records pursuant to Rule 34, Federal Rules of Civil Procedure.	
/66	ORDER that defendants, State Superintendent of Education Austin R. Meadows, the State Board of Education and its individual members, produce and permit the U.S. to inspect and copy the records in their possession and control and which are listed in the Notice of Motion and Motion for Production of Records filed by U.S. on 10/19/66. (Copies mailed to counsel.)	
/5/66	Deposition of R. M. Courington. Deposition of Charles H. Parrish. Deposition of Benjamin C. Botts. Deposition of J. R. Snellgrove.	
/66	United States' notice of rescheduling and cancelling depositions.	
/66	Plaintiffs' motion to add George C. Wallace in his capacity as Governor of the State of Alabama as a party defendant.	
/66	Defendant Governor Wallace's motion to strike or dismiss plaintiffs' motion to add George C. Wallace in his capacity as Governor of the State of Alabama as a party defendant.	
/66	ORDER denying plaintiffs' motion to add George C. Wallace in his capacity as Governor of the State of Alabama as party defendant. (Copies mailed to counsel.)	
/66	ORDER GRANTING defendants' motion for production filed 10/31/66 with certain exceptions. (U.S. not required to produce items	

DATE	PROCEEDINGS	Date Order or Judgment Note
	enumerated in paragraphs 8 and 15 of motion to produce or to produce any documents, etc., enumerated in paragraph 12 of motion that will identify persons making complaints to U.S.) Copies mailed to counsel.	
11/10/66	Deposition of Hafford Leeman.	
"	Deposition of J. Julian Newman.	
11/14/66	Deposition of Leon Roberts.	
11/14/66	Plaintiffs' notice of taking the depositions of Austin R. Meadows, Jack House, and Hugh Maddox.	
11/17/66	Notice of U.S. of taking depositions of Frederick D. Ramsey and Robert Short.	
"	Deposition of Charles N. Boozer.	
"	Deposition of W. H. Kimbrough.	
"	Motion of State Board of Education that deposition of Hugh Maddox not be taken and that subpoena duces tecum be quashed.	
11/18/66	ORDER granting motion that deposition of Hugh Maddox not be taken and that subpoena duces tecum be quashed. (Copies mailed to counsel.)	
11/19/66	Deposition of Ernest Stone,.	
"	Deposition of Robert D. Simpson.	
"	Deposition of Dale T. Garner.	
"	Deposition of Harry L. Weaver.	
11/21/66	United States' notice of taking depositions.	
11/21/66	Plaintiffs' motion for leave to file supplemental complaint against George C. Wallace, in his capacity as Governor of the State of Alabama.	
"	Supplemental complaint against George C. Wallace in his capacity as Governor of the State of Alabama.	
"	Plaintiffs' notice of motion and motion for preliminary injunction.	
"	ORDER directing the filing of plaintiffs' supplemental complaint and service of said supplemental complaint and motion for same upon George C. Wallace in his capacity as Governor of the State of Alabama. Motion for preliminary injunction set for hearing at 9:30 a.m. on 11/30/66, at the same time as the hearing heretofore scheduled on this case. (Copies mailed to counsel.)	
"	Summons issued and delivered with copies of supplemental complaint, motion for leave to file supplemental complaint, notice of motion and motion for preliminary injunction, and order of 11/21/66 to Marshal for service on Governor Wallace.	
11/22/66	United States' certificate of service of plaintiff's answer to interrogatories, filed on 11/14/66.	
11/22/66	Plaintiffs' motion that Court reconsider its order of 11/18/66 quashing subpoena duces tecum served on Hugh Maddox.	
"	Deposition of Harold Howe.	
"	Deposition of Lawrence E. Crowder.	
"	ORDER denying plaintiffs' motion for reconsideration of order of 11/18/66. (Copies mailed to counsel.)	
"	Marshal's return on service of summons and supplemental complaint, motion for leave to file supplemental complaint, notice of motion and motion	

DATE	PROCEEDINGS	Date Order or Judgment Noted
	for preliminary injunction, and order of 11/21/66. Personal service on Governor George C. Wallace on 11/21/66.	
12/23/66	Defendants' answer to "motion for order to show cause," filed by plaintiffs.	
"	Application of U.S. to allow use of depositions.	
"	ORDER of Judge Rives setting said application for hearing at 8:30 a.m. in chambers of U.S. District Judge, 11/28/66. (Copies mailed to counsel.)	
1/26/66	Deposition of Estes Hudson. (Superintendent of Marion County Schools).	
"	Deposition of Dr. W. W. Elliott (Superintendent of Tuscaloosa County Schools).	
"	Deposition of Boyce S. Allbright (Supt. of Education, Winston Co.)	
"	" " Frederick D. Ramsey (Supt. of Education, Marengo Co.)	
"	" " Dr. George L. Layton, Director of Division of Administration and Finance, State Dept. of Education.	
"	Deposition of Dr. Austin R. Meadows, State Supt. of Education.	
"	" " John Richard Hargis (County School Supt., Autauga Co.)	
"	Deposition of Joseph A. Pickard (Supt. of Selma City Schools).	
"	" " Ruben H. Porch (Supt. of Sylacauga City Schools).	
"	" " Walter James Riddle (Supt. of Education, Phenix City School System).	
"	Deposition of T. H. Kirby (Supt. of Opelika City Schools).	
"	Deposition of Warren N. Richards (Supt. of Education, Russell Co.)	
"	Deposition of Harvey D. Nelson (City Supt. of Schools, Tuscaloosa, Ala.) (This deposition applies also to 2457-N.)	
"	Deposition of Frank L. Harwell (Supt. of Talladega City Schools) (Applies also to CA 2457-N.)	
"	Deposition of J. R. Pittard (Supt. of Talladega County School System) (Applies also to CA 2457-N.)	
"	Deposition of Robert Allen Thornton (Supt. of Lauderdale County School System) (Applies also to CA 2457-N.)	
"	Deposition of C. M. Brewster (Supt. of Sheffield City Schools) (Applies also to CA 2457-N.)	
"	Deposition of David C. Brown (Supt. of Education, Colbert County School System) (Applies also to CA 2457-N.)	
2/28/66	ORDER granting motion of U.S., filed 11/23/66, to allow use of depositions.	
2/28/66	Deposition of Clyde G. Horton, consultant, school plant construction, State Department of Education.	
"	Deposition of F. B. Pratt, Superintendent of Bibb County School System.	
"	Deposition of Hugh A. Locke (one of Jefferson County representatives in State Legislature). (Applies also to CA 2457-N.)	
"	Deposition of Rankin Fite (member of Ala. Legislature). (Applies also to CA 2457-N.)	
"	Deposition of Marvin H. Killingsworth, Jr., State School Architect.	
"	Exhibits to deposition of Austin R. Meadows.	
"	Exhibits to deposition of George L. Layton.	
"	United States' notice of taking the deposition of Dr. J. C. Blair.	
2/29/66	Answer of George C. Wallace in his capacity as Governor of the State of Alabama to supplemental complaint.	

DATE	PROCEEDINGS	14	Date Order or Judgment Note
11/29/66	Motion of Harold Howe II, David S. Seeley, Richard L. Fairley, and Lawrence E. Crowder for an order quashing subpoenas and subpoena duces tecum. (Applies also to 2457-N.)		
11/30/66	Deposition of Elvin L. Hill.		
11/30/66	ORDER granting motion of Harold Howe, II, David S. Seeley, Richard L. Fairley, and Lawrence E. Crowder and quashing subpoenas and subpoena duces tecum served upon them. (Applies also to 2457-N)		
12/1/66	Deposition of Dr. J. C. Blair.		
"	Deposition of G. F. Ingram.		
"	United States' certificate of service on notice of taking deposition of Dr. Blair.		
12/9/66	Defendants' objections to plaintiffs' exhibits.		
"	Defendants' objections to depositions of witnesses.		
12/12/66	ORDER overruling defendants' objections to certain designated exhibits offered in evidence by plaintiffs and their objections to depositions of certain designated witnesses. (Copies mailed to counsel.)		
"	Court reporter's transcript of proceedings on December 1, 1966.		
12/15/66	Court reporter's transcript of proceedings on Dec. 2, 1966.		
12/22/66	U.S.' summaries of depositions and testimony of State Officials, Local Superintendents and HEW Officials, presented in Volumes I, II, and III.		
"	Defendants' summary of deposition of Lawrence E. Crowder.		
"	Defendants' summaries of the testimony of witnesses testifying orally before the Court. (Robert Edward Cunningham, Robert Songer, Benjamin Clarence Botts, Albert Thomas Hamlin, J.C. Pettey, Revis Hall, James F. Moore, Elvin Hill, and Francis J. Marshall.)		
12/27/66	Summary of deposition of Hon. Harold Howe, II, as U.S. Commissioner of Education, taken in Washington, D.C., on 11/2 and 11/3/66, received from defendants George C. Wallace, in his capacity as Chairman of the Governor's Commission, as Chairman of the Alabama State Board of Education, etc., and as Governor of Alabama; Governor's Commission; Alabama State Board of Education; Austin R. Meadows, as Superintendent of Education; John Graves, Comptroller, Mary Texas Hurt Garner, Treasurer, and Seymore Trammell, Director of Finance.		
"	Digest of testimony of defendant Austin R. Meadows in narrative form prepared by counsel for plaintiffs in 604-E.		
12/28/66	Plaintiffs' motion for continuance of five days in which to file their brief.		
12/29/66	ORDER granting all parties five additional days in which to file their briefs. (Copies mailed to counsel and Judge Rives and Judge Grooms)		
1/3/67	Court reporter's transcript of proceedings on 11/30/66.		
1/7/67	United States' summary of deposition of Rankin Fite.		
1/7/67	United States' summary of testimony taken on December 1 and 2, 1966, in this case and 2457-N. (Testimony of Edgar Nixon, Robert Edward Cunningham, Robert Songer, Benjamin Clarence Botts, Albert T. Hamlin, J. C. Pettey, Revis Hall, O. B. Carter, James Moore, Jr., Senator Lister Hill, Elvin Hill, Francis J. Marshall.)		

DATE

PROCEEDINGS

Date Order or
Judgment Noted

15



/23/67

ORDER SUBSTITUTING DEFENDANTS. Lurleen Burns Wallace, Ernest Stone, Ed Dannelly, and Mrs. Carl Strang, respectively, substituted as parties defendant for George C. Wallace, Austin R. Meadows, J. T. Albritton and J.P. Faulk, Jr., respectively. Clerk ordered to have Marshal serve substituted defendants with copy of this order and to make available upon request copies of pleadings, etc., heretofore filed. (Copies delivered to Marshal for service as directed; copies mailed to Judges and to counsel of record.)

/24/67

Marshal's returns on order substituting defendants. Personal service on Mrs. Carl Strang, Ed Dannelly and Ernest Stone on 1/23/67; service on Lurleen Burns Wallace on 1/23/67 by leaving copy with Hugh Maddox, her legal adviser.

/27/67

United States' summary of testimony taken on 11/30/66. (Testimony of Austin R. Meadows, Florence Foy Strang, George L. Layton.)

/2/67

United States' notice of motion for leave to supplement record by introducing as evidence the affidavit of Brian Landsberg attached to this notice.

/2/67

Motion of Ernest Stone, Superintendent of Education, State of Alabama, that cause be dismissed as to him.

/3/67

ORDER denying Ernest Stone's motion to dismiss.

/17/67

Court reporter's transcript of hearing in this case and CA 2457-N on 2/3/67. (Physically filed with CA 2457-N.)

/15/67

ORDER denying motion of Ernest Stone, filed on 2/2/67, to dismiss. (Copies mailed to counsel.)

22/67

Opinion of three-judge court.

"

*DECREE. Defendant state officials permanently enjoined from discriminating on the basis of race in the operation and conduct of Alabama public schools. Defendant state officials ordered to take the affirmative action set out in the decree to dis-establish state enforced or encouraged public school segregation and to eliminate the effects of past state enforced or encouraged segregation in the areas of school construction and consolidation, teachers, school transportation, etc. State Superintendent of Education ordered to require all local school boards listed in Section IV of the decree to adopt a desegregation plan for all grades commencing with the 1967-68 school year that meets the standards embodied in the plan attached to the decree. (Copies mailed to counsel; copies mailed by certified mail to the Superintendents of the school systems listed in Section IV of the decree and to the trade schools, junior colleges, and state colleges.)

2/67

Writ of injunction issued. (To Alabama State Board of Education; Lurleen Burns Wallace, Governor of the State of Alabama and President of Alabama State Board of Education; James D. Nettles, Ed Dannelly, Mrs. Carl Strang, Fred L. Merrell, W. M. Beck, Victor P. Poole, W. C. Davis, Cecil Word, and Harold C. Martin, Members of Alabama State Board of Education, and Ernest Stone, Executive Officer and Secretary of Alabama State Board of Education and Alabama State Superintendent of Education.)

DATE	PROCEEDINGS	16	Date Order or Judgment Note
4/7/67	Costs in amount of \$1,209.39 taxed on behalf of plaintiffs per costs bill submitted.		
4/10/67	Notice of appeal to Supreme Court filed by defendant state officials. Defendant state officials' application for stay pending appeal.		
4/11/67	ORDER setting application for stay for oral argument at 9:30 a.m. on Saturday, April 15, 1967. (Copies mailed to counsel.)		
4/13/67	Plaintiffs' opposition to defendants' application for stay.		
4/15/67	ORDER denying defendants' application for stay. (Copies to counsel; copies mailed by certified mail to 99 school districts named in decree of 3/22/67 and to the 47 institutions under State Board of Education control.)		
4/17/67	Costs in amount of \$6,421.37 taxed on behalf of U.S. per costs bill submitted.		
"	Copy of Marshal's costs bill for \$196.48 mailed to defendants' attorneys. (This bill covers fees for service not included on either the costs bill filed by plaintiffs or the costs bill filed by the U.S.)		
4/17/67	Report of State Superintendent of Education in accordance with decree of March 22, 1967. Reports of individual boards attached.		
4/18/67	Supplemental reports of Jackson County and Dale County Boards of Education for addition to State Superintendent's report filed 4/17/67.		
4/19/67	Report of Walker County Board of Education for addition to State Superintendent's report filed 4/17/67.		
"	Supplemental reports of Lamar County (newspaper clipping of notice re choice period, etc.), Russell County, Elmore County, Fayette County, Lee County, and Dale County Boards of Education for addition to State Superintendent's report filed 4/17/67.		
4/20/67	Supplemental report of Sheffield Public Schools for addition to State Superintendent's report filed 4/17/67.		
4/22/67	Report of the United States, pursuant to decree of 3/22/67, of desegregation plans submitted.		
"	Motion of the United States to add parties defendant, for an order to show cause and for further relief.		
4/24/67	ORDER adding parties defendant, requiring all defendants to show cause on May 13, 1967, at 9:30 a.m. why added defendants should not be required to adopt desegregation plans conforming to the court's decree and granting further relief. The Autauga County, Cullman County, Bibb County and Pickens County Boards of Education, their members and the superintendents of schools of said counties added as defendants to this action; the defendant Ernest Stone, as State Superintendent of Education, ordered to notify the school systems listed on page 4 of this order that their desegregation plans fail to meet the standards embodied in Exhibit "A" to the decree of 3/22/67 and that plans meeting such standards should be adopted and submitted to the State Superintendent; Ernest Stone further ordered to complete said action and report to the Court and the parties by May 4, 1967. Clerk directed to issue summons to additional defendants and to have the U.S. Marshal serve it, together with copies of plaintiffs' motion to show cause, etc., filed on 9/22/66; court order of 9/30/66; opinion, decree and writ of injunction of 3/22/67, and motion of U.S. for		

(over)

DATE	PROCEEDINGS	Date Order or Judgment Noted
	order to show cause, etc., filed on 4/22/67, upon each added defendant. (Copies delivered to Marshal for service as directed; copies mailed to counsel.)	17
/25/67	Marshal's return on service of motion of U.S. filed 4/22/67 and show cause order of 4/24/67 on Dr. Ernest Stone, as Executive Officer and Secretary of Alabama State Board of Education and Alabama State Superintendent of Education. Personal service on Dr. Stone on 4/25/67.	
"	Marshal's returns on service of summons and motion of 4/22/67; order of 4/24/67; writ of injunction, opinion and decree of 3/22/67; motion filed 9/22/66 and order of 9/30/66. Service on Autauga County Board of Education, John R. Hargis, Superintendent of Autauga County Schools; James T. Powell, President, and O. C. Bruner, B. H. Atchison, Walter C. Evans, and Ralph Mims, Members of Autauga County Board of Education, by service on John R. Hargis on 4/24/67; personal service on Francis B. Pratt, Superintendent of Board of Education of Bibb County; Britt Cox, Henry Bolding, Ellington P. Jones, and Charles B. Haynes (who replaced S. E. Belcher on the Board), members of Bibb County Board of Education, on 4/24/67. Service on C. E. Hornsby, Jr., President, and on the Bibb County Board of Education by service on said C. E. Hornsby on 4/24/67. Service on L. D. Vail, President, and Pickens County Board of Education on 4/24/67 by service on said L. D. Vail. Personal service on Marvin Elmore, Billie F. McCool, J. V. Park, and J. L. Stone, members of Pickens County Board of Education, and Alan C. Burns, Superintendent of Schools of Pickens County, Alabama, on 4/24/67.	
'26/67	Marshal's returns on service of writ of injunction, opinion and decree of March 22, 1967. Service on Alabama State Board of Education on 3/22/67 by service on Dr. Ernest Stone, State Superintendent of Education; personal service on Mrs. Lurleen Burns Wallace, Governor of the State of Alabama and President of Alabama State Board of Education; Mrs. Carl Strang, member of State Board of Education, and Dr. Ernest Stone, Executive Officer and Secretary of Alabama State Board of Education and Alabama State Superintendent of Education, on 3/22/67. Personal service on Ed Dannelly, member of State Board of Education, also on 3/22/67. Personal service on James D. Nettles, W. M. Beck, Fred L. Merrell, W. C. Davis, Dr. Harold Martin, and Victor P. Poole, members of State Board of Education, on 3/23/67; personal service on Cecil Word, member of State Board of Education, on 4/8/67.	
26/67 27/67	Copy of Cherokee County's choice form (to be added to Dr. Stone's report.) Plaintiffs' cross-designation of appeal record.	
"	United States' cross-designation of appeal record.	
"	Answer of Autauga County Board of Education to show cause order of April 24, 1967.	
28/67 1/67	Request of State Supt. of Education for extension of time on "bus route" reports Report of Piedmont City Board of Education.	
1/67	ORDER extending time for school systems listed in decree of 3/22/67 to report to State Superintendent their proposed bus routes, etc., to June 15, 1967, and the time in which the State Superintendent is to approve or disapprove those plans to July 15, 1967. (Copies mailed to counsel.)	
1/67	Request of State Superintendent of Education for extension of time to May 15, 1967, to report result of his efforts to bring the 48 schools systems who have not complied with 3/22/67 decree into compliance.	

DATE	PROCEEDINGS	Date Order or Judgment Note
5/1/67	Marshal's additional returns on service of summons and show cause order of 4/24/67, motion for order to show cause filed 4/22/67; writ of injunction, opinion and decree of 3/22/67; motion filed 9/22/66 and order of 9/30/66. Earl T. York (Superintendent of Education, Cullman County) served personally on 4/25/67; Cullman County Board of Education served 4/26/67 by service on Hoyt Perdue, President; personal service on 4/26/67 on Hoyt Perdue, James Bryant, W. C. Peinhardt, Derlan Harbison, and Buel Hale of Cullman County Board of Education.	
5/2/67	Motion of State Superintendent of Education for extension of time to make report in accordance with the order entered in this cause on April 24, 1967.	
5/2/67	ORDER granting said motion and extending time in which report may be made to May 10, 1967.	
5/3/67	Additional report of Cullman County Board of Education.	
"	" " " Jackson County Board of Education.	
"	Copy of State Superintendent's letter to school boards set out in order of 4/24/67 as having failed to adopt desegregation plans meeting the standards embodied in Exhibit "A" of the decree of March 22, 1967.	
5/4/67	Answer of Thomasville City Board of Education to report of U.S. on the desegregation plans adopted.	
5/5/67	Amended desegregation plan for Butler County schools.	
"	Copy of State Superintendent of Education's letter to 99 school systems involved in decree of March 22, 1967, and the 48 school systems involved in order of April 24, 1967, concerning time in which transportation reports must be submitted and time in which revised desegregation plans must be submitted.	
5/10/67	Report of State Superintendent of Education in accordance with order of 4/24/67. Reports of individual boards attached.	
5/10/67	Supplemental report of Cullman County Superintendent of Education.	
5/12/67	Answer of Pickens County Board of Education to show cause order of April 24, 1967.	
"	Defendants' motion to drop added defendants.	
5/13/67	Report of Macon County Board of Education in accordance with order of March 11, 1966 (anticipated pupil enrollment, etc., for school year 1967-68).	
5/13/67	Objection of the Bibb County Board of Education to motion of U.S.	
5/16/67	Coosa County Board of Education's report on staff desegregation.	
5/17/67	Amendments to desegregation plans of Brewton City Board of Education, Selma City Board of Education, Opp City Board of Education, and Geneva County Board of Education.	
5/18/67	ORDER denying defendants' motion to drop added defendants, overruling objection of Bibb County Board of Education to motion of U.S., discharging the defendant boards of education and officials of Autauga County, Cullman County, and Pickens County as parties defendant, and enjoining the Bibb County Board of Education, its individual members, and Francis B. Pratt, Superintendent of Schools of Bibb County to adopt a desegregation plan in the form attached to this order and to fully carry out such plan. (Copies mailed to counsel.)	

DATE

PROCEEDINGS

Date Order
Judgment Noted

19

- 1/18/67 Writ of injunction issued to Bibb County Board of Education; S. E. Belcher, Jr., President, and Ellington P. Jones, Henry Bolding, Britt Cox and C. E. Hornsby, Jr., members, and Francis B. Pratt, Superintendent of Schools of Bibb County and delivered to Marshal with copies of order of 5/18/67 for service.
- 1/19/67 Copy of letter from State Superintendent of Education approving plan of Daleville City Board of Education to construct a new school.
- 2/22/67 Copy of letter from Clarke County Schools' letter addressed to "Secretary" with copy of Clarke County's desegregation plan attached.
- 2/23/67 Revised desegregation plan of Marion County Schools. To Dg 5-23-67
- " Marshal's return on service of writ of injunction and order of May 18, 1967. Service on Bibb County Board of Education on 5/18/67 by service on C. E. Hornsby, President; personal service on C. E. Hornsby, President of Bibb County, Board of Education; Henry Bolding, Britt Cox, and Ellington P. Jones, Members of Bibb County Board of Education, on 5/18/67; personal service on Francis B. Pratt, Superintendent of Schools of Bibb County, on 5/18/67; personal service on Charles Haynes, Member of Bibb County Board of Education, on 5/19/67.
- 2/24/67 Letter dated May 22, 1967, from Clerk, Supreme Court, advising that application for stay presented to Mr. Justice Black, and by him referred to the Court, is denied.
- 2/25/67 Report of United States on amended desegregation plans submitted pursuant to the Court's decree of March 22, 1967, and the Court's order of April 24, 1967.
- Motion of the United States for entry of an order adding as parties defendant The Marengo County Board of Education, M. W. McKee, Chairman, and T. A. Moseley, J. M. DeLoach, Carl Walker, and Thomas Miller, Members, and Frederick D. Ramsey, Superintendent of Schools of Marengo County; The Linden City Board of Education, M. F. Conway, Chairman, and Roy Barkley, C. N. Williams, Larry Walters and W. W. Scott, members, and Ray Jones, Superintendent of Schools of Linden City; The Thomasville City Board of Education, Dr. James M. Spinks, Chairman, and S. Cecil Ross, W. Johnson McCall, C. Dickie Bozeman and George E. Gibson, Members, and Robert T. Short, Superintendent of Schools of Thomasville City; The Jasper City Board of Education, Ted Jackson, Chairman, and Ike May, Charles Wiggins, Jr., Mrs. Dick Wright, and Vernon Shaw, Members, and Bob H. Songer, Superintendent of Schools of Jasper City; The Marion County Board of Education, Earl Hampton, Chairman, Lee Hightower, A. J. Wood, Carl Byrd, and Robert Hester, Members, and Estes Hudson, Superintendent of Schools of Marion County, and for an order requiring the said proposed added defendants to show cause why they should not adopt and implement plans for desegregation in accordance with model plan attached to decree of March 22, 1967, ETC.

DATE	PROCEEDINGS	20	Date Order or Judgment Noted
5/26/67	Revised desegregation plan of Carbon Hill City Schools.		
5/26/67	Copies of correspondence between State Supt. of Education and Blount County Schools re closing of Clebit School and plan for transportation.		
5/26/67	ORDER adding parties defendant and order to show cause. Marengo County Board of Education, its members and the Superintendent of Education; Linden City Board of Education, its members and the Superintendent of Schools; Jasper City Board of Education, its members and the Superintendent of Schools; Marion County Board of Education, its members and the Superintendent of Education, and the Thomasville City Board of Education, its members and the Superintendent of Schools added as parties defendant and ordered to show cause as directed in this order on June 9, 1967, at 9:30 a.m. Clerk directed to issue summons for the additional defendants and have it served together with copies of this order, the plaintiffs' motion for order to show cause filed on 9/22/66; order of 9/30/66 denying issuance of contempt citation, etc.; memorandum opinion, decree and writ of injunction of 3/22/67; order of 4/24/67 adding parties defendant and requiring them to show cause, and motion of U.S. filed 5/25/67 to add parties defendant and for order to show cause. (Copies mailed to counsel.)		
5/26/67	Summons issued as directed and delivered with copies of order of 5/26/67 and its attachments to Marshal for service.		
5/30/67	Stipulation of parties as to appeal record.		
31/67	Amended resolution of Morgan County Board of Education. T		
6/1/67	Marshal's returns on service of summons issued 5/26/67 and the order of 5/26/67 with its attachments. Service on all Marengo County defendants (Board of Education, its members, and the Superintendent of Education) on 5/29/67. Service on the Linden City Board of Education, and all its members except for C. N. Williams, and the Superintendent of Linden City Schools on 5/29/67. Service on the Thomasville City Board of Education, its members, and the Superintendent of Schools, on 5/29/67.		
6/2/67	Marshal's returns on service of summons issued 5/26/67 and the order of 5/26/67 with its attachments. Personal service on Robert Hester, A. J. Wood, Carl Byrd, and Lee Hightower, of Marion County Board of Education, on 5/29/67; Marion County Board of Education and Estes Hudson, Superintendent of Education, served 5/31/67.		
6/5/67	Marshal's additional return on service of summons issued 5/26/67 and order of 5/26/67 with its attachments. C. N. Williams (Linden City Board of Education) on 6/1/67.		
"	Marshal's additional returns on service of summons issued 5/26/67 and order of 5/26/67 with its attachments. City of Jasper Board of Education, Ted Jackson, Mrs. Dick Wright, and Vernon Shaw of Jasper City Board of Education, served 5/31/67. Ike May and Charles Wiggins, Jr., Jasper City Board of Education, served 6/1/67.		
6/5/67	Motion (presented to Judge Rives on 6/2/67) of the defendants Lurleen Burns Wallace, Alabama State Board of Education and its		



DATE	PROCEEDINGS	Date Order or Judgment Noted
/67	members, and Ernest Stone, Secretary and Executive Officer, for extension of time to docket appeal record and file jurisdictional statement. ORDER, entered by Judge Rives on 6/2/67, granting defendants' motion for extension of time and extending time for docketing appeal record and filing jurisdictional statement to and including July 6, 1967. (Copies mailed to counsel.)	
/67	Court reporter's memorandum transcript of excerpt extracted from argument of Mr. St. John Barrett on 4/15/67.	
/67	=Linden City Board of Education's answer to order to show cause.	
0/67 2/67	Marengo County Board of Education's answer to order to show cause. Supplemental report of Troy City School System. Marshall's returns on service of summons issued 5/26/67 and the order of 5/26/67 with its attachments. Service on Bob H. Songer, Supt. of Jasper City schools, on June 7, 1967. Service on J. W. Sullins on June 7, 1967.	
3/67	Amended desegregation plan for Conecuh County schools.	
4/67	ORDER. Marion County Board of Education, its members and the Superintendent of Schools of Marion County enjoined to adopt a desegregation plan in the form attached as Exhibit "A" to the decree of March 22, 1967; to close all grades of Guin High School prior to start of 1967-68 school year and assign each teacher now at Guin High School to other schools in a manner to effect faculty desegregation; to discontinue grades 10, 11 and 12 at Ada Hanna High School prior to beginning of 1967-68 school year; to provide those students affected thereby with an additional 15-day choice period; to formulate a plan by which commencing with the 1968-69 school year, grades 7 through 9 will be offered at no more than one of the following three schools - Byrd, Ada Hanna and Gravel Springs; to serve upon plaintiffs and U.S. and submit to Court within 30 days a report describing the steps taken to implement these matters; Thomasville City Board of Education, its members and the Superintendent of Schools, enjoined to adopt a desegregation plan in the form of Exhibit "A" to decree of March 22, 1967; to desegregate faculties in accordance with plan, to report to the Court and serve upon plaintiffs and U.S. within 20 days a report. No order entered at this time against Linden City, Marengo County and Jasper City Boards of Education. (Copies mailed to counsel.)	
15/67	Writ of injunction issued to Marion County Board of Education, its members and the Superintendent of Schools of Marion County and Thomasville City Board of Education, its members and the Superintendent of Schools.	
"	Amended desegregation plan for Clay County schools.	
"	Report of State Superintendent of Education in accordance with court order. (Reports of individual boards attached.)	
"	Supplemental report of U.S. on amended desegregation plans submitted pursuant to the orders of March 22, 1967, and April 24, 1967.	
17/67 6 a.m.	Bibb County defendants' notice of appeal from order of May 18, 1967, to Fifth Circuit.	
11:15 a.m.	Bibb County defendants' notice of appeal to Supreme Court of U.S. from order of May 18, 1967.	

DATE	PROCEEDINGS	Date Order or Judgment Note
6/23/67	Report of Marengo County Board of Education in accordance with order of 6/14/67 and request for extension of time to July 15, 1967, to submit a supplemental report.	22
"	Report of Linden City Board of Education in accordance with order of 6/14/67.	
6/24/67	Report of Thomasville City Board of Education in accordance with order of 6/14/67.	
6/26/67	State Superintendent of Education's filing of revised reports for Conecuh County, Dale County, Houston County, Lee County, Marengo County, Brewton City, Eufaula City, and Linden City school systems.	
"	State Superintendent of Education's filing of freedom of choice reports of Etowah County, Greene County, Pike County, and Scottsboro City school systems.	
"	Court reporter's transcript of proceedings on May 13, 1967.	
"	Marshal's returns on service of writ of injunction and order of 6/14/67. Service on Earl Hampton, Chairman, Lee Hightower, A. J. Wood, Carl Byrd, Robert Hester, Members of Marion County Board of Education, on 6/20/67. Personal service on Estes Hudson, Superintendent of Marion County Schools, on 6/16/67. Service on Thomasville City Board of Education on 6/21/67 by serving S. Cecil Ross, member. Personal service on 6/21/67 on S. Cecil Ross, W. Johnson McCall, and C. Dickie Bozeman. Service on George E. Gibson by serving copy on Doris Jean Gibson on 6/21/67. Service on Robert T. Short by serving copy on Vella Bea Short on 6/21/67.	
6/27/67	ORDER discharging as parties defendant the defendant Board of Education and officials of the City of Linden upon the ground that the issues raised by the order to show cause entered 5/26/67 are now moot as to them and granting the motion of the defendant Board of Education and officials of Marengo County, Alabama, for an extension of time to July 15, 1967, within which to show cause as required by the order of this Court of 5/26/67. (Copies mailed to counsel.)	
"	Motion of defendants Lurleen Burns Wallace, Alabama State Board of Education and its members, and Ernest Stone, Secretary and Executive Officer, for extension of time to docket appeal record and file jurisdictional statement.	
"	ORDER, entered by Judge Rives, granting defendants' motion for extension of time and extending time for docketing appeal record and filing jurisdictional statement to and including 8/5/67.	
7/3/67	Report of Macon County Board of Education on faculty assignments for 1967-68.	
"	Report of Lanett City Schools on faculty assignments and steps to be taken to equalize facilities.	
7/6/67	State Superintendent of Education's filing of revised freedom of choice plans for Conecuh County, Chilton County, Henry County, Marion County, Florala City, Opelika City, Roanoke City, and Scottsboro City Boards of Education.	
"	State Superintendent of Education's plan for equalization of facilities, courses of study, etc.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
7/67	Amended desegregation plan for Thomasville City Schools.	23
10/67	Report of Jasper City Board of Education in accordance with order of June 14, 1967.	
"	United States' cross designation of record for certification to Supreme Court.	
"	<u>Report of Marion County Schools</u> in accordance with order of June 14, 1967.	
"	Florence City schools' report of enrollment by grades and race for 1967-68 school year.	
"	Copy of letter from Coosa County schools to State Supt. of Education re closing of Adams Elementary School, Rockford, Ala. and transfer of pupils to other schools.	
13/67	Supplemental report of Marengo County Board of Education.	
"	ORDER to show cause. Ordered that a copy of the report of the Board of Education of Marengo County, Ala., filed this date, be forwarded to attorneys representing plaintiffs and to attorneys representing plaintiff-intervenor and amicus curiae, and that plaintiffs and/or the plaintiff-intervenor and amicus curiae show cause, in writing, on or before August 2, 1967, as to why this Court should not dismiss school officials of Marengo County, Alabama, as defendants in this cause. (Copies of report and order mailed as directed.)	
4/67	ORDER adding parties defendant. John W. Gardner, Secretary of Health, Education and Welfare, F. Peter Libassi, United States Commissioner of Education, and James R. Dunn, Attorney for the United States Department of Health, Education and Welfare, added as parties defendant.	
"	Temporary restraining order and order setting cause for hearing. The added defendants, John W. Gardner, as Secretary of Health, Education and Welfare of the United States, Peter F. Libassi, United States Commissioner of Education, and James R. Dunn, Attorney for the United States Department of Health, Education and Welfare, enjoined from terminating any federal financial assistance to the Lanett City Schools, Lanett, Alabama, or any other school or school system listed in the order of 3/22/67 until further order of this Court. Hearing for purpose of determining whether this temporary restraining order should be enlarged into preliminary and/or permanent injunction set for 9:30 a.m., July 22, 1967. (Copies of temporary restraining order and order adding parties defendant delivered to Marshal for service on U.S. Attorney and for service by registered mail on the added defendants and the Attorney General of the U.S. Copies mailed by Clerk to counsel.)	
14/67	Report of State Superintendent of Education on bus routes for 1967-68 school year.	
9/67	additional Marshal's return on service of writ of injunction and order of 6/14/67. Personal service on Dr. James M. Spinks, Thomasville, Ala., on 7/17/67.	
12/67	ORDER extending temporary restraining order of July 14, to be in full force and effect as issued, unless otherwise ordered, until August 3, 1967. (Copies mailed to counsel.)	
24/67	Marshal's return on temporary restraining order and order adding parties defendant, dated 7/14/67. Personal service on Ben Hardeman, U.S. Attorney, on 7/14/67; service by registered mail on John D. Gardner, Secretary, HEW; Ramsey Clark, Attorney General; Peter Libassi, Commissioner, HEW; and James R. Dunn, Attorney, HEW, on July 17, 1967.	

DATE	PROCEEDINGS	Date Order or Judgment Note
7/25/67	Motion of appellants, the Bibb County Board of Education, Ellington P. Jones, Henry Bolding, Britt Cox, C. E. Hornsby, Jr. and Francis B. Pratt, for extension of time for filing the record on appeal in the United States Court of Appeals, Fifth Circuit.	24
"	ORDER granting appellants' motion of 7/25/67 for extension of time for filing record on appeal to Fifth Circuit Court of Appeals to and including 9/15/67. (Copies mailed to counsel.)	
7/26/67	Defendants' amendment of and supplement to designation of the portions of the record to be certified by the Clerk of this Court to The Supreme Court of the United States contained in the original notice of appeal to The Supreme Court of the United States.	
"	ORDER amending order of this court made herein on 7/14/67 adding parties defendant by making F. Peter Libassi as Special Assistant to the Secretary of Health, Education and Welfare for Civil Rights and Director of the Office for Civil Rights of Health, Education and Welfare, rather than as United States Commissioner of Education. (Copies mailed to counsel.)	
7/28/67	HEW's tabulation to terminate federal financial assistance to Alabama school systems named in Court's order of March 22, 1967.	
"	OPINION and PRELIMINARY INJUNCTION. Defendant officials of Department of Health, Education and Welfare enjoined from terminating or deferring any federal financial assistance to the Lanett City Schools or any other school listed until further order of this Court; defendant officials of HEW are to take necessary steps to rescind action deferring or terminating federal financial assistance to any school system named in March 22, 1967, order. (Copies mailed to counsel and superintendents of ninety-nine school systems and copies delivered to Marshal for service on Ben Hardeman and defendant officials of HEW.)	
"	Writ of injunction issued against defendant officials of Department of Health, Education and Welfare.	
7/29/67	Court reporter's transcript of proceedings on 7/22/67.	
8/1/67	ORDER that original exhibits and depositions designated as part of the appeal record in this cause, in lieu of copies thereof, be certified by the Clerk of this court to the Clerk of the Supreme Court; exhibits and depositions to be transmitted by Railway Express at appellants' expense, to be returned to the Clerk of this Court when the Supreme Court is finished with them; and further ordered that copies of depositions heretofore deposited with Clerk of this Court by the U.S. be accepted in evidence in lieu of the originals transmitted to the Supreme Court until such time as said originals are returned. (Copies mailed to counsel.)	
8/2/67	Plaintiffs' objections to dismissal of Marengo County school officials as parties defendant.	
"	Report of the U.S. upon transportation routes, criteria, and letters transmitted to the Court by the State Superintendent of Education.	
"	Motion of the U.S. for more specific relief implementing Section III of the Court's decree of March 22, 1967.	
"	Motion of the U.S. for an order requiring State Superintendent Ernest Stone to further implement Section VI of the decree of March 22, 1967.	
"	Report of the U.S. upon, and objections to, the proposed plan for equalization of physical facilities, equipment, services, courses of instruction, and instructional materials.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
/67	ORDER granting motion of U.S. for order requiring the defendant Dr. Ernest Stone to take certain action to further implement Section III of decree of March 22, 1967. Dr. Stone required to: (1) have some 59 named school systems furnish supplemental information with respect to bus transportation; (2) approve or disapprove the proposed bus transportation routes, etc., as submitted by the school systems as required by the March 22, 1967, order; (3) require of those systems whose plans he disapproves that they submit routes, etc., meeting the standards which State Superintendent has previously submitted to this Court; and (4) report to the Court no later than August 15, 1967, the results of the action required by this order. (Copies mailed to counsel and Dr. Stone)	25
	ORDER granting motion of U.S. for an order requiring the defendant Dr. Ernest Stone, as State Superintendent of Education, to take certain action to further implement Section VI of the decree of March 22, 1967. Dr. Stone ordered to: (1) Prepare more detailed proposed plan for equalization in accordance with requirements of decree and to submit such plan to Court by Aug. 15, 1967; (2) with respect to school systems in which there are inequalities between schools heretofore maintained for white students and those heretofore maintained for Negro students, in cooperation with the local school officials prepare detailed plan for correction of such inequalities and submit such plan, with description of steps taken to implement it, no later than Nov. 1, 1967. (Copies mailed to counsel and to Dr. Stone.)	
	Answer of U.S. to order to show cause why Marengo County school officials should not be dismissed as parties defendant.	
/67	Motion (presented to Judge Rives on 8/2/67) of appellants for extension of time to docket record on appeal and file jurisdictional statement.	
	ORDER (entered by Judge Rives on 8/2/67) extending time for docketing appeal record and filing jurisdictional statement to Aug. 14, 1967.	
/67	Clerk's certification of exhibits and depositions.	
/67	Appellant state officials' amendment and supplement to designation of record on appeal.	
"	Clerk's certificate as to record.	
/67	Record mailed by certified mail to Supreme Court. Exhibits and depositions forwarded by Railway Express.	
/67	Request of State Superintendent of Education for extension of time to October 1, 1967, to submit complete report ^{as required by order 8/2/67} from the 99 school system in connection with implementation of Section VI of decree of March 22, 1967.	
0/67	Request of State Superintendent of Education for extension of time to Sept. 15, 1967, to submit the report required by order of 8/2/67 on school transportation.	
0/67	State Superintendent of Education's filing of copies of letters, materials and tables mailed to superintendents of education in the 99 systems having pupil transportation in order to secure the information necessary for State Superintendent to approve or disapprove bus routes.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
8/10/67	State Superintendent of Education's filing of copies of his letter (and attachments) directed to the superintendents of school systems enumerated in order of 8/2/67 that needed to take some additional action in connection with their transportation plans.	26
" 8/14/67	State Superintendent of Education's revised proposed equalization plan.	
" 8/14/67	ORDER granting State Superintendent of Education an extension of time from August 15, 1967 to October 1, 1967, to submit complete report as required by order of 8/2/67 of detailed program for bringing the quality of physical facilities, equipment, services, courses of instruction and instructional materials of schools previously maintained for Negro students up to the level of schools previously maintained for white students; and granting State Superintendent of Education's request for an extension of time from August 15, 1967, to September 15, 1967, in which to submit a detailed report approving or disapproving the transportation routes of the school systems involved in the order of this court made herein on March 22, 1967. (Copies mailed to counsel.)	
" 8/15/67	State Superintendent of Education's partial report on physical facilities, equipment, services, courses of study, instructional material, pupil-teacher ratios, pupil-classroom ratios, survey classification of buildings and sites, per-pupil expenditures, valuation of school property, library books per pupil, accreditation, and transportation.	
" 8/15/67	Request of Bibb County Board of Education for an extension of thirty days for filing jurisdictional statement and record on appeal in the Supreme Court of the United States.	
" 8/18/67	ORDER extending time for filing of record on appeal by Bibb Co. Bd. of Education and added parties defendant and for filing of jurisdictional statement in the Supreme Court of the United States to and including September 15, 1967. (Copies mailed to counsel.)	
" 8/18/67	Defendants Marengo County School Board's reply to opposition to dismissal as party defendant.	
" 8/23/67	Marshal's returns on service of writ of injunction and opinion and preliminary injunction of July 28, 1967. On July 28, 1967, two copies mailed by registered mail to Attorney General of U.S., one copy each mailed by registered mail to Hon. John W. Gardner, Secretary of Health, Education and Welfare, Hon. F. Peter Libassi, Special Assistant to Secretary of Health, Education, and Welfare, and Hon. James R. Dunn, Attorney, U.S. Dept. of Health, Education and Welfare, Washington, D. C. Return receipts received from those addressed to Attorney General and to F. Peter Libassi showing receipt on 7/31/67. Personal service on Ben Hardeman, U.S. Attorney, on 7/31/67.	
" 9/2/67	Notice of motion and motion of Alabama State Teachers Association for leave to intervene as plaintiff. Proposed complaint in intervention attached.	
" 9/2/67	Plaintiffs' motion for further relief (for invalidation of Acts No. 266 and No. 285 of Alabama Legislature, Regular Session, 1967, and for preliminary and permanent injunction against enforcement of same.)	
" 9/2/67	Plaintiffs' application for temporary restraining order.	

DATE	PROCEEDINGS	27	Date Order or Judgment Noted
t/67	Motion of the United States to add parties defendant and for an order to show cause.		
	Motion of the United States for leave to file a supplemental complaint seeking a declaration of the unconstitutionality of Senate Bill No. 596 passed by the Alabama Legislature and an injunction against its enforcement. Copy of proposed supplemental complaint attached.		
	Motion of the United States for preliminary injunction enjoining enforcement of Senate Bill No. 596 passed by Ala. Legislature.		
9/67	TEMPORARY RESTRAINING ORDER. Defendants temporarily enjoined and restrained from enforcing Act No. 285 of the State of Alabama until further order; defendant Ernest Stone ordered to notify superintendent of each of the school systems named in order of March 22, 1967, as to issuance of this temporary restraining order. Plaintiffs' motion for preliminary injunction (motion for further relief filed Sept. 2, 1967), and motions of U.S. for leave to file supplemental complaint and for preliminary injunction set for hearing at 9:30 a.m., Sept. 16, 1967.		
"	Notice, pursuant to Section 2284, Title 28, U.S. Code, and temporary restraining order of 9/5/67, to Governor, State of Alabama, and Attorney General, State of Alabama. Copies of plaintiffs' motion for further relief, filed 9/2/67, and motions of U.S. for leave to file supplemental complaint and for preliminary injunction, and the temporary restraining order of 9/5/67 attached to notice and mailed by certified mail, return receipt requested, to Governor Lurleen B. Wallace and Attorney General MacDonald Gallion.		
"	Copies of temporary restraining order mailed by certified mail to superintendents of the 99 school systems named in order of March 22, 1967.		
"	ORDER setting motion of U.S. filed 9/4/67, to add parties defendant and for order to show cause, for hearing at 9:30 a.m., Sept. 16, 1967. Baldwin County Board of Education and each member thereof, the Cherokee County Board of Education and each member thereof, the Chilton County Board of Education and each member thereof, the Pickens County Board of Education and each member thereof, and the Washington County Board of Education and each member thereof, ordered to appear before this Court on 9/16/67 at 9:30 a.m., to show cause why they should not be named as party defendants. (Copies mailed by certified mail to the superintendent and each member of the Board of Education in these counties.)		
"	ORDER setting motion of Alabama State Teachers Association, Inc., for leave to file complaint in intervention, for hearing on 9/16/67 at 9:30 a.m. (Copies mailed by certified mail to attorneys of record.)		
"	United States' certificate of service on opposing counsel of its motion for leave to file supplemental complaint, motion for preliminary injunction, and memo in support of motion for preliminary injunction.		

DATE	PROCEEDINGS	Date Order or Judgment Note
9/6/67	Marshal's returns on service of temporary restraining order. Endeavor made to serve Governor Lurleen B. Wallace on 9/5/67; affidavit of DUSM James W. Burns filed in connection therewith; further endeavor made on 9/6/67. Copy placed on desk of Hugh Maddox upon his refusal to accept service for the Governor. Service on Ed Dannelly, member, State Board of Education, Macon County Board of Education, B.O. Duke, Dr. C. G. Gomillion, Mrs. Frances Rush, John M. Davis, members of Macon County Board of Education, and Joe C. Wilson, Superintendent of Education of Macon County, on 9/5/67. Alabama State Board of Education and Dr. Ernest Stone, Secretary and Executive Officer thereof, and Attorney General, State of Alabama, served on 9/6/67.	28
9/7/67	Marshal's additional return on service of temporary restraining order. Personal service on Dr. Harold Martin on 9/6/67.	
9/8/67	Marshal's additional returns on service of temporary restraining order. Personal service on Victor P. Poole, Dr. James D. Nettles, Fred L. Merrell, Cecil Word, and W. M. Beck on 9/6/67.	
9/11/67	Marshal's additional return on service of temporary restraining order. Personal service on Mrs. Carl Strang on 9/11/67.	
9/12/67	Marshal's additional return on service of temporary restraining order. Personal service on W. C. Davis on 9/8/67.	
9/13/67	ORDER for transmittal of copy, in lieu of original, of record to U.S. Court of Appeals for the Fifth Circuit on the Bibb County officials' appeal.	
"	Clerk's certificate as to record.	
"	Record on Bibb County defendants' appeal to Fifth Circuit mailed by certified mail.	
9/14/67	ORDER extending time for docketing record on appeal by Bibb County Board of Education and added parties defendant and for filing the jurisdictional statement in the Supreme Court of the United States to and including the 30th day of September, 1967. (Copies mailed to counsel.)	
9/15/67	Report of State Superintendent of Education on transportation-- approved and disapproved proposed transportation routes, list of route deficiencies, letters from county and city superintendents concerning removing deficiencies of their bus routes, etc., revised bus route data sheets; revised transportation criteria that were determined deficient as originally submitted; revised letters to parents that were determined deficient as originally submitted.	
"	Deposition of Dr. Ernest Stone.	
9/16/67	Objections of the Dallas County Board of Education and its members.	
"	Objections and/or answer of Dallas County Board of Education and its members to motion of U.S. to show cause.	
"	Affidavit of J. Burney Bishop, Superintendent of Schools of Cherokee County.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
0/67	ORDER. Oral motion of U.S., made in open court 9/16/67, to strike the Baldwin County Board of Education, its members and the Superintendent of Schools of Baldwin County and the Pickens County Board of Education, its members and the Superintendent of Schools of Pickens County from its motion of 9/4/67 seeking to add said parties as defendants granted; motion of U.S. for leave to file supplemental complaint granted; objections of Dallas County Board of Education to motion of U.S. to add that board of education, its members, and the superintendent of schools as defendants, to extent that the objections are based upon contention of lack of jurisdiction, improper venue, improper joinder under Rule 20, Federal Rules of Civil Procedure, and failure to state a claim upon which relief can be granted, overruled; motion of Alabama State Teachers Association, Inc., for leave to intervene as plaintiff and seeking to file complaint in intervention attached to motion granted. Clerk directed to have Marshal serve complaint in intervention upon defendants Lurleen Burns Wallace (or in her absence from State of Alabama upon Hugh Maddox, her legal adviser), upon Ernest Stone as Secretary and Executive Officer of Alabama Board of Education, and upon the Honorable MacDonald Gallion, Attorney General for State of Alabama. (Copies mailed to counsel.) Alabama State Teachers Association, Inc.'s. complaint in intervention filed as ordered. Supplemental complaint of United States filed as ordered. Summons issued and delivered to Marshal with copies of complaint in intervention of Alabama State Teachers Association, Inc., and order of 9/20/67 for service as directed in the order of 9/20/67.	
20/67	Marshal's returns on service of summons, complaint in intervention of Alabama State Teachers Association, Inc., and order of 9/20/67. Personal service on Ernest Stone as Secretary and Executive Officer of the Alabama Board of Education; service on MacDonald Gallion, as attorney general of Alabama, by service in his absence on Gordon Madison, Assistant Attorney General; service on Lurleen Burns Wallace, as Governor of Alabama and President of Alabama State Board of Education, in her absence, on Hugh Maddox, her legal adviser, all on 9/20/67.	
26/67	Motion of defendant state officials for more definite statement as to complaint filed by Alabama State Teachers Association, Inc., and motion to dismiss said complaint.	
26/67	ORDER (Judge Johnson) denying motions for more definite statement and to dismiss complaint of Alabama State Teachers Association, Inc. (Copies mailed to counsel.)	
27/67	Report of Macon County Superintendent of Education upon student enrollment and faculty assignments.	
28/67	Interrogatories of defendants Lurleen Burns Wallace and Ernest Stone to intervening plaintiff, Alabama State Teachers Association, Inc.	
30/67	Motion of U.S. for entry of order ex parte adding as parties defendant the Henry County Board of Education, the individual members thereof and the Superintendent of Schools of Henry County, and for an order to show cause.	

DATE	PROCEEDINGS	Date Order or Judgment Note
9/30/67	ORDER granting motion of U.S. to add as parties defendant the Henry County Board of Education, the individual members thereof, and the Superintendent of Schools of Henry County, and directing that the Henry County Board of Education, Buris P. Davis, Chairman, J. Tom Hayes, J. M. Etheridge, Chester Sanders and Ernest Phillips, members of the Henry County Board of Education, and Willie J. McLain, Superintendent of Schools of Henry County, appear before this Court on Saturday, October 7, 1967, at 9:30 a.m. and show cause why they should not be enjoined from giving any effect to decree entered 9/28/67 by Circuit Court of Henry County in <u>Elmore, et al. v. McLain, et al.</u>, to extent that said decree requires the reopening for the 1967-68 school year of grades 9-12 of Newville School. (Copies delivered to Department of Justice for service on added defendants. Copies mailed to counsel.)	30
10/2/67	Marshal's return on service of order of 9/30/67. Service on Henry Knowles (instead of Buris P. Davis), J. Tom Hayes, J. M. Etheridge, Chester Sanders, and Ernest Phillips, as members of Henry County Board of Education, and Willie J. McLain, Superintendent of Schools of Henry County, by leaving 6 copies with J. Tom Hayes on 9/30/67.	
10/2/67	State Superintendent's report submitting inventory reports on equalization of physical facilities, equipment, services, course of instruction and instructional materials from the 99 school systems, excluding some that have abolished their dual school systems.	
10/2/67	Court reporter's transcript of proceedings on September 16, 1967.	
10/4/67	ORDER continuing hearing set for October 7, 1967, to Thursday, October 12, 1967, at 1:30 p.m. (Copies mailed by certified mail to Henry County Board of Education, its individual members, and Willie J. McLain, Superintendent of Schools of Henry County. Copies mailed by regular mail to counsel.)	
10/5/67	Report of State Superintendent of Education on student and faculty desegregation in the junior and senior colleges under State Board of Education control and the Alabama State Trade (Technical) Schools in accordance with Section V of the March 22, 1967, decree.	
10/5/67	Report of State Superintendent of Education on student and faculty desegregation. Individual reports from all 99 school systems, with exception of Conecuh County, Etowah County, Cullman County, Franklin County, Mountain Brook City, Muscle Shoals City, and Opp City attached.	
10/6/67	Supplemental report of State Superintendent of Education on student and faculty desegregation in junior and senior colleges under State Board control--reports of Southern Union State Junior College and Florence State College.	
10/9/67	Supplemental report (report of Snead Junior College) of State Superintendent on student and faculty desegregation in junior and senior colleges.	

DATE	PROCEEDINGS	31	Date Order or Judgment Noted
'10/67	Response of defendant Governor of Alabama to the show cause orders of September 30, 1967, and October 4, 1967, directed to the Henry County Board of Education and Superintendent of Schools. Answer of defendants Lurleen Burns Wallace and Ernest Stone to complaint of Alabama State Teachers Association, Inc.		
'12/67	ORDER denying motion of U.S., filed on 9/4/67, asking that the Cherokee, Chilton, Dallas, Limestone and Washington County Boards of Education be added as parties defendant on the ground that the motion was not timely. (That part of the motion of 9/4/67 seeking to add Baldwin and Pickens Counties was withdrawn.) The Cherokee, Chilton, Dallas, Limestone, and Washington County school systems found, however, not to be in adequate compliance with the faculty and staff desegregation requirements of the decree of March 22, 1967, with further affirmative action necessary between now and beginning of next grading period in January 1968 to comply with the March 22, 1967, decree. (Copies mailed to counsel.)		
'16/67	Answers of Alabama State Teachers Association, Inc. to defendants' interrogatories.		
'18/67	Court reporter's transcript of proceedings on Oct. 12, 1967.		
30/67	Opinion of three-judge court relative to proceedings involving the Henry County Board of Education and the order entered by the Circuit Court of Henry County, Alabama, requiring it to reopen grades 9-12 of Newville School.		
"	DECREE enjoining the Henry County Board of Education, its members, and Willie J. McLain, Superintendent of Schools of Henry County, from giving any effect to the decree entered by the Circuit Court of Henry County, Alabama, on September 28, 1967, in the case of Elmore, et al. v. McLain, et al., to the extent that said decree of Circuit Court of Henry County requires the Henry County Board of Education to reopen grades 9-12 of Newville School of 1967-68 school year. (Copies of opinion and decree mailed to counsel.)		
"	Writ of injunction issued to Henry County Board of Education; Buris P. Davis, Chairman, J. Tom Hayes, J. M. Etheridge, Chester Sanders and Ernest Phillips, Members of Henry County Board of Education, and Willie J. McLain, Supt. of Schools of Henry County, in accordance with opinion and decree of 10/30/67, and delivered to Marshal for service.		
27/67	Additional report (supplement to that filed on 10/5/67) of State Superintendent of Education on school desegregation. Reports of Conecuh County, Cullman County, Etowah County, Franklin County, Mountain Brook City, Muscle Shoals City, and Opp City systems and revised reports of Anniston, Attalla, and Roanoke city systems attached.		
31/67	Marshal's returns on service of opinion, decree, and writ of injunction of 10/30/67. Personal service on Willie J. McLain, Superintendent of Schools of Henry County; service on Henry County Board of Education and the members thereof by service on T. T. Ward, the Board's attorney, on 10/30/67.		

DATE	PROCEEDINGS	32 Date Order or Judgment Noted
11/3/67	Opinion and DECREE. Act No. 266 of 1967 Session of Alabama Legislature (Tuition Grant Statute) found violative of equal protection clause of Fourteenth Amendment. Defendants enjoined from enforcing or seeking to enforce it by any means. Writ of injunction issued.	
"	Opinion and DECREE. Act No. 285 of 1967 Session of Alabama Legislature (Teacher choice statute) found violative of equal protection clause of Fourteenth Amendment. Defendants enjoined from enforcing or seeking to enforce it by any means. Writ of injunction issued.	
11/8/67	Report of State Superintendent of Education on teacher training and in-service training programs of the school year 1967-68. Individual reports from all 99 school systems attached.	
11/8/67	Marshal's returns on service of opinion and decree and writ of injunction in connection with Act No. 266 of 1967 Session of Alabama Legislature. Attorney General, State of Alabama, served 11/3/67 by service on Gordon Madison, Assistant Attorney General; Governor Lurleen Burns Wallace served 11/3/67 by service on Hugh Maddox, Legal Adviser; personal service on Ernest Stone, State Superintendent of Education, on 11/6/67.	
"	Marshal's returns on service of opinion and decree and writ of injunction as to Act No. 285 of 1967 Session of Alabama Legislature. Service effected in the same manner and on the same dates as service in connection with the Act No. 266 opinion, etc.	
"	Clerk's certificate of service by registered mail, return receipt requested, on members of State Board of Education, State of Alabama, of the two opinion and decrees and writs of 11/3/67.	
"	Clerk's certificate of service by certified mail, return receipt requested, on superintendents of the 99 school systems named in March 22, 1967, order and the members of the Macon County Board of Education and the Superintendent of Education of Macon County, of the two opinion and decrees and, in the case of the Macon County defendants only, the two writs of injunction of 11/3/67.	
12/6/67	Opinion (dated December 4, 1967) of Supreme Court. Motions to affirm granted and judgment affirmed.	
1/3/68	Judgment (dated 12/4/67) of Supreme Court. Motions to affirm granted and the judgment of this District Court affirmed.	
1/10/68	Supplemental report of State Supt. on transportation in Geneva Co. schools.	
1/16/68	ORDER, pursuant to opinion and order of Supreme Court, directing the Bibb County Board of Education to comply immediately and in all respects with the order of March 22, 1967, and, to the extent pertinent, with each order and decree made in this case since that date. (Copies mailed to counsel and to State Superintendent of Education.)	
2/20/68	Notice of motion and motion of U.S. for order requiring defendant State Superintendent of Education to notify the 99 school systems listed in decree of 3/22/67 that still have traditionally white and traditionally Negro schools that they must adopt a supplement to their desegregation plans providing that commencing with school year 1968-69 such schools will not belong to any athletic association unless all schools in the system eligible for	

membership in such association have become members and that no school in the system will belong to any league or other association that consists only of traditionally white or traditionally Negro schools; that the school system henceforth will schedule all interscholastic athletic contests without regard to race and that schedules already completed for 1968-69 and 1969-70 school years will be adjusted so that no team will play only predominantly white or predominantly Negro schools. The U.S. moves also for an order requiring the State Superintendent of Education to notify those school systems listed in decree of 3/22/67 that no longer have both traditionally white and traditionally Negro schools that they must adopt a supplement to their desegregation plans that will provide in substance that the school system will henceforth schedule all interscholastic athletic contests without regard to race.

1/68 ORDER setting motion of the U.S. for hearing commencing at 9:30 a.m., Saturday, March 9, 1968. (Copies mailed to counsel.)

7/68 Notice of motion and motion of U.S. for an order requiring the defendant Alabama State Board of Education, the defendant members of said board, and the defendant State Superintendent of Education to require that all colleges and junior colleges subject to their control, commencing with the school year 1968-69, belong to no athletic conference, league, or association unless all eligible state colleges or state junior colleges with interscholastic athletic programs belong to same conference, league or association, and schedule interscholastic athletic contests without regard to race.

'68 United States' notice of taking the depositions of Dr. Ernest Stone, Herman Scott, Severne Frazier, Woodfin Pierce Patterson, Ben Jobe, John Fulgham.

Depositions of Harold E. Lutz, Gerald Stephens, John L. Meadows.

Depositions of Wiley E. Spivey; Julien M. Strassburger; William Hays Henderson; James L. Lovvorn; Andrew T. McKenzie; John Calvin Black; Billy P. Ship; Henry H. Self; Thompson Clay Reynolds; Frank Thomas Sadler; William Stone Doty; Louie William Harrelson.

68 United States' supplemental notice of taking depositions of H. L. Shaw, Walker Alexander, James Mosby, and C. J. Dunn.

68 United States' notice of taking the deposition of E. H. Rigby.

68 Deposition of John Fulgham.

" " E. H. Rigby.

" " Walker S. Alexander.

" " Herman L. Shaw, Jr.

" " Woodfin Patterson.

" " Dr. Ernest Stone.

" " Robert Mosby.

" " V. J. Dunn.

" " Severne Allen Frazier.

" " Herman L. Scott.

DATE	PROCEEDINGS	Date Order or Judgment Note
3/9/68 3/11/68	United States' submission of enrollment statistics.	
	ORDER adding as parties defendant the Alabama High School Athletic Association, members of the Central Board of Control of said association, and Herman L. Scott, as Executive Secretary of said association; the Alabama Interscholastic Athletic Association, members of the Central Board of Control of said association, and Severne Allen Frazier, as Executive Secretary of said association; the Alabama Junior College Conference and members of the Executive Committee of said conference; the Alabama Collegiate Conference and members of the Executive Committee of said conference; the Southern Intercollegiate Athletic Conference and members of the Executive Committee of said conference. These defendants ordered to appear at 9:30 a.m., March 23, 1968, and show cause why appropriate orders should not be entered disestablishing the racially dual athletic systems in the schools. (Copies mailed counsel.)	
3/12/68 "	Copies of order of 3/11/68 delivered to Marshal for service on added defendants. Marshal's return on service of order of 3/11/68. Service on Alabama High School Athletic Association by serving Herman L. Scott, Executive Secretary; service on James R. Allen, J. L. Nolen, Sam W. Jones, J. T. Greene, Frank Kendall, F. T. Dobbs, W. W. Hester and M. G. Couch, members of the Central Board of Control of the Alabama High School Athletic Association by service on Herman L. Scott, Executive Secretary of said association; personal service on Herman L. Scott, Executive Secretary, Alabama High School Athletic Association. Service on Alabama Interscholastic Athletic Association and Severne Allen Frazier, Executive Secretary, by personal service on Severne Allen Frazier, Executive Secretary of said association; service on H. L. Shaw, James Hall, Lawrence Presley, W. J. Yelder, W. F. Burns, W. E. Scoggins, R. A. Stewart, Walker Alexander, Hugh Martin, George Mosby, John Nolen, and Eugene Royster, members of the Central Board of Control of the Alabama Interscholastic Athletic Association by service on Severne Allen Frazier, Executive Secretary. Service on Southern Intercollegiate Athletic Conference, E. L. Jackson, Julian Bell, Frank Forbes, C. Johnson Dunn, A. S. Gaither, Jay Hawkins, William Powell, W. T. Green, A. J. Lockhart, H. W. Crawford, and H. B. Thompson, as members of the Executive Committee of the Southern Intercollegiate Athletic Conference, by service on C. Johnson Dunn, member of said conference. Above served 3/12/68.	
3/13/68	Marshal's additional return on service of order of 3/11/68. Personal service on Walter Graham and Rex Turner, each as a member of the Executive Committee of the Alabama Junior College Conference, on 3/13/68.	
"	Defendants' summaries of depositions relating to the United States' motion concerning athletics.	
"	United States' summaries of depositions.	
3/15/68	United States' notice of motion and motion for production.	
"	Marshal's additional return on service of order of 3/11/68. Personal service on Dr. Lathem N. Sibert (member of the Executive Committee of the Ala. Junior College Conference) 3/13/68. Returned unexecuted as to B. E. Lee. Unable to locate in Monroeville 3/13/68. Writ forwarded by Marshal to Birmingham for service on him there.	
3/19/68	Motion of defendant Alabama High School Athletic Association to produce.	
"	Defendant Alabama High School Athletic Association's request for admission.	
3/20/68	Marshal's additional return on service of order of 3/11/68. Personal service on E. R. Knox (Ala. Jr. College Conference) on 3/18/68.	

ATE	PROCEEDINGS	Date Order or Judgment Noted
0/68	ORDER (Judge Johnson) granting motion of U.S. filed 3/15/68 for production. Herman L. Scott ordered to produce on or before 3/22/68 the documents enumerated in said motion. Motion of Alabama High School Athletic Association, filed 3/19/68, for production granted. U.S. ordered to produce on or before 3/22/68 the items enumerated in said motion to extent that they relate to athletic programs and contests by public schools in State of Alabama, athletic association membership in Alabama, or complaints of discrimination on grounds of race in administration of athletic programs. (Copies mailed to counsel.)	
/68	Response of U.S. to Alabama High School Athletic Association's request for admissions.	
/68	Answer of Ala. High School Athletic Assn. to order to show cause.	
/68	Plaintiffs' response to Alabama High School Athletic Association's request for admissions.	
	Marshal's additional return on service of order of 3/11/68. Personal service on B. E. Lee, Member of Executive Committee, of the Alabama Junior College Conference, on 3/20/68.	
/68	Marshal's additional return on service of order of 3/11/68. Personal service on James Glasgow (Alabama Junior College Conference) on 3/21/68.	
/68	Marshal's additional return on service of order of 3/11/68. Personal service on Bill Short (Alabama Collegiate Conference) on 3/19/68. Service on Alabama Collegiate Conference, Dallas Lancaster, Earl Watson, Ward Tishler and Jack Powell, by service on Bill Short on 3/19/68.	
/68	Opinion of three-judge court.	
* /68	DECREE. State Superintendent of Education; State Board of Education and its individual members; the Alabama High School Athletic Association, its individual members and officers, and the Alabama Interscholastic Athletic Association, its individual members and officers enjoined from operating a dual athletic system in the public schools of the State of Alabama and to take affirmative action, as set out in the decree, to disestablish the dual athletic system based on race: State Superintendent of Education to require all local school systems under his control that are enumerated in order of 3/22/67, if they belong to a statewide athletic association, to belong to the same one; Alabama High School Athletic Association and Alabama Interscholastic Athletic Association ordered merged so that there will be only one high school athletic association in Alabama; parties--both plaintiffs and defendants--ordered to submit a plan or plans for this merger within 30 days; effective immediately all athletic programs, contests and competitions, where more than two schools participate, ordered conducted and held without regard to racial composition of the schools; State Superintendent of Education ordered to notify each of school systems listed in order of 3/22/67 that if it desires to belong to an athletic association, it must belong to the one formed by the merger herein ordered;	

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	State Superintendent also to inform these local school systems as to the other provisions in this order. All other relief sought by the United States and the plaintiffs denied. Court specifically retains jurisdiction. (Copies of opinion and decree mailed to counsel.)		
4/1/68	Writ of injunction issued, in accordance with opinion and decree, to Alabama State Board of Education, Dr. Ernest Stone, Secretary and Executive Officer of Alabama State Board of Education and the Alabama State Superintendent of Education; James D. Nettles, Ed Dannelly, Mrs. Carl Strang, Fred L. Merrell, W. M. Beck, Victor P. Poole, W. C. Davis, Cecil Word and Harold C. Martin, as members of the Alabama State Board of Education; the Alabama High School Athletic Association, its individual members and officers, and the Alabama Interscholastic Athletic Association, its individual members and officers.		
"	Writ of injunction and copies of opinion and decree delivered to Marshal for service on Alabama State Board of Education and its members; Dr. Ernest Stone, etc., the Alabama High School Athletic Association and Herman Scott, Executive Secretary, and the Alabama Interscholastic Athletic Association and Severne Allen Frazier, its Executive Secretary. Copies mailed by Clerk by certified mail, return receipt requested, to the members of the Central Boards of Control of these two athletic associations.		
4/8/68	Marshal's return on service of writ of injunction and opinion and decree. Personal service on James D. Nettles (Member, State Board of Education) on 4/3/68.		
4/9/68	Marshal's return on service of writ of injunction and opinion and decree. Personal service on Victor P. Poole (Member, State Board of Education) 4/5/68; Personal service on Cecil Word (Member, State Board of Education) 4/4/68; Unexecuted as to W. C. Davis (Member, State Board of Education) 4/7/68. He is in Detroit, Mich. on business until 4/15/68.		
4/10/68	Marshal's return on service of writ of injunction and opinion and decree. Personal service on Harold C. Martin (Member, State Board of Education) on 4/8/68; service on W. M. Beck (Member, State Board of Education) by serving Mrs. W. M. Beck on 4/8/68.		
4/23/68	Marshal's return on service of writ of injunction and opinion and decree. Personal service on Fred L. Merrell, Anniston, Ala., on 4/6/68.		
4/26/68	Marshal's additional return on service of writ of injunction and opinion and decree of 4/1/68. Personal service on W. C. Davis on 4/23/68.		
4/29/68	Report of State Superintendent of Education in accordance with opinion and order entered 4/1/68. Proposed plan for merger of the two high school athletic associations attached.		
5/3/68	ORDER that merger plan of Alabama High School Athletic Association and the Alabama Interscholastic Athletic Association filed April 29, 1968, which is attached hereto, is approved and		

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	accepted. Parties ordered to take appropriate affirmative action, to extent that same is required by their official duties, to implement said merger plan in such a way that it will disestablish the dual athletic system based upon race in the public schools. (Copies of this order mailed by certified mail, return receipt requested; to State Superintendent of Education and the executive secretaries and members of the central boards of control of the two associations being merged; copies mailed by regular mail to counsel of record.)	
4/68	Notice of motion and motion of Autauga County Board of Education to reconstruct existing classrooms.	
4/68	Marshal's returns on service of writ of injunction and opinion and decree of 4/1/68. Personal service on Severne Allen Frazier, as Executive Secretary of Alabama Interscholastic Athletic Association; Mrs. Carl Strang; Dr. Ernest Stone; Herman L. Scott, personally and as Executive Secretary of the Alabama High School Athletic Association; and Ed Dannelly on 4/1/68. Service on 4/1/68 on Alabama Interscholastic Athletic Association by service on Severne Allen Frazier, Executive Secretary; on Alabama High School Athletic Association by service on Herman L. Scott, Executive Secretary; on Alabama State Board of Education by service on Dr. Ernest Stone.	
4/68	ORDER (Judge Johnson) directing the plaintiffs and the United States to file within 10 days their response to motion of Autauga County Board of Education to reconstruct existing classrooms. (Copies mailed to counsel.)	
5/68	Plaintiffs' joinder in response of U.S. to motion of Autauga County Board of Education to reconstruct existing classrooms.	
7/68	Answer of U.S. to motion of Autauga County Board of Education. Affidavit and memorandum attached.	
6/68	ORDER (Judge Johnson) setting motion of Autauga County Board of Education filed on May 4, 1968, for hearing at 10 a.m., June 17, 1968. (Copies mailed to counsel.)	
4/68	Report of Superintendent of Education of Macon County on enrollment by race and grade for year 1968-69 as shown by choice forms submitted April 30, 1968.	
1/68	Plaintiffs' motion for further relief.	
6/68	Plaintiffs' motion for substitution of Albert P. Brewer, Governor, State of Alabama, and as President of Alabama State Board of Education, as a party defendant for Lurleen Burns Wallace.	

DATE	PROCEEDINGS	38	Date Order or Judgment Note
6/14/68	Defendant Ernest Stone's notice of taking the depositions of 56 named persons.		
"	ORDER (Judge Johnson) substituting Albert P. Brewer as a party defendant in lieu of Lurleen Burns Wallace. (Copies mailed to counsel.) Copy of order of substitution mailed by certified mail, return receipt requested, to Hon. Albert P. Brewer, in his capacity as Governor of the State of Alabama, and as President of the Alabama State Board of Education.		
6/17/68	Report of State Superintendent of Education on freedom of choice in the 99 school systems for the 1968-69 school year. (81 individual reports and statistical tabulation for all 99 systems filed.)		
7/12/68	Report of Macon County Board of Education.		
7/15/68	Motion of plaintiff-intervenor, the United States, for further relief.		
7/16/68	ORDER that Dr. Charles G. Gomillion and Mrs. Elizabeth Richardson be substituted as members of the Macon County Board of Education for Madison Davis and F. E. Guthrie and that Joe C. Wilson be substituted as Superintendent of the Macon County Board of Education for C. A. Pruitt. (Copies mailed to counsel.)		
7/18/68	ORDER setting motions for further relief for a hearing on their merits at 9:30 a.m., July 30, 1968, at Montgomery. (Copies mailed to counsel.)		
7/19/68	Notice of defendant Albert Brewer, in his capacity as Governor of the State of Alabama, of taking the deposition of Dr. Ernest Stone.		
"	Notice of defendant Dr. Ernest Stone of taking the deposition of Governor Albert Brewer.		
"	Defendants' motion for continuance of hearing on motions for further relief.		
"	ORDER denying the motion of the Autauga County Board of Education for leave to replace certain classrooms at the predominantly Negro Autauga County Training School. Decision of State Superintendent of Education rejecting the proposed project affirmed. (Copies mailed to counsel and to Dr. Ernest Stone, State Superintendent of Education.)		
"	ORDER to show cause. Macon County Board of Education given until August 15, 1968, to file supplemental report reflecting substantial faculty desegregation in each of the schools operated in said system. The Board's failure to do so will necessitate the issuance of a contempt citation to each of the members of the Board and to the Superintendent for the Board. (Copies delivered to Marshal for service on the Macon County Board of Education and its individual members and the Superintendent of Schools of Macon County. Copies mailed to counsel.)		

DATE	PROCEEDINGS	Date Order or Judgment Noted
2/68	Marshal's return on service of show cause order. Personal service on John M. Davis, B. O. Duke, Frances (Mrs. J. R.) Rush, Dr. Charles G. Gomillion, Mrs. Elizabeth Richardson, and Joe C. Wilson on 7/19/68. Service on Macon County Board of Education by service on Joe C. Wilson, Superintendent of Education of Macon County, on 7/19/68.	
4/68	ORDER continuing hearing on motions for further relief to August 22, 1968, at 9:30 a.m. (Copies mailed to counsel.)	
1/68	Answer of defendant state officials to motions for further relief.	
"	Defendant Ernest Stone's notice of taking depositions of Walter Gorman. and Frank Dunbaugh.	
5/68	Supplementary report of Macon County Board of Education in accordance with show cause order of 7/19/68.	
1/68	Depositions of Governor Albert P. Brewer and Dr. Ernest Stone. Depositions of: Mr. Porch, Mr. Williamson, Mr. Jones, Mr. Willoughby, Mr. Childs, Mr. Thornton, Mr. Nelson, Mr. Songer, Mr. Brewster, Mr. Peacock, Mr. Hand, Mr. Leeman, Mr. Blackston, and Mr. Morgan. Depositions of: Mr. Nelson, Mr. Vardaman, Mr. Brown, Mr. Payne, Mr. Carroll, Mr. Riddle, Mr. Kuykendall, Mr. Allen, Mr. Doss, Mr. Lindbloom, Mr. Petrey, Mr. Stroud, Mr. Cunningham, and Mr. Zeanah. Depositions of: Mr. Tucker, Mr. Glosser, Mr. Israel, Mr. Roberts, Mr. St. John, Mr. Popejoy, Mr. Price, Mr. Snellgrove, Mr. Nunn, Mr. McKinzey, Mr. Pittard, Mr. Marshall, Mr. Gaither, and Mr. Carter. Defendant state officials' summaries of depositions.	
8/68	Memorandum opinion.	
"	* DECREE in accordance with memorandum opinion. Motion of plaintiffs filed on June 7, 1968, and motion of U.S. filed July 15, 1968, asking that the Court declare that the freedom-of-choice method for desegregating 76 of the 99 public school systems involved in the order of March 22, 1967, is constitutionally unacceptable, denied, conditioned upon the State Board of Education, the State Superintendent of Education and the officials of the 76 school systems here involved complying with the requirements set forth in this order: (1) That faculties be desegregated in the schools listed and as indicated in the appendix to this decree commencing with the 1968-69 school year and (2) That the Negro schools and grades enumerated in the appendix be closed not later than the dates set forth in the appendix. State Superintendent of Education to require each of the 76 school systems here involved (1) to desegregate its faculty commencing with the 1968-69 school year as directed in the appendix; (2) to close the schools and/or grades set forth	

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	in the appendix; (3) to take such other and further action as may be outlined for each of the school systems in the appendix; and (4) to report to him in writing within 15 days after opening of school for 1968-69 school year the faculty assignments for each school, the race of each teacher employed, and whether such teacher was newly employed or transferred from within the system. This report will set forth faculty members of each race assigned to each school. Teachers assigned to schools or grades being closed to be absorbed by transfer to other public schools within the system. Schools involved to file report with State Superintendent no later than August 1, 1969, report reflecting compliance with that part of decree requiring closing of schools and the schools the pupils affected by the closing chose to attend for 1969-70 school year. Provisions of decree of March 22, 1967, except to extent herein modified, to remain in force and effect until further order of this Court. (Copies of opinion and decree mailed to counsel.)	
8/28/68	Copies of memorandum opinion and decree delivered to Marshal for service on State Superintendent of Education and members of State Board of Education.	
"	Copies of memorandum and certified copies of decree (each with the portion of the appendix relating to that particular school system) mailed by certified mail to the 76 superintendents of education affected by same.	
8/29/68	Marshal's returns on service of memorandum opinion and decree of 8/28/68. Personal service on Governor Albert P. Brewer; Dr. Ernest Stone, State Superintendent of Education; service on Ed Dannelly and Mrs. Carl Strang, members of State Board of Education, all on 8/28/68.	
9/4/68	Marshal's additional return on service of memorandum opinion and decree of 8/28/68. Personal service on W. C. Davis on 9/3/68.	
9/5/68	Marshal's additional returns on service of memorandum opinion and decree of 8/28/68. Service on Victor P. Poole (by leaving copy with his wife) on 8/30/68; personal service on Dr. James D. Nettles on 8/30/68; personal service on Fred L. Merrill and W. M. Beck on 9/3/68.	
9/6/68	Plaintiffs' motion for further relief with respect to Greene County.	
"	ORDER (Judge Johnson) on motion for further relief with respect to Greene County. State Superintendent of Education and State Board of Education ordered to require the school officials in Greene County Public School System to conduct a choice period for the parents and children affected by the closing of the Jameswood School from 11 a.m. until 1 p.m., Monday, Sept. 9, 1968, and to require the Greene County school officials to honor the choices made and to provide school bus transportation for the students to the schools chosen for attendance during the 1968-69 school year. (Copy delivered to Marshal for service on	

DATE	PROCEEDINGS	Date Order or Judgment Noted
	State Superintendent of Education; copy mailed by certified mail to Superintendent of Greene County Schools; copies mailed by regular mail to counsel.)	
6/68	Marshal's additional return on service of memorandum opinion and decree of 8/28/68. Personal service on Rev. Harold C. Martin on 9/4/68.	
10/68	Motion of United States for clarification of opinion and decree of 8/28/68.	
"	Marshal's return on service of order of 9/6/68. Service on Dr. Ernest Stone by serving Miss Agnes Brinley, Administrative Assistant, at the office of the Superintendent of Education, 9/6/68.	
"	Marshal's additional return on service of memorandum opinion and decree of 8/28/68. Service with secretary of Cecil Word 9/5/68.	
9/68	ORDER approving the arrangement worked out and agreed upon between the Negro parents and students affected by the closing of the Jameswood School and the attorneys representing the Greene County Board of Education and denying in all other respects the motion for further relief filed on 9/6/68. (Copies mailed to counsel and to Superintendent of Education, Greene County, and to State Superintendent of Education.)	
5/68	State Supt's. report per order 8/28/68 - all systems except Clarke Co.	
5/68	Petition of defendants Albert P. Brewer and Ernest Stone for modification of decree of August 28, 1968.	
27/68	Application of Alabama Education Association for leave to appear as amicus curiae.	
27/68	Report of State Supt. of Education, in accordance with order of 8/28/68, on Clarke County system.	
30/68	ORDER granting application of Alabama Education Association for leave to appear as amicus curiae. (Copies mailed to counsel.)	
7/68	Report of State Supt. of Education after school opening.	
14/68	ORDER (Judges Rives and Johnson). Motion of U.S. filed on 9/10/68 seeking clarification of the order entered 8/28/68 granted; the clarification sought incorporated in this memorandum opinion and order. Motion of defendants Albert P. Brewer and Ernest Stone, filed 9/25/68, for modification of order of 8/28/68 denied except to the extent that said order is modified by this order of 10/14/68. Officials of 19 school systems--Baldwin County; Calhoun County; Chilton County; Clarke County; Clay County; Geneva County; Henry County; Limestone County; Marengo County; Monroe County; Morgan County; Pickens County; Shelby County; Sumter County; Walker County; Decatur City; Demopolis City; Florence City, and Piedmont City--made parties defendant and ordered to show good cause, in writing, on or before 11/18/68 why they should not be required to follow some plan other than "freedom of choice" as method for desegregation. The other 57 school systems involved in the order of 8/28/68 found to be	

DATE	PROCEEDINGS	42	Date Order or Judgment Note
	in compliance with said order or, while not complying fully, to have shown good cause why full compliance should not be required at this time. (Copies of this order delivered to Marshal for service on State Superintendent of Education and on the officials of the 19 school systems who are made defendants; copies mailed by certified mail to Superintendents of the other 57 school systems; copies handed to or mailed to counsel.)		
10/15/68	Petition of defendants Albert P. Brewer and Ernest Stone to be heard on their motion of 9/25/68 for modification of order of 8/28/68.		
10/16/68	State Superintendent of Education's report on teacher institutes and in-service training. 80 individual reports attached.		
10/18/68	ORDER (Judges Rives and Johnson) denying petition of defendants Albert P. Brewer and Ernest Stone to be heard on their motion of 9/25/68 for modification of order of 8/28/68. (Copies mailed to counsel.)		
10/23/68	ORDER (Judges Rives and Johnson). Officials of 19 school systems-- the county systems of Baldwin, Calhoun, Chilton, Clarke, Clay, Geneva, Henry, Limestone, Marengo, Monroe, Morgan, Pickens, Shelby, Sumter, and Walker, and the city systems of Decatur, Demopolis, Florence, and Piedmont ordered to show good cause, in writing, on or before 11/18/68 why this Court should not declare the injunction entered in this case against the U.S. Dept. of Health, Education and Welfare on 7/28/67, dissolved as to them and why this Court should not have its Clerk formally notify the U.S. Dept. of Health, Education and Welfare that the said school systems are no longer in compliance with this Court's orders. (Copies mailed by registered mail to each of the officials of the 19 named school systems; copies mailed to counsel.)		
10/25/68	Motion for leave to intervene filed by 42 parents, patrons and/or guardians of pupils in Vaughn Junior High School in Baldwin County; their petition that said school not be closed attached.		
10/25/68	Court reporter's transcript of proceedings in open court on 8/22/68.		
10/31/68	Petition of defendants Albert Brewer and Ernest Stone for hearing on motion for modification of order of 8/28/68.		
11/1/68	Report of State Superintendent on junior and senior colleges under State Board of Education Control.		

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/68

Marshal's return on service of order of 10/14/68:

Baldwin County

E. Davidson - Served 10/16/68

Paul Cleverdon - 10/15/68

W. Max Griffin - 10/15/68

John M. McMillan - 10/16/68

Dr. H. C. Jordan - 10/15/68

W. Candler McGowan, Supt. of Education - 10/16/68

Calhoun County

Gerald Acker - 10/17/68

Leo Williams - 10/28/68

Floyd Holder - 10/17/68

Norman Moore - 10/21/68

Hugh Smitherman - 10/21/68

Charles N. Boozer, Supt. of Education - 10/28/68

Chilton County

O. J. McGriff - 10/14/68

F. Dudley Nix - 10/14/68

John C. McKinney - 10/14/68

James H. Parrish - 10/14/68

V. O. Lenoir - 10/14/68

Gordon Conway, Supt. of Education - 10/14/68

Clarke County

John C. Wilson - 10/16/68

A. Lamar McLeod - 10/16/68

Robert W. McGuire - 10/18/68

C. E. Parnell, Jr. - 10/16/68

John L. Bumpers - 10/16/68

Norman N. Loper, Supt. of Education - 10/16/68

Clay County

Emyl G. Griffin - 10/23/68

S. D. Cheaney, Jr. - 10/23/68

Lester Proctor - 10/23/68

R. H. Brand - 10/23/68

Olin Birchfield - 10/23/68

Leonard D. Brooks, Supt. of Education - 10/23/68

Geneva County

Dr. H. A. Childs - 10/14/68; B. J. Lay - 10/14/68; J. A.

Mulkey - 10/14/68; J. A. Hughes - 10/14/68; H. B. Segrest -

10/14/68; Hubert G. Hughes, Supt. of Education - 10/14/68.

Henry County

Ernest Phillips; Harry Nowell; J. Tom Hayes; J. M. Ethridge; Chester Sanders; and James E. Reeves, Supt. of Education, all served 10/14/68.

DATE	PROCEEDINGS	44 Date Order or Judgment Noted
11/1/68	Marshal's returns on service of order of 10/14/68 (cont'd.): Limestone County James W. Todd - Nelson Swinea - 10/23/68; J. L. Lewter - 10/18/68; Tommy Carter - 10/18/68; Harold Smith - 10/18/68; C. S. Pettus, Supt. of Education - 10/18/68. Marengo County M. W. McKee and T. A. Moseley - 10/18/68; J. M. DeLoach - 10/16/68; Carl Walker - 10/22/68; Thomas Miller - 10/18/68; Fred Ramsey, Supt. of Education - 10/18/68. Monroe County Dr. John Abbott; Tom Weatherford; Miller Fore; Neil Kilpatrick; Edgar L. Melton, and R. H. Vickery, Supt. of Education, all served 10/16/68. Morgan County John A. Lile -, 10/23/68; Robert C. Street - 10/29/68; Karl Hough - 10/18/68; Alvis G. Briscoe - Francis A. Collier and J. C. Pettey, Supt. of Education - 10/18/68. Pickens County L. D. Vail; J. L. Stone; Marvin Elmore; J. V. Park; Billie F. McCool, and William C. Carpenter, Supt. of Education, all served 10/21/68. Shelby County H. M. Johnson - returned unexecuted (deceased - replaced by Hugh Sims, Jr.); J. E. Bearden, J. Alpha Lowe; Lavon Moore; Carlton Franks, and Elvin Hill, Supt. of Education, all served on 10/21/68. Sumter County Robert P. Upchurch - 10/21/68; William Grant and Walter A. Green - 10/22/68; Charles Tate; Edward Ozment, and Elgin L. Mellown, Supt. of Education - 10/21/68. Walker County Frank Freeman - 10/16/68; Girley Hill - 10/24/68; Horace Roberts; E. K. Barnes; Clarence Hendrix, and Robert E. Cunningham, Supt. of Education - 10/16/68. Decatur City Bruce Spencer; J. E. McClary; Jewel R. McWhorter, who replaced Tom White; John Smither, Jr.; Joe Calvin, and Hafford R. Leeman, Supt., all served 10/18/68. Demopolis City John Caldwell - 10/16/68; John C. Webb - 10/22/68; W. Harry Britton; Fred O. Braswell; E. P. Griffith, Jr., and A. A. Knight, Supt. - 10/16/68.	

TE	PROCEEDINGS	Date Order or Judgment Noted
'68	Marshal's returns on service of order of 10/14/68 (cont'd.): Florence City Wayne Rutledge; Robert Lewis; Tom M. Rogers, Jr.; Glenn Bradley (new member who replaced Aubrey M. Matthews, deceased); and Joseph W. Blackston, Supt., served 10/24/68. Earl Daniel - new member, Harry Hall, served 10/29/68 (return filed 11/4/68) Piedmont City G. C. Miller (who replaced Lamar Camp); Tommy Graham; Durward Wilks; Harwell Cunningham; Frank Minton; and John R. Kirkpatrick, Supt., all served 10/17/68.	
'68	Marshal's return on service of order of 10/14/68. Personal service on Dr. Ernest Stone on 10/14/68.	
'68	Marshal's additional return on service of order of 10/14/68. Harry Hall, new member of Florence City Board of Education, replacing Earl Daniel, served 10/29/68.	
'68	Motion of members of Calhoun County Board of Education and Superintendent of Education that they be dismissed as parties defendant.	
68	Response of Decatur City Board of Education and Superintendent of Education to show cause orders of Oct. 14 and 23, 1968.	
	Response of Morgan County Board of Education and Superintendent of Education to show cause orders of Oct. 14 and 23, 1968.	
68	ORDER that defendant members of Decatur City Board of Education and Superintendent of Education and the City of Decatur school system are in substantial compliance with order of 8/28/68 and that orders to show cause directed to said defendants by orders of 10/14/68 and 10/23/68 are dissolved.	
	ORDER that defendant members of Morgan County Board of Education and Superintendent of Education of Morgan County and the Morgan County school system are in substantial compliance with order of 8/28/68 and that orders to show cause directed to said defendants by orders of 10/14/68 and 10/23/68 are dissolved. (Copies of the two orders of 11/7/68 mailed to counsel.)	
1/68 58	Answer of the members of the Walker County Board of Education and the Superintendent of Education of Walker County to show cause orders.	
01/68 68	ORDER that defendant members of Walker County Board of Education and Superintendent of Education of Walker County and the Walker County school system are in substantial compliance with order of 8/28/68 and that orders to show cause directed to said defendants by orders of 10/14/68 and 10/23/68 are dissolved. (Copies mailed to counsel.)	

DATE	PROCEEDINGS	Date Order or Judgment Note
1/12/68	Response of Piedmont City Board of Education to show cause orders of Oct. 14 and 23, 1968.	46
"	ORDER - Piedmont City Board of Education and Superintendent in substantial compliance with order and decree of 8/23/68; orders to show cause of Oct. 14 and 23, 1968, dissolved as to Piedmont City school system. (Copies mailed to counsel; to Supt. of Education, Piedmont City Schools, and members of Piedmont City School Board.)	
"	ORDER amending order of 8/28/68 as it relates to public school systems of Washington County (Prestwick High School substituted for McIntosh Union School); Geneva County (faculty requirements and school closings amended); and Colbert County (faculty requirement for Underwood Heights Junior High School changed). (Copies mailed by certified mail to State Supt. of Education and to Supt. of each school system involved; copies mailed by regular mail to attorneys.)	
11/13/68	Response of Florence City Board of Education and Superintendent to show cause orders of Oct. 14 and 23, 1968.	
11/14/68	Response of Monroe County School Board to show cause orders of Oct. 14 and 23, 1968.	
"	Supplemental response of Monroe County School Board.	
"	ORDER as to Calhoun County School System. Motion to dismiss as defendants denied; motion for copies of pleadings, etc., denied; motion to transfer to N.D.Ala. carried with case, to be set for hearing and determined some time after defendants respond to show cause orders of Oct. 14 and 23, 1968. (Copies to counsel for Calhoun County Board and to counsel for "original" parties and to State Supt. of Education.)	
"	Response of Calhoun County Board of Education and Superintendent to show cause orders.	
11/15/68	Response of Henry County Board of Education to show cause orders.	
"	Response of Sumter County Board of Education to show cause orders.	
"	ORDERS (4 separate orders) that Boards of Education and Superintendents of Education of Calhoun County; Henry County; Monroe County, and Florence City are in substantial compliance with order and decree of 8/28/68; orders to show cause of Oct. 14 and 23, 1968, dissolved as to these school systems. (Copies to counsel, to State Superintendent, and to superintendents of the systems involved.)	

DATE	PROCEEDINGS	47	Date Order or Judgment Noted
5/68	ORDER amending order of 8/28/68 as it pertains to the closing of certain schools and/or grades in the Limestone County school system. (Copies to counsel.)		
5/68	Motion of Marengo County School Board and Superintendent to dismiss, for transfer, for copies of pleadings, etc.		
"	Motion of Demopolis City Board and Superintendent for dismissal, for transfer, for copies of pleadings, etc.		
5/68	Response of Shelby County Board to show cause orders.		
	Response of Limestone County Board to show cause orders.		
	Response of Clay County Board to show cause orders.		
	Response of Geneva County Board to show cause orders.		
	Response of Clarke County Board to show cause orders.		
	Response of Chilton County Board to show cause orders.		
	ORDERS. (7 separate orders)--Chilton County; Clarke County; Clay County; Geneva County; Limestone County; Shelby County, and Sumter County school systems in substantial compliance with order and decree of 8/28/68; show cause orders of October 14 and 23, 1968, dissolved as to these systems.		
5/68	Response of Baldwin County Board of Education to show cause orders.		
	ORDER amending order of 8/28/68 as it relates to Baldwin County so as to direct closing of grades 7-9 of Vaughn Junior High School not later than Sept. 1969 and the remainder not later than Sept. 1970.		
	ORDER denying motion of Baldwin County parents, filed 10/25/68, for leave to intervene in this cause.		
	ORDER that Baldwin County school system is in substantial compliance with order of Aug. 28, 1968; show cause orders of Oct. 14 and 23, 1968, as they relate to Baldwin County dissolved.		
	ORDER amending order of Aug. 28, 1968, as it relates to the closing of certain schools and/or grades in Chilton County school system.		
	ORDER amending order of Aug. 28, 1968, as it relates to closing of certain schools and/or grades in Clarke County school system.		
	ORDER -- Clarke County - substituting Ernest Woodson, Donald C. Duff, and Robert F. Adams for the named defendants John C. Wilson, Robert W. McGuire and C. E. Parnell, Jr., respectively, as members of Clarke County Board of Education.		

DATE	PROCEEDINGS	48	Date Order or Judgment Noted
11/18/68	ORDER amending order of Aug. 28, 1968, as it relates to the closing of certain schools and/or grades in the Geneva County school system.		
"	ORDER - Limestone County - substituting Malcolm Pepper for defendant James W. Todd as member of Limestone County Board of Education.		
"	ORDER amending order of Aug. 28, 1968, as it relates to the closing of certain schools and/or grades in the Clay County school system.		
"	Response of Pickens County Board of Education to show cause orders.		
"	ORDER that Pickens County school system is in substantial compliance with order of Aug. 28, 1968, and that orders to show cause of Oct. 14 and 23, 1968, as they relate to Pickens County are dissolved.		
"	Response of Marengo County Board of Education to show cause orders.		
"	Response of Demopolis Board of Education to show cause orders.		
11/21/68	ORDER that order of Aug. 28, 1968, insofar as it relates to Baldwin County, is amended in certain respects regarding closing of schools.		
"	ORDER setting motions of Board of Education of Calhoun County and Board of Education of the City of Demopolis for transfer for hearing at 9:30 a.m., January 13, 1969.		
"	ORDER as to Demopolis School System. Order that order of 8/28/68 is amended to extent that it orders grades 10-12 of U.S. Jones School closed as of Sept. 1969; this changed to Sept. 1970. Demopolis School System found to be in substantial compliance with order of 8/28/68 and show cause orders of Oct. 14 and 23, 1968, as they relate to Demopolis School System ordered dissolved.		
"	ORDER setting this case for hearing as to the Marengo County school system at 9:30 a.m., Dec. 17, 1968. (Copies of the four orders of Nov. 21 mailed to counsel involved; to Dr. Stone, State Superintendent of Education; and to the local superintendents involved.)		
11/25/68	Petition of certain parents and interested persons of Decatur for leave to intervene in connection with City of Decatur school system. Proposed petition in intervention attached.		
"	Motion of Piedmont City school system for transfer to N.D.Ala.		

DATE	PROCEEDINGS	Date Order or Judgment Noted
7/68 27/68	Report of State Superintendent of Education on school transportation in accordance with decree of March 22, 1967. Individual reports of 45 county and 8 city school systems attached. (Remaining systems do not operate school buses.)	44
	Report of State Superintendent of Education in accordance with Section IV of plan attached to order of March 22, 1967. "Inventory Reports" of 80 individual school systems attached.	
	ORDER setting motion of Piedmont City School System to transfer for hearing at 9:30 a.m., Jan. 13, 1969. (Copies mailed to counsel and to State Superintendent of Education.)	
1/68 9/68	ORDER denying motion of certain parents, citizens and school children of City of Decatur, Alabama, filed on 11/25/68, for leave to intervene and to appear as amicus curiae. (Copies mailed to counsel, to State Superintendent of Education and Superintendent of Decatur City Schools.)	
1/68 19/68	Marshal's additional return on show cause order of 10/14/68. Service on James W. Todd--Limestone County--on 11/21/68.	
8 1/68	ORDER, upon motions of Calhoun County, City of Demopolis and City of Piedmont School Systems, seeking transfer of this action to the district courts wherein said school systems are geographically situated, that the attorneys for movants file within ten days from the date of this order their briefs on the law to support their motions. If plaintiffs and the U.S. object to the granting of the motions, they are to file their briefs on the law within fifteen days from the date of this order. (Copies mailed to counsel, Dr. Ernest Stone, and Superintendents of said boards.)	
/68	Amended response of Marengo County School Board to show cause orders.	
/68	ORDER amending order of 8/28/68 as it applies to Marengo County school system. (Copies mailed to counsel.)	
	ORDER finding Marengo County school system in substantial compliance with order of 8/28/68 as amended by order of 12/16/68 and dissolving show cause orders as they relate to Marengo County. (Copies mailed to counsel.)	
68- 3/68	ORDER allowing attorneys for the movants, the Boards of Education for Calhoun County, City of Demopolis and City of Piedmont, until December 27, 1968, within which to file their briefs on the law pertaining to the motions now pending before this Court to transfer. Plaintiffs and the United States to file their briefs on the law involved in said motions, on or before January 3, 1969, if they object. (Copies mailed to counsel, Dr. Ernest Stone, and Superintendents of said boards.)	

DATE	PROCEEDINGS	50 Date Order or Judgment Note.
1/8/69	ORDER setting motion of Marengo County School Board to transfer to Southern District of Alabama for hearing on Jan. 13, 1969, at 9:30 a.m. (Copies mailed to counsel and to State Superintendent Stone and County Superintendent Ramsey.)	
1/11/69	Motion of Marengo County and Demopolis Boards of Education for leave to withdraw their motions to transfer.	
1/13/69	Motion of Shelby County Board of Education to transfer to U.S. District Court for Northern District of Alabama.	
1/15/69	ORDER granting motion of Marengo County and Demopolis Boards to withdraw their motions to transfer and denying the motions of the Calhoun County and Piedmont Boards to transfer. (Copies mailed to State Superintendent of Education, to counsel, and to Marengo and Calhoun County and Demopolis and Piedmont Superintendents.)	
1/20/69	ORDER that motion of Shelby County Board of Education to transfer will not be set for hearing until some future date to be hereafter fixed by the Court. (Copies mailed to counsel, to State Supt. Stone, and to Shelby County Supt. Hill.)	
1/22/69	Plaintiffs' opposition to motion to transfer. <i>Shelby Co</i>	
1/27/69	Marshal's additional return on show cause order of 10/14/68. Service not completed on Alvis G. Briscoe on 1/21/69.	
2/12/69	Motion of Escambia County School Board for hearing and for modification of order of Aug. 28, 1968, as it relates to Escambia County school system.	
2/13/69	ORDER (Judge Johnson) setting Escambia County Board's motion for hearing in chambers on 2/20/69 at 10 a.m. (Copies to counsel, to State Supt. of Education, and Supt., Escambia County Schools.)	
2/15/69	Motion of Shelby County Board of Education for amendment of that portion of decree of August 28, 1968, that relates to the closing of certain grades of Shelby County schools.	
"	Petition of Thomasville City Board of Education for hearing and opportunity to present oral testimony.	
2/18/69	Petition of Coosa County School Board for modification of order of August 28, 1968, as it relates to closing of certain Coosa County schools and/or grades.	
"	ORDER setting Thomasville City Board's petition for hearing in chambers at 3 p.m., Feb. 25, 1969.	
"	ORDER setting Coosa County Board's petition for hearing in chambers at 3 p.m., Feb. 25, 1969. (Copies of two orders of 2/18/69 mailed to counsel.)	

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PROCEEDINGS

51

Date Order or
Judgment Noted69
1/1/69

Motion of Alabama State Teachers Association, plaintiff-intervenor, for further relief.

ORDER - Shelby County School System. That portion of order of 8/28/68 relating to closing of certain grades amended.

ORDER - Elba City School System. That portion of order of 8/28/68 relating to closing of certain grades at certain schools amended.

ORDER - Randolph County School System. That portion of order of 8/28/68 relating to closing of certain grades at certain schools amended.

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0/1/69

ORDER amending order of 8/28/68 as it relates to the closing of certain grades in certain schools of Fayette County School System.

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2/1/69

Petition of Tuscaloosa City School Board for hearing and for modification of order of 8/28/68.

4/1/69
69

Petition of Autauga County School Board for modification of order of 8/28/68 as it relates to closing of certain grades.

69
4/1/69

ORDER setting Tuscaloosa City's petition for hearing in chambers.

ORDER that defendants on or before March 25, 1969, file their written response to motion of Alabama State Teachers Association for further relief. (Copies mailed by certified mail to Hon. Albert P. Brewer, as Governor of the State of Alabama and as President of the Alabama State Board of Education; to Dr. Ernest Stone, Secretary and Executive Officer of the Alabama State Board of Education and Superintendent of Education for the State of Alabama, and to Dept. of Justice, Washington, D. C.; copies mailed by regular mail to counsel.)

4/1/69
69

ORDER - Talladega Co. Aug. 28 order amended in certain respects.

69
5/1/69

Petition of Auburn City Board of Education for modification of order of 8/28/68.

69
5/1/69

ORDER setting petition of Autauga County School Board for hearing in chambers at 11 a.m., Feb. 28, 1969.

ORDER setting petition of Auburn City Board of Education for hearing in chambers at 9 a.m., Feb. 27, 1969.

69
4/1/69

Petition of Marion City Board of Education for hearing.

Petition of Decatur City Board of Education for modification of former orders to delay closing of Lakeside High School for one additional year.

ORDER setting petition of Decatur City Board of Education for hearing in chambers on 2/28/69 at 10:15 a.m.

DATE	PROCEEDINGS	52	Date Order or Judgment Note
2/26/69	Petition of Selma City School Board for modification of decree of August 28, 1968.		
2/27/69	Petition of Tallapoosa County Board of Education for hearing and for modification of decree of August 28, 1968.		
"	Petition of Sylacauga City Board of Education for hearing and for modification of decree of August 28, 1968.		
"	ORDER setting petition of Sylacauga Board of Education for hearing in chambers at 2 p.m., Feb. 28, 1969. (Copies mailed to counsel.)		
"	ORDER - Selma City School System. Order of August 28, 1968, as it relates to Selma conditionally amended in certain respects. Board to report on or before May 15, 1969, results of freedom-of-choice period to be conducted in March. (Copies mailed to counsel, to State Supt. of Education, and Selma City Supt.)		
"	ORDER - Auburn City School System. Order of August 28, 1968, as it relates to Auburn City Schools amended in certain respects. (Copies mailed to counsel, to State Supt. of Education, and Auburn City Supt.)		
2/28/69	Petition of Autauga County Board of Education for leave to withdraw its petition, filed Feb. 22, 1969, for amendment to appendix to decree of August 28, 1968.		
2/28/69	ORDER granting petition of Autauga County Board of Education to withdraw its motion to amend order of 8/28/68.		
"	ORDER - Escambia County School System. Order of 8/28/68 as it relates to Escambia County amended in certain respects.		
"	Petition of Lee County Board of Education for amendment to order of 8/28/68.		
3/3/69	ORDER - Lee County School System. Order of 8/28/68 amended in certain respects.		
"	ORDER - Tallapoosa County School System. Petition for modification of Aug. 28, 1968, order set for hearing in chambers at 3 p.m., March 4, 1969.		
3/5/69	ORDER (signed by Judges Rives and Johnson on 3/4/69) - Sylacauga City School System. Order of 8/28/68 amended in certain respects. (Copies mailed to counsel and to State and local [Sylacauga] Superintendents.)		
3/10/69 ✓	Chambers County Board's motion for modification of 8/28/68 order.		



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PROCEEDINGS

TE		Date Order or Judgment Noted
1/69 ✓	ORDER - Chambers County school system. Appendix to order of Aug. 28, 1968, as it applies to Chambers County, amended in certain respects. (Copies mailed to Supt. of Education, Chambers County; State Supt. Ernest Stone, and to counsel.) ORDER - Decatur City school system. Appendix to order of Aug. 28, 1968, as it applies to Decatur City, amended in certain respects. (Copies mailed to Supt. of Decatur City Schools; to State Supt. of Education, and to counsel.)	
/69	Petition of Limestone County Board of Education for modification of order of Aug. 28, 1968.	
/69	Copy of resolution of Russellville City Board of Education.	
'69	ORDER - Tallapoosa County school system. Motion for modification of decree of August 28, 1968, denied. (Copies mailed to Supt. of Education, Tallapoosa County; State Supt. Ernest Stone, and to counsel.)	
(69)	Court reporter's transcript of in-chambers conference on 3/4/69 between Court and Tallapoosa Co. school board.	
'69	Motion of Ernest Stone to dismiss Alabama State Teachers Association's motion for further relief filed on 2/19/69.	
'69	Petition of Linden City School Board for modification of order of August 28, 1968, and to be heard in connection therewith.	
	ORDER setting conference in connection with Linden School Board's petition at 10 a.m., April 7, 1969.	
'69	ORDER setting defendant Ernest Stone's motion to dismiss, filed March 20, 1969, for hearing May 27, 1969, at 10 a.m.	
/69	Petition of Elmore County Board of Education. (Elmore County and Tallassee City Systems)	
/69	ORDER/setting petition of Elmore County Board of Education for hearing on May 27, 1969, at 11 a.m. (Copies mailed to counsel and to State Superintendent of Education, as well as to Superintendents of Elmore County and Tallassee City systems, and members of Tallassee Board of Education.)	
/69	Petition of Troy City Board of Education for modification of order of Aug. 28, 1968.	
	ORDER amending order of Aug. 28, 1968, as it relates to Troy City School System: (Requirement for closing by 1969-70 grades 7-9 of Academy Street School and grade 8 of Oakland Heights School stricken and requirement for closing grades 7 and 8 of Oakland Heights School substituted therefor.) (Copies mailed to counsel, State Supt. of Education, and Troy City Supt.)	

DATE	PROCEEDINGS	54	Judg. No. A
4/22/69	Petition of Marion City Board of Education for modification of order of Aug. 28, 1968.		
4/24/69	Defendant Ernest Stone's interrogatories to plaintiff-intervenor, Alabama State Teachers Association.		
4/30/69	Answer of Tallassee City Board of Education to petition filed April 14, 1969, by Elmore County Board of Education.		
"	Motion of United States for further relief in connection with trade schools and junior colleges.		
5/2/69	ORDER setting motion of U.S. for further relief in connection with trade schools and junior colleges for hearing on May 27, 1969, at 2 p.m. Defendants ordered to file answer to allegations of U.S. on or before May 20, 1969; and to formulate in writing a plan for achieving full and immediate compliance with order of March 22, 1967, and formulate in writing a plan setting forth further steps necessary to accomplish complete disestablishment of dual system of trade schools and junior colleges based on race, filing same with Court and serving it on the parties on or before May 20, 1969. (Copies mailed to counsel and State Supt. of Education.)		
5/2/69	Report of Macon County Board of Education.		
5/5/69	Pike County Board of Education's petition for modification of order of 8-28-68.		
5/5/69	ORDER - Pike County School System. Order of Aug. 28, 1968, as it applies to Pike County School System amended to rescind that portion that requires the closing of grade 10 of the Ansley High School effective September 1969. (Copies mailed to counsel; State Supt. Stone; Pike County Supt.)		
"	✓ ORDER - Marion City School System. Petition for modification of Aug. 28, 1968, order denied. (Copies mailed to counsel, to State Supt. Stone; Marion City Supt.)		
5/7/69	Amendment to petition of City of Linden Board of Education to modify order of August 28, 1968.		
5/7/69	United States' notice of taking depositions.		
"	Motion of "Committee of 100," composed of citizens of Autauga-ville, Alabama, for leave to intervene.		
5/8/69	ORDER - Cherokee County School System. Order of August 28, 1968, amended so that instead of closing Hatcher School in its entirety in 1969-70, all grades will be closed except grades 1 through 6 as of commencement of 1969-70 school year and the school will be closed in its entirety as a Negro school no later than commencement of 1970-71 school year.		

DATE	PROCEEDINGS	55	Date Order or Judgment Noted
/69	Defendant state officials' interrogatories to U.S.		
J	ORDER -, Talladega City School System. Board of Education ordered to file within 30 days from date of this order written plan designed to desegregate, and that will have the effect of desegregating, the dual school system to a minimum extent of placing approximately 30 per cent of Negro students in formerly all-white schools not later than commencement of 1969-70 school year. (Copies mailed to counsel, State Supt. Stone, Talladega Supt. Harwell.)		
0/69	Petition of Marion City Board of Education for transfer to Southern District of Alabama.		
"	Defendant state officials' supplemental interrogatories to U.S.		
2/69	ORDER - Linden City School System. Order of August 28, 1968, modified in certain respects as it applies to Linden City System. Board ordered to file on or before Jan. 15, 1970, its plan designed to eliminate, and will have the effect of completely eliminating, its dual school system based upon race, with the elimination of the dual system to be effective not later than the 1970-71 school year. (Copies mailed to Linden Supt. Jones, to counsel, and to State Supt. Stone.)		
/69	✓ORDER - Marion City School System. Motion to transfer this case as it relates to Marion City Board of Education denied. (Copies mailed to Marion Supt. Hubbard, to counsel, and to State Supt. Stone.)		
4/69	Report of Selma City Board of Education in accordance with order of February 27, 1969.		
5/69	United States' notice of objections and objections to interrogatories.		
7/69	Elmore County Board of Education's notice of taking the deposition of Dr. B. B. Nelson, Superintendent of Tallassee City Schools.		
9/69	Response of United States to motion of Autauga County "Committee of 100" for leave to intervene.		
"	ORDER sustaining objections of U.S. to defendants' interrogatories 2,3,4,5,6,7 and 8. (Copies mailed to counsel.)		
"	Plaintiffs' objections to Autauga County "Committee of 100's" motion for leave to intervene.		

DATE	PROCEEDINGS
5/20/69	Plaintiffs' notice of taking the deposition of Dr. John R. Hargis, Superintendent of Autauga County Board of Education.
5/20/69	Tallassee Board of Education's notice of taking the deposition of William Ross McQueen, Superintendent of Education of Elmore County, Alabama.
5/22/69	Thomasville City's motion to modify order of Aug. 28, 1968.
5/23/69	Answers of U.S. to defendants' interrogatories 1, 9, 10 and 11.
"	Defendants' answer to motion of U.S. for further relief in connection with trade schools and junior colleges. Plans for desegregation of these institutions attached.
5/26/69	Deposition of Eugene N. Prater.
"	Deposition of Dr. James Rudolph Davidson.
"	Deposition of S. C. O'Neal, Sr.
"	Deposition of J. F. Ingram.
"	Deposition of Harold I. James.
"	Deposition of William Ross McQueen.
"	Deposition of B. B. Nelson.
"	Objections of U.S. to defendants' plans for desegregation of trade schools and junior colleges.
5/27/69	Deposition of C. A. Fredd, Sr.
"	Plaintiffs' response to petitions of Elmore County Board of Education and Tallassee City Board of Education.
"	Alabama State Teachers Association's answer to interrogatories.
"	Findings and conclusions of Court at conclusion of hearing in connection with Elmore County and Tallassee City school systems. Elmore County system allowed 20 days to file completely revised public transportation plan for its school system--desegregating its school transportation system and rerouting buses so as to further desegregate the school system. New choice period to be afforded students when the transportation plan is approved.
<u>5/28/69</u>	ORDER that the defendant Ernest Stone within 30 days obtain from appropriate officials of each of 99 school systems listed in decree of March 27, 1967, and furnish in writing to attorneys for plaintiff-intervenor ASTA, the names and addresses of all black principals and/or vocational and agricultural teachers who have either resigned, retired, been dismissed or reassigned since March 22, 1967, and the reasons for termination and, if reassigned, whether they have received increase or decrease in salary. Motion of ASTA filed 2/19/69 denied in all other respects. (Copies mailed to counsel.)

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- 1/69 ORDER (Elmore County and Tallassee City School Systems). Tallassee City Board of Education ordered to honor unconditionally the choices of students living in those areas of Elmore County from which students were accepted in 1968-69 who choose to attend Tallassee City Schools for 1969-70 school year; Elmore County ordered to file within 20 days a plan for a revised school transportation system, to include a thorough rerouting of buses to effect the complete desegregation of the school transportation system and to foster the desegregation of the school system; plaintiffs and U.S. have 25 days from date of this order to file objections and/or alternatives to Elmore County Board's plan. After revised school transportation plan presented and accepted, Court to enter further order directing new choice period to afford the students living in those areas of Elmore County from which students were accepted in the Tallassee City school system during the 1968-69 school year a new choice between the Elmore County and Tallassee City schools. (Copies mailed to counsel.)
- /69 ORDER (Greene County School System). Order of August 28, 1968, amended in certain respects as it relates to closing of grades and desegregation of faculties in Greene County. (Copies mailed to counsel.)
- ORDER (Talladega City School System). Order of August 28, 1968, amended in certain respects as it relates to the closing of grades in Talladega City system. (Copies mailed to counsel.)
- 69 Petition of Limestone County Board of Education for dismissal of its petition for modification of decree of August 28, 1969. ORDER (Limestone County School System). Motion of Limestone County for dismissal of its petition for modification granted. (Copies mailed to counsel.)
- Amendment to petition of Thomasville City Board of Education to modify and/or amend decree.
- 69 Deposition of John R. Hargis (Autauga County).
- 69 Court reporter's transcription of statement of the Court at conclusion of hearing on May 27, 1969, in connection with motion of U.S. filed April 30, 1969, in connection with trade schools and junior colleges.
- 69 Petition of St. Clair Board of Education for modification of order of August 28, 1968.

DATE	PROCEEDINGS	58	Judge
6/10/69	Plaintiffs' motion for further relief in connection with Autauga County school system.		
6/12/69	Motion of U.S. to require desegregation plan for Autauga County.		
6/13/69	ORDER setting the motions filed June 10 and June 12 in connection with Autauga County for hearing on July 24, 1969, at 11 a.m.		
6/13/69	Report of Superintendent of Education, State of Alabama, on the choice periods conducted in 72 school systems.		
6/16/69.	Elmore County. Revised school transportation map filed in accordance with order of May 29, 1969.		
6/20/69	ORDER (Autauga County School System) denying motion filed May 7, 1969, by the "Committee of 100" seeking leave to intervene in this cause. (Copies mailed to counsel and to State Superintendent of Education.)		
6/20/69	Plaintiffs' motion for extension of time within which to object to ELMORE COUNTY's plan for school transportation. " Motion of Tallassee City School Board for extension of time to object to Elmore County's plan for school transportation.		
6/23/69	Motion of U.S. in connection with trade schools and junior colleges for production of documents for inspection and copying.		
6/23/69	ORDER (Judge Johnson) in connection with trade schools and junior colleges. Motion of U.S. for production granted; Defendants Governor Albert Brewer and Superintendent Ernest Stone ordered to produce for inspection and copying on June 23, 1969, the documents enumerated in this order. (Copies mailed to counsel and Superintendent Stone.)		
"	ORDER--Thomasville City School System. Order of Aug. 28, 1968, amended by striking that portion that requires the closing of grades 7-12 of the A. L. Martin High School. School Board ordered to assign not later than commencement of 1969-70 school year not less than 146 Negro students from A. L. Martin School to Thomasville High School. Board further ordered, not later than commencement of 1970-71 school year, to assign all students--both white and black--in grades 1 through 5 to Thomasville School; in grades 6, 7 and 8 to A. L. Martin School, and in grades 9-12 to the new school to be constructed and completed not later than summer of 1970. Board ordered to report on or before July 22, 1969, results of assignment of Negro students to Thomasville School for school year 1969-70. (Copies to counsel; Thomasville Supt. and State Supt.)		

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- 1/69 ORDER (Elmore County and Tallassee City School Systems).
Plaintiffs' motion for additional time within which to
survey proposed bus routes filed by Elmore County Board
granted to extent that plaintiffs are allowed until
July 15, 1969, to file any objections they might have.
(Copies mailed to counsel.)
U.S.'s interrogatories to defendants re: trade schools and junior
colleges.
- 1/69 Motion of U.S. to require a desegregation plan for the Elmore
County and the City of Tallassee School Systems and objections
to proposed bus routes of Elmore County.
- 1/69 ORDER--Elmore County and Tallassee City School Systems--setting
motion and objections of U.S. for hearing at 1:30 p.m.,
July 24, 1969. (Copies mailed to counsel and to State Supt.
of Education.)
- 1/69 Defendants Albert P. Brewer and Ernest Stone's notice of taking
the depositions of Dr. T. A. Lawson, Dr. S. D. Bishop, Dr.
George Pass, Dr. John F. Ingram, and Dr. Rudolph Davidson.
- 1/69 Report of defendant Ernest Stone, in accordance with order of
May 28, 1969, on black principals and vocational teachers who
have resigned, been reassigned, etc.
- 69 **Depositions of Dr. Theodore Alfred Lawson, Dr. Sanford Dixon Bishop, Mr. J. F.
Ingram, Dr. James Rudolph Davidson, and Dr. George Byron Pass.**
- 1/69 ORDER extending deadline for filing of briefs, deposition
summaries and further evidence in connection with motion of
U.S. relating to trade schools and junior colleges to
July 18, 1969. (Copies mailed to counsel and to State Supt. of
Education.)
- 1/69 Defendants' answers to interrogatories of U.S. in connection with
motion of U.S. for further relief relating to trade schools
and junior colleges.
- 1/69 Motion of U.S. for order to show cause directed to 25 school systems.

Elmore County-Tallassee City School Systems. Objections of
Tallassee City System to Elmore County's proposed bus routes.
Elmore County-Tallassee City School Systems. Plaintiffs' joinder
in motion of U.S. to require desegregation plan for Elmore
County and Tallassee City Systems and objections to proposed
Elmore County bus routes.

DATE	PROCEEDINGS	Date Order or Judgment Noted
7/15/69	ORDER adding parties defendant and order requiring parties defendant to appear and show cause. Superintendents of Education and individual members of Boards of Education of Baldwin, Chilton, Coffee, Conecuh, Covington, Dale, Henry, Lamar, Limestone, Marengo, Marion, Monroe, Pickens, Russell, Sumter, Washington, and Tuscaloosa Counties, and Attalla, Demopolis, Eufaula, Marion, Opelika, Phenix City, Anniston, and Dothan Cities made parties defendant in this cause and ordered to appear before this Court at 9:30 a.m., July 29, 1969, and show cause why they should not be required to take further affirmative steps to disestablish their dual school systems for the 1969-70 school year. Clerk and U.S. Marshal ordered to take necessary steps to serve copy of this order and copy of motion of U.S. filed July 14, 1969, upon the superintendent and the individual members of each of the school systems listed. (Copies delivered to Marshal for service; copies mailed to counsel and Supt. of Education for State of Alabama.)	
"	ORDER (Elmore County and Tallassee City School Systems). Motion of plaintiffs filed 7/14/69, joining with U.S. in its motion to require a desegregation plan for the Elmore County and City of Tallassee School Systems and the objections of the plaintiffs and the City of Tallassee to proposed bus routes of Elmore County set for hearing at 1:30 p.m., July 24, 1969. (Copies mailed to counsel and to State Supt. of Education.)	
7/17/69	Answer of Elmore County Board of Education to motion of plaintiffs and the U.S. to require a desegregation plan for the Elmore County System and objections as filed by U.S. and joined by plaintiffs to proposed bus routes.	
7/17/69	Deposition of Dr. Lathen N. Sibert.	
7/18/69	Defendants' summaries of depositions in connection with trade schools and junior colleges. Affidavit to be attached to deposition of J. F. Ingram. (trade schools and junior colleges)	
7/18/69	Stipulation of parties--trade schools and junior colleges--as to authenticity of the attached list of exhibits. Exhibit list and exhibits attached.	



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- 22/69 Answers of Alabama State Teachers Association to interrogatories.
- 22/69 Marshal's returns of service of motion for order to show cause and ~~order~~ to show cause of 7/15/69.
 Russell County Board of Education. Superintendent and Board Members served 7/16/69.
 Phenix City Board of Education. Superintendent and Board Members served 7/16/69.
 Opelika City Board of Education. Superintendent and Board Members served 7/16/69.
 Chilton County Board of Education. Superintendent and Board Members served 7/18/69.
- 23/69 Marshal's additional returns of service of motion and the order of 7/15/69.
 Limestone County Board of Education. Superintendent and Board Members served 7/18/69.
 Eufaula City Board of Education. Superintendent and Board Members served 7/17/69.
 Henry County Board of Education. Superintendent and Board Members served 7/16/69.
 Dothan City Board of Education. Superintendent and Board Members served 7/16/69.
 Dale County Board of Education. Superintendent and Board Members served 7/16/69.
 Covington County Board of Education. Superintendent and Board Members served 7/18/69.
 Coffee County Board of Education. Superintendent and Board Members served 7/18/69.
- 23/69 Conecuh County. Motion of John V. Seales that he be dismissed as defendant - no longer on school board.
- 24/69 Marshal's additional returns of service of motion and order.
 Superintendent and Board Members served 7/22/69.
- " ORDER-- Conecuh County--substituting James Warren as member of Conecuh County School Board for John V. Seales.
- " Copy of order substituting defendant and order to show cause of 7/15/69 delivered to Marshal for service on James Warren.
- " ORDER--St. Clair County School System--petition for modification of August 28, 1968, order denied. (Copies mailed to counsel and to State and County Superintendents.)
- 5/69 Dothan City School System. Answer to show cause order of 7/15/69.
- 5/69 Conecuh County School System--motion of R. V. McLendon that he be dismissed as party defendant since he is no longer on Board.
 ORDER--Conecuh County School System--substituting Jeff Moorer as a defendant for R. V. McLendon. (Copies delivered to Marshal for service; copies mailed to counsel.)

DATE	PROCEEDINGS	Date Order or Judgment Noted
7/25/69	ORDER--Attalla City School System--Wendell W. Pierce, III, Rev. Jesse Wade, and Frank Madrey substituted as parties defendant for Oscar F. Whitt, William Talbot and Joe Van Clayton. (Copies mailed to counsel and Dr. Stone; copies delivered to Marshal for service.)	
"	ORDER--Marion County School System. Marion County Superintendent and Board Members discharged as parties defendant and relieved of duty to appear on July 29, 1969. (Copies mailed to Marion County Superintendent and Board Members; to Dr. Ernest Stone, and to counsel.)	
"	Elmore County-Tallassee City School Systems. Court reporter's transcript of proceedings on 7/24/69 on motion, objections, etc., pertaining to these two school systems.	
"	Marshal's additional returns of service of motion and order to show cause. <u>Attalla City School System</u> . Service on Forest Patrick, Superintendent, and George P. Walker, Jr., Board Member, on 7/23/69.	
7/26/69	Anniston City School System. Response to show cause order.	
"	Opelika City School System. Response to show cause order.	
7/28/69	Monroe County School System. Response to show cause order.	
"	Marshal's additional returns of service of motion and order to show cause. Monroe County School System. Service on Charles M. Pouncey, Superintendent, and Edgar L. Melton, Dr. John W. Abbott, Tom W. Weatherford, S. Miller Fore, and Neil Kilpatrick, Board Members, on 7/17/69. Washington County. Service on John S. Wood, Superintendent, and Robert E. Sullivan, Rufus L. Dickey, Richard A. Boykin, James I. Scarbrough, and Richard Quiggle, Board Members, on 7/18/69. Demopolis City System. Service on A. A. Knight, Superintendent; John Caldwell, John C. Webb, W. Harry Britton, Fred O. Braswell, and E. P. Griffith, Jr., Board Members, on 7/22/69. Marion City System. Service on Fred Hubbard, Superintendent; P. D. Sadler, Robert Childs, W. H. Stewart, Jr., Rudolph Harrison, and Annie Lee Nichols, Board Members, on 7/22/69. Baldwin County. Service on W. Candler McGowan, Superintendent; E. Davidson, Paul W. Cleverdon, W. Max Griffin, John W. McMillan, and Dr. H. C. Jordan, Board Members, on 7/16/69. Marengo County. Service on Fred Ramsey, Superintendent; T. A. Moseley, T. H. Miller, J. M. DeLoach, Carl Walker, and M. W. McKee, Board Members, on 7/22/69.	

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- /69 Marshal's returns on motion and order to show cause (continued):
Conecuh County. Service on Harvey G. Pate, Superintendent;
John V. Seale, Robert V. McLendon, Frank Chavers, John Neilsen,
and Paul Watson, Board Members, on 7/17/69.
- Lamar County. Service on Edwin Allen, Superintendent; Frank
Ogden, Ted Boyett, Billy Prater, J. C. McAdams, and A. A.
Chandler, Board Members, on 7/24/69.
- Marion County. Service on Estes Hudson, Superintendent; Lee
Hightower, A. J. Wood, Carl Byrd, Robert Hester, and J. W.
Sullins, Board Members, on 7/24/69.
- '69 Additional Marshal's returns--motion and order to show cause.
Tuscaloosa County. Service on Luther C. Sprayberry, Superintendent;
A. D. Christian, J. Paul Singleton, Gertrude Brewer, M. L. Hosmer,
Jr., and Mrs. Joe Beasley (replacing Marshall Walker), Board
Members, on 7/25/69.
- Pickens County. Service on William W. Carpenter, Superintendent;
J. V. Park, J. L. Stone, Marvin Elmore, T. B. Woodard, and Billie
F. McCool, Board Members, on 7/24/69.
- Opelika City School System. Affidavit in support of response to
show cause order.
- Covington County School System. Answer to show cause order.
- Phenix City School System. Answer to show cause order.
- Russell County School System. Answer to show cause order.
- Sumter County School System. Answer to show cause order.
- Dale County School System. Answer to show cause order.
- Baldwin County School System. Answer to show cause order.
- Chilton County School System. Answer to show cause order.
- Washington County School System. Answer to show cause order.
- Pickens County School System. Answer to show cause order.
- 9/69
59 ORDER--Dale County School System--Dale County School Board and
its superintendent and members discharged as parties defendant.
(Copies mailed to counsel; to State Superintendent of Education;
Dale County Superintendent, and Dale County Board Members.)

DATE	PROCEEDINGS	Date Order or Judgment Noted
8/1/69	Marshal's additional returns--motion for order to show cause and show cause order of 7/15/69: Anniston City. Service on Dr. Edgar W. Branyon, Board Member, 7/28/69. Attalla City. Service on Frank Reagan, Wendell Pierce, Frank Madrey, and Jesse Wade, on 7/28/69. This service included copy of order of substitution. Sumter County. Service on Elgin W. Mellow, Robert P. Upchurch, William R. Grant, Samuel Little, Charles Tate, Edward Ozment on 7/24/69.	64
"	Marshal's returns of service of orders of substitution in Conecuh County Board members. Service on Jeff Moorer and James Warren on 7/28/69.	
"	Motion of Alabama State Teachers, Inc., Plaintiff-Intervenor, for an ex parte order adding as parties defendants school officials of 27 county systems and 6 city systems and requiring these school officials to show cause why they should not be enjoined from discriminating in the hiring, firing, assigning, reassigning, promoting, demoting and paying of teachers, principal, administrators and other staff personnel solely on the basis of race or color.	
"	Motion of National Education Association, Inc., for leave to intervene as plaintiff-intervenor. Proposed complaint in intervention attached.	
8/4/69	ORDER setting motion of National Education Association, Inc., for submission on August 18, 1969, on briefs to be filed on or before said date at 10 a.m. (Copies mailed to counsel and to State Superintendent of Education.)	
8/4/69	ORDER--Autauga County School System. Said school system ordered prior to 1969-70 school year to discontinue transportation of Negro students to Autauga County Training School, the North Highland School and Hicks Memorial School from any point in the county where their residence is closer to a traditionally white school and assign them to schools nearest their residence; prior to 1969-70 school year close the North Highland Elementary School and assign the students who have chosen to attend it to the traditionally white school nearest their home; prior to	

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1970-71 school year to cease using the Autauga County Training School and the North Highland High School as schools with all-Negro student bodies; for 1969-70 school year to assign faculty and staff members at each school so there will be at least one teacher whose race is in the minority for every four teachers whose race is in the majority. Autauga County Board of Education enjoined from granting choice of any white student to attend a predominately white school other than that school which has traditionally served the area of his or her residence. (Copies mailed to counsel and to Autauga County Superintendent of Education,) and to Board Members.)

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ORDER--Elmore County and Tallassee City School Systems. Revised school transportation plan submitted by Elmore County Board of Education pursuant to Court's order of May 29, 1969, approved and accepted; Elmore County Board of Education to assign Negro students living in area described in revised school transportation plan as serving the Holtville School to the Holtville School; Elmore County Board of Education to assign Negro students who live in area described in revised transportation plan as serving the Elmore County High School to Elmore County High School, except these Negro students in area which overlaps with the Tallassee transportation area who shall be given a choice of schools as hereinafter provided; Elmore County Board of Education to assign Negro students in grades 1-9 who live in area described in revised transportation plan as serving Sewell Memorial School to Sewell Memorial School; Elmore County Board of Education to cease operating W. B. Doby and Sandtown High Schools as all-Negro schools prior to 1970-71 school year. New choice period to be conducted from August 11-15, 1969, for Negro students in the area where there is an overlap between Tallassee and Eclectic transportation areas; such choice not to be given to Negro students who were in grades 1-5 at Carver-Eclectic for 1968-69 school year; these students to be assigned to Elmore County High School. City of Tallassee required to enroll students from Elmore County who choose to attend Tallassee City Schools in a number equal to number of Elmore County students that City of Tallassee has taken in past, plus an additional 10 % increase if that many Elmore students choose to attend. Proposal of Tallassee City Board to eliminate dual school system by pairing the three schools in Tallassee approved and accepted; Tallassee Board to file written plan with Court not later than August 20, 1969, detailing their proposals for assignment of students. Faculties of both systems ordered desegregated by assignment of faculty and staff so that there will be at least one teacher whose race is in the minority for every four teachers whose race is in the majority at each school. (Copies mailed to counsel, superintendents, and board members.)

DATE	PROCEEDINGS	Date Order or Judgment Note
8/5/69	ORDER--Randolph County School System. That part of orders of Aug. 28, 1968, and Feb. 19, 1969, requiring the closing of Mt. Carmel School not later than commencement of 1969-70 school year amended to direct closing of said school not later than second semester of 1969-70 school year. Effective commencement of 1969-70 school year faculties to be desegregated so that in each school the race of at least one to every four faculty members will be opposite from the race of the majority of the faculty and staff in each school in the system. Report as to these assignments to be made on or before Aug. 20, 1969. Board to file in writing no later than Dec. 1, 1969, a plan to be effective with commencement of 1970-71 school year, whereby dual school system based on race will be completely disestablished commencing with 1970-71 school year, said plan to include desegregation of faculties commencing with 1970-71 school year so that ratio of white to Negro faculty members is substantially the same in each school as it is throughout Randolph County system; this ratio is approximately two to one. (Copies mailed to counsel; to Superintendent of Randolph County Schools, and State Supt. of Education.) " Defendants' motion to dismiss National Education Association's application for leave to intervene. " ORDER setting defendants' motion for submission on briefs to be filed no later than August 18, 1969, at 10 a.m. (Copies to counsel and State Superintendent of Education.) " Amendment to motion of Alabama State Teachers Association (which was filed 8/1/69) for order to show cause. " Report of State Superintendent of Education on the closing of schools and/or grades ordered by decree of August 28, 1968.	66
8/6/69	ORDER. Twenty-three school systems--Eufaula City, Coffee County, Covington County, Attalla City, Monroe County, Lamar County, Marengo County, Demopolis City, Baldwin County, Chilton County, Conecuh County, Henry County, Limestone County, Washington County, Tuscaloosa County, Marion City, Opelika City, Pickens County, Russell County, Phenix City, Sumter County, Anniston City, and Dothan City--ordered to take the affirmative action set out in the order to further desegregate their school systems effective with the commencement of the 1969-70 school year and completely disestablish their dual systems no later than the commencement of the 1970-71 school year. The U.S., through use of educational experts of Office of Education, HEW, ordered to formulate and submit on or before Dec. 1, 1969, plans designed to disestablish	

DATE	PROCEEDINGS	Date Order or Judgment Noted
	completely the dual school systems, effective not later than the commencement of the 1970-71 school year, operated by the Marengo County, Pickens County, Russell County, Phenix City, Sumter County, and Anniston City school systems--these boards to have 15 days from submission of these plans to submit alternative plans provided the alternative plans are designed to completely and realistically disestablish the dual system no later than commencement of 1970-71 school year. As to Tuscaloosa County, the U.S. is ordered to submit a plan within 15 days that will substantially desegregate that system effective with the commencement of the 1969-70 school year and completely disestablish the dual system no later than commencement of 1970-71 school year. Tuscaloosa County has 5 days from submission of this plan to submit alternative plan provided alternative plan is designed to effect substantial desegregation for 1969-70 school year and complete disestablishment of dual system no later than commencement of 1970-71 school year. (Copies mailed by certified mail, return receipt requested, to superintendents and board members; copies mailed by regular mail to attorneys and State Superintendent.)	67
1/69	ORDER--Anniston City School System and Dothan City School System. ORDER amending order of August 6, 1969, to provide for assignment of Negro students who have heretofore attended all-Negro schools to predominantly white schools to an extent that a minimum of 30% of the total number of Negro students in the system will be attending predominantly white schools during the 1969-70 school year. Other provisions of order remain in full force and effect. (Copies mailed to counsel, to superintendents of the two school system, and to State Superintendent.)	
2/69	Russell County School System--Petition of Superintendent of Education and Board of Education for modification of order of August 6, 1969. ORDER--Russell County School System--setting petition for hearing in chambers at 2:30 p.m., August 13, 1969.	
3/69	Phenix City School System--Petition of Superintendent and Board of Education for modification of order of August 6, 1969.	
"	Tuscaloosa County School System--Motion of United States for extension of time to file the plan required by August 6 order for complete disestablishment of dual school system in Tuscaloosa effective not later than commencement of 1970-71 school year.	
4/69	ORDER--Tuscaloosa County School System--extending time for U.S. to file plan for complete disestablishment of dual school system in Tuscaloosa County to December 1, 1969. (Copies mailed to counsel.)	

DATE	PROCEEDINGS	Date Order or Judgment Note
8/14/69	ORDER--Russell County school system. Order of August 6, 1969, amended so as to provide--rather than cessation of the operation of the Mt. Sinai School as an all-Negro school effective 1969-70 school year and assignment of those Negro students to Russell County High School or Chavala School--that prior to commencement of 1969-70 school year, Negro students heretofore attending all-Negro schools shall be assigned to predominantly white schools to extent that total student enrollment will be composed of not less than 25% Negro students in each of the predominantly white schools. (Copies mailed to counsel, to Russell County Superintendent and Board Members, and State Superintendent.)	68
"	ORDER--Phenix City school system. Petition of Phenix City Board of Education filed 8/13/69 for modification of order of August 6, 1969, denied. (Copies mailed to counsel, to Phenix City Superintendent and Board Members, and to State Superintendent of Education.)	
8/15/69	Linden School System. Report of Linden School Board in accordance with the order entered in connection with said school system on 5/12/69.	
8/15/69	Marengo County School System. Petition for modification of order of August 6, 1969.	
8/18/69	ORDER--Marengo County school system. Petition of Marengo County Board of Education filed 8/15/69 for modification of order of August 6, 1969, denied. (Copies mailed to counsel, to Marengo County Superintendent and Board Members, and to Dr. Stone.)	
8/18/69	Response of the United States to National Education Association's motion to intervene.	
8/19/69	ORDER--Marengo County school system--amending order of 8/18/69. Matter as to faculty desegregation for the school year 1969-70 set for a conference at 2:30 p.m., Monday, August 25, 1969. All other provisions in the order of 8/18/69 shall without amendment remain in full force and effect. (Copies mailed to counsel, to Marengo County Superintendent and Board Members, and to Dr. Stone.)	
"	Tallassee City School System--Report filed in accordance with order of 8/5/69.	
8/20/69	Following reports filed in accordance with order of 8/6/69: Dothan City, Eufaula City, Opelika City, Chilton County, and Covington County; also Anniston City.	
8/21/69	Limestone County School System--Report on bus transportation.	

ATE	PROCEEDINGS	Date Order or Judgment Noted
/69	Following reports filed in accordance with order of 8/6/69: Attalla City, Demopolis City, Phenix City, Marion City, Coffee County, Monroe County, Baldwin County, Conecuh County, Henry County, Russell County, Sumter County, Limestone County, Lamar County, and Pickens County. Tuscaloosa County School System--Plan filed by the United States in accordance with order of 8/6/69. Washington County School System--Motion for extension of time to file report as required by 8/6/69 order., and ORDER granting same. ORDER granting motion of National Education Association, Inc., filed 8/1/69, to intervene as a plaintiff, and directing that their complaint in intervention be filed and that they take the necessary and appropriate steps to secure service of the complaint in intervention. Defendants' motion to dismiss application to intervene denied. Ordered that the motion of Alabama State Teachers Asso., filed 8/1/69, and amended 8/5/69, be denied without prejudice to the filing of any motion by the National Education Asso. The Alabama State Teachers Association, Inc. dismissed as a plaintiff-intervenor. (Copies mailed to counsel.) Complaint in intervention filed by National Education Association, Inc., in accordance with the order of 8/21/69.	69
69	Marengo County School System--Report filed in accordance with order of 8/6/69. ORDER adding parties defendant and order requiring parties defendant to show cause. County systems (together with their superintendents and board members) of Bibb, Butler, Calhoun, Chambers, Clarke, Colbert, Coosa, Dallas, Escambia, Geneva, Greene, Houston, Lee, <u>Macon</u>, Morgan, Pike, St. Clair, Shelby, Talladega and Tallapoosa, and City systems (with superintendents and board members) of Alexander City, Andalusia, Brewton, Decatur, Elba, Enterprise, Florala, Florence, Lanett, Ozark, Selma, Sheffield, Sylacauga, Talladega, Troy, Tuscaloosa, and Tuscumbia added as parties defendant and ordered to show cause in writing on or before September 30, 1969, why they should not be required to file a plan whereby, effective with commencement of 1970-71 school year, the dual school system based upon race will be effectively and completely disestablished. If any parties desire to present evidence, such evidence to be presented by deposition and filed on or before September 30, 1969. (Copies mailed by certified mail to each school superintendent and board member; copies mailed by regular mail to attorneys and State Superintendent Ernest Stone.)	
69	Report of Washington County school system in accordance with order of August 6, 1969. ORDER--Marengo County school system. Orders of August 6 and 18, 1969, further amended to allow Marengo County Board until September 30, 1969, to report further, in writing, on the student and teacher assignments heretofore ordered in said school system.	

DATE	PROCEEDINGS	70 Date Order or Judgment Note
8/27/69	ORDER--Tuscaloosa County school system. The desegregation plan for Tuscaloosa County public school system formulated by the Office of Education of the Department of Health, Education and Welfare and filed 8/21/69, a copy of which is attached to this order and by reference adopted and made a part of this order, is adopted as the plan for the substantial desegregation of the Tuscaloosa County dual school system for the school year 1969-70. Superintendent of Tuscaloosa County Board of Education and the board members ordered to fully and completely implement said desegregation plan to be effective for 1969-70 school year. Board ordered to report in writing on or before Sept. 30, 1969, the results, insofar as student and teacher assignments are concerned, in each grade and in each school operated by Tuscaloosa County Board of Education. (Copies mailed to counsel, to Tuscaloosa County Superintendent and Board Members, and State Superintendent of Education.)	
8/28/69	ORDER--Further reports required of Baldwin County, Chilton County, Conecuh County, Limestone County, Russell County, Opelika City and Phenix City school boards. Additional time for additional compliance to be afforded Pickens County, Dothan City, Demopolis City and Covington County school systems. Superintendents of Education of Baldwin County, Chilton County, Conecuh County, Limestone County, Russell County, Opelika City, Phenix City, Pickens County, Dothan City, Covington County and Demopolis City ordered to file on or before September 30, 1969, reports on State Department of Education Form CO-7-69 as to faculty assignments and on State Department of Education Form CO-1-69 as to student assignments. (Copies mailed to Superintendents and Board Members and attorneys of school systems involved; also to State Superintendent Ernest Stone and counsel for plaintiffs, defendants and plaintiff-intervenors.)	
8/29/69	Petition of Baldwin County Board of Education for modification of order of August 6, 1969, and motion for hearing on same.	
"	Defendant state officials' joinder in petition of Baldwin County for modification of order.	
"	ORDER setting Baldwin County's petition for modification for hearing at 9:30 a.m., September 2, 1969. (Copies mailed to counsel.)	
9/2/69	ORDER--Baldwin County School System. Order of August 6, 1969, amended in certain respects as it applies to Baldwin County. (Copies mailed to counsel; to Baldwin County Superintendent and Board Members, and State Superintendent of Education.)	

DATE	PROCEEDINGS	Date Order or Judgment Noted
'69	ORDER--Lee County School System. Order of March 3, 1969, relating to Lee County amended in certain respects. (Copies mailed to counsel, to Lee County Superintendent and Board Members, and to State Superintendent Ernest Stone.)	7
'69	Petition of Pickens County Board of Education for temporary restraining order and injunction.	
	ORDER--Pickens County--setting petition for temporary restraining order for hearing at 9 a.m., Sept. 8, 1969, and directing service of copy of this order, together with copy of petition of Pickens County Board of Education, upon each of the defendants, (33 in number) named in the petition; and ordering said defendants to appear at said time to show cause why temporary restraining order should not be issued and why said defendants should not be restrained from further commission of the acts, threats, etc., which may tend to interfere with enforcement of the judgment and orders of this Court insofar as the same relate to the desegregation of the public schools of Pickens County. (Copies of order and petition delivered to Marshal for service; copies mailed to counsel, and to Dr. Ernest Stone.)	
0/69	Summons issued and delivered with copies of complaint in intervention and order of 8/21/69 to Marshal for service on Governor Brewer, Dr. Stone, and the Board-by serving Dr. Stone.	
/69	Marshal's return on service of petition and order of 9/4/69 on Pickens County Board of Education. Personal service on James H. Corder, W.B. King, J. E. Garner, Bessie Bantum, Marietha Windham, Mrs. Stacy Ivy, Anderson Suttle, Mrs. Anderson Suttle, Mrs. Robert Wilkins, Lady Bell Conner, Bessie Garner, Mary Clark, Mattie Clara Hughes, John Henry Steel, Nancy Wilder, Thomas Wilder, Collins Harris, Joseph Hammond, Dave Summerville, and Anais Wilder, on September 5, 1969. Service on Robert Wilkins by serving Mrs. Robert Wilkins on 9/5/69. Service on Cleola King by serving Rev. W. B. King 9/5/69. Service on James Lanier by serving Rev. W. B. King 9/5/69. Service on the Pickens County Community Improvement Ass. by serving Rev. James H. Corder, President, 9/5/69. Service on the Pickens County Chapter of the National Association for the Advancement of Colored People by serving James H. Corder, President, 9/5/69. Service on the Pickens County Chapter of Southern Christian Leadership Conference by serving James H. Corder, President, on 9/5/69. Service on the Southern Christian Leadership Conference by serving James H. Corder, Member and Field Worker for said organization, 9/5/69. Service on Mattie Gay by serving Thomas Wilder, father, 9/5/69. Returned unexecuted as to Mary M. Hughes, Willie B. Corder, Hazel Owens, Nancy Hughes, and Betty L. Spencer, 9/5/69.	

DATE	PROCEEDINGS	Date Order or Judgment Note
9/11/69	Marshal's returns of service of NEA's complaint in intervention and order of 8/21/69. Alabama State Board of Education served 9/11/69 by leaving copy with Dr. Ernest Stone, State Superintendent of Education; personal service on Dr. Ernest Stone, as State Superintendent of Education, on 9/11/69; service on Hon. Albert P. Brewer, Governor, State of Alabama, on 9/11/69 by leaving copies with Hugh Maddox, Legal Adviser.	72
9/12/69	Opelika City School Board. Report of school board in accordance with order of Aug. 28, 1969.	
9/17/69	Report of Macon County Board of Education after school opening.	
9/17/69	Russell County School System. Petition of school board for permission to use the school building at Sandfort for the seventh and eighth grades of Chevala School.	
"	ORDER--trade schools and junior colleges. . Motion of U.S., filed 4/30/69, for further relief, granted. U.S. Office of Education, Department of Health, Education and Welfare, through use of educational experts, ordered to formulate and submit to Court on or before March 2, 1970, a plan for desegregating the trade schools and junior colleges operated by State of Alabama and administered by Alabama State Board of Education, designed to desegregate these institutions not later than Sept. 1970. Defendant members of Alabama State Board of Education, State Superintendent of Education, their agents, successors, employees and all others acting in concert and participation with them, ordered to cooperate fully with representatives of U.S. Dept. of Justice and Office of Education, HEW, and to make available all information and records in their possession necessary to development of the plan. Board of Education to have 30 days from submission of plan by U.S. to submit alternative plan. (Copies mailed to counsel.)	
"	Writ of injunction in accordance with order of 9/17/69 issued and delivered to Marshal for service on Hon. Albert P. Brewer, as President of Alabama State Board of Education; Dr. Ernest Stone, State Superintendent of Education, and the members of the State Board of Education.	
9/17/69	Marshal's return of service of writ of injunction and order. Personal service on Dr. Ernest Stone, Supt. of Education, State of Alabama, on 9/17/69.	
9/18/69	Marshal's return on service of writ of injunction and order. Service on Gov. Albert P. Brewer by serving Robert Cleckler, Executive Secretary to the Governor, 9/18/69. Personal service on Ed Dannelly and Mrs. Carl Strang, as members of the Ala. State Board of Education, 9/17/69.	

DATE	PROCEEDINGS	Date Order or Judgment Note
9/69	ORDER--Russell County School System. Order of August 6, 1969, amended in certain respects as it applies to Russell County School System. Motion of the Russell County Board of Education, filed 9/17/69 seeking leave to transfer the pupils presently enrolled in grades 7 and 8 in the Chavala School, both black and white, to the Sanford School is granted; the granting of this motion is conditioned upon the Russell County Board of Education obtaining the approval of said transfer from the State Board of Education and the State Superintendent. (Copies mailed to counsel; to State Superintendent of Education; to Russell County Superintendent)	73
23/69	Marshal's returns of service of order and writ of injunction--trade schools and junior colleges. Service on Victor P. Poole and Dr. James D. Nettles on 9/19/69.	
26/69	Marshal's additional returns on above-described order and writ of injunction. Service on Rev. Harold C. Martin on 9/23/69; service on Fred L. Merrill on 9/24/69.	
6/69	Responses to show cause order of August 25, 1969, filed by: ✓ Ozark City school system ✓ Talladega City school system (letter which says it is not a response to order) ✓ Tusculumbia City school system ✓ Talladega County school system (letter which says it is not a response to order)	
7/69	Responses to show cause order of August 25, 1969, filed by: ✓ Houston County school system ✓ Macon County school system ✓ Brewton City school system	
7/69	Petition of Escambia County school system, in response to order of 8/25/69.	
	Responses to order of August 28, 1969, filed by: ✓ Covington County school system. ✓ Marengo County school system	
	Report of Linden City school system.	
/69	Responses to order of August 25, 1969, filed by: ✓ Shelby County school system. ✓ Andalusia City school system. ✓ Enterprise City school system. ✓ Florala City school system. ✓ Selma City school system. ✓ Sheffield City school system.	

DATE	PROCEEDINGS	74	Date Order or Judgment Note
9/29/69	Responses to order of August 28, 1969, filed by: Limestone County school system		
9/30/69	Responses to order of August 25, 1969, to show cause, filed by: ✓ Bibb County school system - Chambers County school system - Clarke County school system ✓ Lee County school system - Morgan County school system - Pike County school system - Colbert County school system - Tallapoosa County ✓ Alexander City school system ✓ Elba City school system - Troy City school system. ✓ Decatur City school system. - Florence City school system		
9/30/69	Response to order of August 28, 1969, filed by: Chilton County school system.		
9/1/69	Responses to show cause order of August 25, 1969, filed by: - Lanett City school system - Tuscaloosa City school system		
10/1/69	Responses to order of August 28, 1969, filed by: - Baldwin County school system - Conecuh County school system - Russell County school system - Demopolis City school system - Phenix City school system - Pickens County school system		
10/2/69	Marshal's returns on trade school and junior college order of 9/17/69. Service on Cecil Word and W. M. Beck, Sr., on 9/25/69.		
10/3/69	Petition of certain Escambia County citizens for leave to intervene.		
10/6/69	Report after school opening on student enrollment by race and grade at each school; faculty assignments; faculty vacancies and transfers, filed by State Superintendent of Education for the school systems still operating dual school systems based on race		

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PROCEEDINGS

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- 22/69 ORDER--Escambia County School System. Motion of certain Escambia County citizens to intervene denied. (Copies mailed counsel, Dr. Stone, and Escambia County Superintendent.)
- 23/69 ORDER--Houston County School System. Wallace Buie and H. L. Tinker, as members of the Houston County Board of Education, substituted for L. J. Thomas and W. B. Whatley as defendants. (Copies mailed to counsel, Dr. Ernest Stone, and members named in this order.)
- ORDER that each of the following school systems, the individual board members and the superintendents thereof, file on or before January 15, 1970, a plan whereby, effective with the commencement of the 1970-71 school year, the dual school system--based upon race, both as to students and faculty--as operated by each of said school systems will be effectively and completely disestablished: County systems of Bibb, Butler, Calhoun, Chambers, Clarke, Colbert, Coosa, Dallas, Escambia, Geneva, Greene, Houston, Lee, Macon, Morgan, Pike, St. Clair, Shelby, Talladega, Tallapoosa, and City systems of Alexander City, Andalusia, Brewton, Decatur, Elba, Enterprise, Florala, Lanett, Ozark, Selma, Sheffield, Sylacauga, Talladega, Troy, Tuscaloosa, and Tuscumbia. The United States, through the use of educational experts of the Office of Education, Department of Health, Education and Welfare, directed to study the operation of each system and confer with and assist each in formulating the required plan. The superintendent and other officials of each said school system are directed to cooperate fully with representatives of the Office of Education, Department of Health, Education and Welfare, to make available all information and records in their possession necessary to the development of the plans herein ordered prepared and filed. In each instance, the Office of Education, Department of Health, Education and Welfare, shall have fifteen days from the date of the submission of said plan, in the event the plan as submitted will not realistically and effectively disestablish the dual system based upon race, to submit to this Court an alternative plan. (Copies mailed by certified mail to each school superintendent and board member; copies mailed by regular mail to attorneys and State Superintendent Ernest Stone.)
- 1/69 Decatur City School System. Revised report of faculty assignments and faculty vacancies and transfers.
- 0/69 Marshal's return--writ of injunction and order on trade schools. Personal service on W. C. Davis on 10/29/69.
- 7/69 Pickens County School System. ORDER dismissing petition for temporary restraining order and injunction filed Sept. 4, 1969, by Pickens County Board of Education. (Copies mailed to counsel.)
- 4/69 Marion City School System: proposed plan for 1970-71 school year.
- 4/69 State Superintendent of Education's report on equalization of facilities. Individual reports attached.
- 6/69 Chilton County school system: plan for 1970-71 school year.
- 8/69 Dothan City School System: plan for 1970-71.
Randolph County School System: plan for 1970-71.

DATE	PROCEEDINGS	Date Order or Judgment Note
12/1/69	Plans for disestablishment of dual school system based upon race effective with commencement of 1970-71 school year submitted by HEW in compliance with order of 8/6/69 for following school systems: Marengo County Anniston City Pickens County Phenix City Russell County Sumter County Tuscaloosa County	
12/1/69	Eufaula City school system: Plan submitted by school board in accordance with order of 8/6/69 for disestablishment of dual system based upon race effective with commencement of 1970-71 school year.	
"	Opelika City school system: Plan submitted by school board in accordance with order of 8/6/69 for disestablishment of dual system effective with commencement of 1970-71 school year.	
12/2/69	Washington County school system: Motion for extension of time to file plan for disestablishment of dual school system.	
12/2/69	Baldwin County school system: Plan submitted by school board in accordance with order of 8/6/69 for disestablishment of dual school system.	
"	Conecuh County school system: Plan submitted by school board in accordance with order of 8/6/69 for disestablishment of dual school system.	
"	Demopolis City school system: Plan submitted as required by order of 8/6/69.	
"	Monroe County school system: Report on progress and plans of Monroe County Board of Education.	
"	Washington County school system: ORDER extending time for filing plan required by order of 8/6/69 to December 10, 1969. (Copies mailed to counsel.)	
"	Henry County school system: Plan submitted as ordered.	
12/3/69	Chilton County School System: ORDER that U.S., through use of educational experts of Office of Education, U.S. Dept. of Health, Education and Welfare, formulate and submit on or before 2/16/70 a plan designed to disestablish completely Chilton County's dual school system not later than commencement of 1970-71 school year. Chilton County Board to have 15 days after submission of this plan to submit an alternative plan for complete disestablishment of dual system not later than commencement of 1970-71 school year. (Copies mailed by certified mail to Superintendent of Education of Chilton County and Chilton County Board Members, U.S. Attorney, and HEW, Atlanta, Ga. Copies mailed by regular mail to State Superintendent of Education and counsel.)	

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PROCEEDINGS

Date Order or
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- 1/69 ORDER (Limestone County school System) granting oral motion of this school board asking that the order entered herein 8/6/69, to the extent that it relates to the operation of the Limestone County school system, be amended so as to extend the time allowed the Limestone County Board of Education for filing its plan to disestablish the dual school system in Limestone county effective with the commencement of the 1970-71 school year. The Limestone County Board of Education is allowed until December 15, 1969, within which to file such a plan. (Copies mailed to counsel, including Supt. of Limestone County, C.S. Pettus, and attorney for Limestone County, Bruce Sherrill, and Dr. Ernest Stone.)
- 4/69 Alexander City School System: Plan for disestablishment of dual school system submitted by school board in accordance with order of 10/23/69.
- 10/69 ORDER that the following school systems: Marengo County, Pickens County, Russell County, Sumter County, Tuscaloosa County, Phenix City and City of Anniston show cause on or before January 15, 1970, why plans proposed by U.S. for disestablishment of the dual school systems operated in these school systems should not be ordered placed into effect. (Copies mailed by certified mail to Superintendent and individual board members of each of these school systems; copies mailed by regular mail to counsel and to State Supt. of Education.)
- ORDER--Monroe County School System. U.S. ordered, through use of educational experts of Office of Education, Dept. of HEW, to submit on or before Feb. 16, 1970, a plan for disestablishment of dual system. School system has 15 days from date of submission of this plan to submit alternative plan.
- ORDER--Randolph County School System. U.S. ordered through use of educational experts of Office of Education, HEW, to submit plan for this system on or before Feb. 16, 1970. School system has 15 days from submission of this plan to submit alternative plan.
- ORDER--Conecuh County school system. U.S. ordered through use of educational experts, Office of Education, HEW, to submit plan on or before Feb. 16, 1970. School system has 15 days from submission of this plan to submit alternative plan.
- ORDER--Dothan City school system. (Same as above for Monroe, Randolph and Conecuh Counties.)
- ORDERS (3 separate orders)--Baldwin County, Henry County, and Eufaula City school systems. Plaintiffs and U.S. ordered to show cause on or before Jan. 15, 1970, why desegregation plans filed by these systems should not be ordered placed into effect with commencement of 1970-71 school year.

DATE	PROCEEDINGS	78	Date Order or Judgment Noted
12/11/69	Washington County school system: Plan for disestablishment of dual system effective with commencement of 1970-71 school year filed by school board in accordance with order of 8/6/69.		
"	Russell County school system: Alternative plan filed in accordance with order of 8/6/69.		
12/15/69	ORDERS (2 separate orders)--Demopolis and Marion City school systems. U.S., through use of educational experts of Office of Education, HEW, ordered to submit plans for disestablishment of dual systems based upon race on or before Feb. 16, 1970. School systems have 15 days from date of submission of plans to file alternative plans.		
"	ORDERS (2 separate orders)--Alexander City and Opelika City school systems. Plaintiffs and U.S. ordered to show cause on or before Jan. 15, 1970, why desegregation plans filed by these systems should not be placed into effect with commencement of 1970-71 year.		
"	Limestone County school system: School system's plan for disestablishment of dual system effective with commencement of 1970-71 school year filed in accordance with order of 8/6/69.		
12/17/69	ORDER--Limestone County school system: U.S. ordered, through use of educational experts, Office of Education, HEW, to submit on or before Feb. 16, 1970, plan for disestablishment of dual system effective with commencement of 1970-71 school year. School board has 15 days from date of submission of this plan to submit alternative plan.		
"	ORDER--Washington County school system: U.S. and plaintiffs ordered to show cause on or before Jan. 15, 1970, why desegregation plan filed by this system should not be placed into effect with commencement of 1970-71 school year.		
"	ORDER that any party filing terminal-type desegregation plan furnish copies of same to opposing counsel.		
12/19/69	Ozark City school system: School system's plan for disestablishment of its dual system effective with commencement of 1970-71 school year filed in accordance with order of 10/23/69.		
"	Talladega City school system: School system's plan for disestablishment of its dual system effective 1970-71 filed in accordance with order of 10/23/69.		

0/69	ORDER--Russellville City School System--that school authorities put into effect not later than commencement of 1970-71 school year the amended plan, a copy of which is attached to order and made a part thereof, which said school system filed on March 19, 1969. School system ordered to report in writing within 15 days after opening of school in Sept. 1970 on student enrollment, said report reflecting name of each school, number of students attending each grade and races of students. (Copies mailed by certified mail to Supt. and Board Members; copies mailed by regular mail to counsel and State Supt.)	
1/69	Amendments filed by HEW to plans heretofore submitted for MARENGO and SUMTER COUNTY school systems.	
1/69	ORDER--Ozark City School System--that plaintiffs and U.S. show cause on or before Jan. 20, 1970, why plan proposed by school system should not be put into effect at commencement of 1970-71 school year.	
	ORDER--Talladega City School System--that plaintiffs and U.S. show cause on or before January 20, 1970, why school system's proposed plan should not be ordered placed into effect with commencement of 1970-71 school year. (Copies of two orders of 12/24/69 mailed by certified mail to U.S. Attorney; Asst. Atty. Gen. for Civil Rights; Gray, Seay & Langford; mailed by regular mail to counsel, superintendents, and State Superintendent.)	
1/70 0	Greene County School System. Plan for disestablishment of dual school system effective with commencement of 1970-71 school year filed in accordance with order of 10/23/69.	
1/70 0	Motion of Marengo County school system for extension of time to file response to show cause order of Dec. 10, 1969.	
1/70 0	ORDER--Marengo County school system--extending time for response to show cause order of December 10, 1969, to January 25, 1970. (Copies mailed to counsel and to State Supt. of Education.)	
1/70 0	Talladega County--Plan filed in accordance with order of 10/23/69.	
1/70 0	Butler County School System--Plan filed in accordance with order of 10/23/69.	
1/70 0	Enterprise City School System--Plan filed in accordance with order of 10/23/69.	
1/70 0	Sumter County School System--Response (in form of plan for desegregation) to show cause order of 12/10/69.	
1/70 0	Lanett City School System--Plan filed in accordance with order of 10/23/69.	
1/70 70	Ozark City school system--Amendment to its plan filed 12/19/69.	

DATE	PROCEEDINGS	Date Order or Judgment Note
1/10/70	Plans submitted in accordance with order of Oct. 23, 1969, by: Andalusia City School System Sheffield City School System	
1/12/70	Plans submitted in accordance with order of Oct. 23, 1969, by: Calhoun County School System Tallapoosa County School System Sylacauga City School System	
"	Plaintiffs' motion for extension of time to January 13, 1970, to submit evidence in connection with plans for desegregation, as ordered on Dec. 10, 1969, in connection with Marengo County, Pickens County, Russell County, Sumter County, Tuscaloosa County, Phenix City, and Anniston City School Systems.	
"	ORDER granting plaintiffs' motion for extension of time. (Copies mailed to counsel.)	
1/13/70	Anniston City school system: School board's suggestions for modification of HEW desegregation plan. (Response to show cause order of 12/10/69)	
"	Plans submitted in accordance with order of Oct. 23, 1969, by: Selma City School System Coosa County School System Escambia County School System	
"	Plaintiffs' objections and proposed plans in connection with HEW-submitted plans for Marengo County, Pickens County, Russell County, Sumter County, Tuscaloosa County, Phenix City, and Anniston City School Systems.	
"	Plaintiffs' additional objections to HEW-submitted plans for above-named school systems.	
"	National Education Association, Inc's., objections to proposed plans submitted by HEW for Marengo, Pickens, Russell, Sumter and Tuscaloosa County School Systems and Phenix City and Anniston City School Systems.	
1/14/70	Russell County School System: Response to show cause order of Dec. 10, 1969.	
1/14/70	Plans submitted in accordance with order of Oct. 23, 1969, by: Bibb County School System Decatur City School System Colbert County School System Lee County School System Houston County School System Floral City School System Tuscumbia City School System	

5/70 Plans submitted in accordance with order of Oct. 23, 1969, by the following school systems:

Clarke County	Elba City
Dallas County	Tuscaloosa City
Pike County	Troy City
Shelby County	
Macon County	
Morgan County	
St. Clair County	

5/70 Responses to show cause order of December 10, 1969, filed by:
Phenix City school system

Alexander City school system: Response of U.S. to show cause order of 12/15/69.

Responses of U.S. to show cause orders of December 10, 1969, in connection with the following school systems:
Baldwin County
City of Eufaula
Henry County

Opelika City school system: Response of U.S. to show cause order of 12/15/69.

Washington County school system: Response of U.S. to show cause order of 12/17/69.

Objections of plaintiffs to plans filed by following school systems:

Baldwin County	Alexander City
Bibb County	Eufaula City
Butler County	Marion City
Chilton County	Ozark City
Greene County	Talladega City
Henry County	Opelika City
St. Clair County	
Sumter County	
Talladega County	
Washington County	

Objections of NEA to plans filed by Alexander City, Eufaula City, Marion City, Opelika City, Ozark City and Talladega City School Systems, and Baldwin County, Bibb County, Butler County, Chilton County, Greene County, Henry County, St. Clair County, Talladega County and Washington County School Systems.

DATE	PROCEEDINGS	82 Date Order or Judgment Noted
1/16/70	Linden City School System: Plan filed in accordance with order of May 12, 1969.	
"	Anniston City School System: Amendment to plan filed by HEW.	
"	Plans filed in accordance with order of Oct. 23, 1969, by: Chambers County school system Geneva County school system	
"	Pickens County School System: Response to show cause order of December 10, 1969.	
"	Deposition of Fred D. Ramsey.)	
"	Deposition of James Harris, Jr.)	
"	Deposition of Moses McDonald Loftin.)	
"	Deposition of Joseph J. Evans.) Marengo County school	
"	Deposition of Mrs. Bessie J. Grant.) system	
"	Deposition of Mammie Daniels.)	
"	Deposition of Robert Morris.)	
1/17/70	Plan of Brewton City school system filed in accordance with order of 10/23/69.	
1/19/70	Pickens County school system. ORDER setting objections of this Board to desegregation plan filed by HEW for hearing at 9:30 a.m., Feb. 4, 1970. (Copies mailed to counsel; to HEW, Atlanta; State Supt. Stone; Pickens Co. Supt. Carpenter.)	
1/20/70	City of Eufaula school system: ORDER that HEW submit plan for desegregation of this system on or before Feb. 20, 1970; Eufaula Board to have 15 days from date of submission to submit alternative plan. (Copies mailed to counsel; to HEW, Atlanta, by certified mail; to Supt., Eufaula Schools by certified mail; to State Supt. Stone; to Eufaula Board Members; copy handed to Mr. Pressman, Dept. of Justice.)	
"	City of Linden school system: ORDER that HEW submit plan for desegregation of this system on or before Feb. 20, 1970; Linden Board to have 15 days from date of submission to submit alternative plan. (Copies mailed to counsel; to HEW, Atlanta, by certified mail; to Supt. of Linden Schools by certified mail; to State Supt. Stone; to Linden Board Members; copy handed to Mr. Pressman, Dept. of Justice.)	
"	City of Talladega School System: Response of U.S. to show cause order of Dec. 24, 1969.	

ATE	PROCEEDINGS	Date Order or Judgment Noted
/70	City of Ozark School System: Response of U.S. to show cause order of Dec. 24, 1969.	
/70	ORDER--Baldwin County school system. Office of Education, Dept. of HEW, ordered to, in collaboration with Baldwin County school authorities, formulate and submit on or before Feb. 20, 1970, a plan that is designed to disestablish completely the dual school system operated by Baldwin County school system effective not later than commencement of 1970-71 school year. Baldwin County authorities have 15 days from date of submission of plan to file objections thereto. (Copies mailed to counsel; to Baldwin Superintendent; HEW, Atlanta; State Supt. of Education.) ORDER--Pickens County school system. Objections of plaintiffs and NEA to desegregation plan for Pickens County school system as filed by HEW on 12/1/69 set for hearing at 9:30 a.m., Feb. 4, 1970.	
/70	Alexander City school system. Response of Alexander City school authorities to objections of U.S. and plaintiffs to desegregation plan. Alexander City school system. ORDER for addition of the supplemental provisions set out in this order to the desegregation plan of the Alexander City school system. Board ordered to file report on projected enrollment and faculty and staff assignments by race on or before Aug. 1, 1970; report on actual enrollment and racial composition of student body and faculty to be filed on or before Sept. 30, 1970. (Copies mailed by certified mail to Supt. of Alexander City Schools and to Board Members; copies mailed by regular mail to attorneys and State Supt.) Opelika City school system: ORDER that plan filed by Opelika city school system, as modified and supplemented by this order, is tentatively approved and ordered placed into effect not later than commencement of 1970-71 school year. Supplemental provisions and modifications set out; reporting schedule set out. (Copies to Opelika Supt. and Board Members by certified mail; copies to counsel and State Supt.) Henry County school system. ORDER that plan of Henry County school system for disestablishment of its dual system, as herein ordered supplemented, be placed into effect not later than commencement of 1970-71 school year. Reporting schedule set out.	

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DATE	PROCEEDINGS	Date Order or Judgment Note
1/22/70	Washington County school system. ORDER that Washington County's desegregation plan filed Dec. 11, 1969, as herein ordered supplemented and modified, be placed into effect not later than the commencement of the 1970-71 school year. Reporting schedule set out.	
1/23/70	City of Ozark school system: ORDER that the desegregation plan filed by Ozark school system, as herein ordered supplemented, be placed into effect not later than commencement of 1970-71 school year. Reporting schedule set out.	
"	City of Talladega school system. ORDER that Talladega city school authorities show cause in writing on or before Feb. 15, 1970, why alternative proposal in connection with attendance area submitted by U.S. should not be substituted for the proposed attendance areas in school system's plan. Supplemental provisions to be added to school system's plan and reporting schedule set out.	
1/24/70	Marengo County school system: Response to show cause order of December 10, 1969, filed by said school system.	
1/26/70	Talladega County school system: Submission by U.S., in accordance with order of 10/23/69, of alternative plan for desegregation.	
"	Statements of U.S. in response to the desegregation plans filed by the following school systems in accordance with order of 10/23/69: Butler County	

DATE	PROCEEDINGS	Date Order or Judgment Noted
0/70	Statements of U.S. on desegregation plans filed by: - Houston County school system - Lee County school system - Washington County school system. School system's motion for modification of order of 1/22/70 and for hearing. - Colbert County school system. Alternative plan to that proposed by system in accordance with order of 10/23/69 filed by U.S. Greene County School System: - Objections of plaintiffs to desegregation plan. - Objections of plaintiff-intervenor NEA to desegregation plan.	85
/70	Calhoun County School System. Plaintiffs' objections to desegregation plan filed by school system. Ozark City school system. ORDER amending order 1/23/70 to show that the plan approved by Court with certain supplemental provisions and modifications is the plan filed by school system on Dece. 19, 1969, and amended Jan. 10, 1970.	
/70	Calhoun County school system. Objections of HEW to desegregation plan filed by school system. Washington County school system. ORDER setting school system's motion for modification of order of 1/22/70 for hearing at 9:30 a.m., March 6, 1970. ORDERS (4 separate orders) setting hearings in connection with objections, modifications, etc., as proposed by school boards, to plans filed by U.S., commencing at 9:30 a.m., March 6, 1970, for the following school systems: - Anniston City - Phenix City - Marengo County - Russell County ORDERS (3 separate orders) that the following school systems show cause on or before Feb. 15, 1970, by the alternative desegregation plans filed by HEW should not be placed into effect and setting any objections filed for hearing on March 6, 1970, at 9:30 a.m.: - Butler County - Escambia County - Tallapoosa County ORDERS approving and ordering placed into effect, with certain supplemental provisions and modifications, at commencement of 1970-71 school year, the desegregation plans filed by the following school systems (5 separate orders):	

DATE	PROCEEDINGS		86	Date Order or Judgment Note
	Andalusia City Enterprise City Lanett City Sheffield City	Talladega County		
2/4/70	Alexander City school system--Motion of school board to set aside that portion of order of 1/22/70 applicable to Alexander City School system pertaining to desegregation of faculty and other staff.			
"	Alexander City school system--ORDER denying above motion.			
"	Sheffield--School Board's objection to alternative plan of U.S.			
	Responses of United States to desegregation plans as filed by these school systems:			
	Bibb County Calhoun County Chambers County Clarke County Dallas County Geneva County Greene County Macon County Pike County St. Clair County Shelby County Morgan County	Brewton City Decatur Elba Floral Selma Troy Tuscaloosa City Tuscumbia		
	ORDERS (4 separate orders) accepting and ordering placed into effect, with certain modifications and supplemental provisions set forth in the orders, the desegregation plans filed by the following school systems:			
	Calhoun County Coosa County Houston County Lee County	Sylacauga City		
"	Tuscaloosa County school system. ORDER denying objections of plaintiffs and NEA to school desegregation plan filed by U.S. on 12/1/69, and ordering said plan placed into effect not later than commencement of 1970-71 school year with exception of those provisions relating to Suggestions for Plan Implementation and Instructional Program, and Suggested In-Service Program, particularly that section relating to Curriculum Component.			
"	Elmore County school system. U.S. ordered to submit plan for disestablishment of its dual system effective with commencement of 1970-71 school year by Feb. 25, 1970. Board has 10 days after that to submit alternative plan.			

DATE	PROCEEDINGS	Date Order or Judgment Note
/70	<i>Set for hearing 3-6-70.</i> ORDER--Colbert County--that school board show cause on or before	87
5/70	2/20/70 why alternative proposal of U.S. should not be adopted. Macon County school system. School board's amendment to its desegregation plan heretofore filed.	
10/70	Amendment to order of February 3, 1970--City of Sheffield School System. Attendance area designated as "Blake Elementary Zone" in school system's plan as approved by order of February 3, 1970, modified upon consideration of school board's response, filed 2/4/70, to Office of Education's alternative plan. ORDERS (2 separate orders) approving and ordering placed into effect, with certain modifications and supplementary provisions as set out in the orders, not later than the commencement of the 1970-71 school year, the desegregation plans filed by: City of Florala School System City of Brewton School System. ORDER to show cause--City of Troy School System. School Board ordered to show cause within 10 days why Court should not require formulation of new plan for City of Troy school system including the laboratory school of Troy State University. ORDERS (2 separate orders) that the following school systems show cause on or before February 23, 1970, why certain alternative proposals of Office of Education should not be adopted: Calhoun County City of Tuscaloosa Butler County school system. Objections of Board of Education to alternative plan submitted by Office of Education.	
1/70	ORDER--Andalusia City school system--amending order entered 2/3/70 by requiring said school system to implement as a part of its plan of desegregation certain additional provisions and modifications. ORDER--Selma City school system--that school system show cause on or March 13, 1970, commencing at 9:30 a.m., why alternatives and modifications suggested by U.S. in its response filed Feb. 4, 1970, should not be adopted. ORDERS (2 separate orders) approving, with certain supplementary provisions and modifications, the desegregation plans filed by: Decatur school system (HEW to submit by March 20 an alternative plan in event the construction contemplated in plan filed by school board has not been completed by commencement of 1970-71 school year; the approval of this system's plan as modified and supplemented is conditioned upon completion of this construction. Bibb County school system.	

DATE	PROCEEDINGS	Date Order or Judgment Note
2/11/70	Tuscumbia City Board of Education. School system's objections to response of U.S. to its desegregation plan.'	88
2/12/70	Pickens County school system. School system's additional response and objections to plan of desegregation recommended by U.S.	
2/12/70	ORDERS (5 separate orders) approving, with certain modifications and supplemental provisions set out in the orders, the desegregation plans filed by the following school systems and ordering the plans, as modified and supplemented, placed into effect not later than the commencement of the 1970-71 school year: <u>Chambers County</u> Greene County Pike County; however, the school board is ordered to show cause on or before Feb. 25, 1970, why the alternative proposal of the U.S. as to student assignment in the Eastern Attendance Area of the county should not be adopted. Elba; however, the approval of the modified and supplemented plan is tentative and is specifically conditioned upon the completion of proposed construction. H.E.W. is ordered to submit on or before March 15, 1970, an alternative proposal for use in the event the new construction has not been completed by commencement of 1970-71 school year. Tuscumbia	
"	ORDER--City of Auburn School System. School system ordered to file on or before March 15, 1970, its plan for complete disestablishment of its dual school system based upon race, to be effective not later than commencement of 1970-71 school year. HEW officials to confer with and assist the school authorities in formulating this plan; they have 15 days from date of submission of system's plan to file alternative plan.	
2/13/70	City of Talladega school system. Objections of school board to adoption of alternative plan proposed by HEW for student assignment to certain elementary schools.	
"	ORDERS (4 separate orders) approving, with certain modifications and supplemental provisions set out in the order, the desegregation plans filed by the following school systems and ordering said plans, as modified and supplemented, placed into effect not later than commencement of 1970-71 school year: Dallas County Geneva County St. Clair County Shelby County	

ATE	PROCEEDINGS	Date Order or Judgment Noted
		89
4/70	Butler County school system. Plan filed by school system as an alternative to the desegregation plan filed by H.E.W.	
	Escambia County school system. School system's objections to desegregation plan filed by H.E.W.	
	ORDER--Pickens County school system. U.S. and N.E.A., as plaintiff-intervenors, and the plaintiffs ordered to show cause within 10 days as to why this Court should not approve and order implemented, effective with school year 1970-71, the desegregation plan filed by Office of Education, Dept. of H.E.W., Dec. 1, 1969, as amended by proposal of Pickens County Board of Education filed Feb. 12, 1970.	
/70	Tallapoosa County school system. School system's objections to desegregation plan filed by H.E.W.	
	Demopolis City school system. H.E.W.'s plan for disestablishment of dual school system submitted in accordance with order of 12/15/69.	
	Dothan City school system. H.E.W.'s plan for disestablishment of dual school system submitted in accordance with order of 12/10/69.	
	Marion City school system. H.E.W.'s plan for disestablishment of dual school system submitted in accordance with order of 12/15/69.	
	Conecuh County school system. H.E.W.'s plan for disestablishment of dual school system submitted in accordance with order of 12/10/69.	
	Limestone County school system. H.E.W.'s plan for disestablishment of dual school system submitted in accordance with order of 12/17/69.	
	Monroe County school system. H.E.W.'s plan for disestablishment of dual school system submitted in accordance with order of 12/10/69.	
	Randolph County school system. H.E.W.'s plan for disestablishment of dual school system submitted in accordance with order of 12/10/69.	
/70	ORDER--City of Talladega School System. School board's objections to alternative proposal filed by U.S. Office of Education for desegregation of said school system set for hearing at 9:30 a.m., March 13, 1970.	
	ORDER--City of Thomasville School System. School board ordered to file plan for disestablishment of its dual school system effective with commencement of 1970-71 school year, said plan to be filed on or before March 15, 1970. Office of Education to cooperate in formulating said plan and to have 15 days from its submission to file alternative plan.	
	ORDER--City of Russellville School System. City of Russellville ordered to file its desegregation plan--same provisions as in Thomasville order above.	

DATE	PROCEEDINGS	90	Date Order or Judgment Noted
2/17/70	ORDER--Morgan County School System. Desegregation plan as filed by Morgan County Board of Education, with certain modifications and supplements as set out in the order, approved and ordered placed into effect not later than commencement of 1970-71 school year.		
2/18/70	City of Troy school system. Response of school system to show cause order of Feb. 10, 1970.		
"	Chilton County school system. Plan for desegregation of this school system filed by H.E.W.		
2/19/70	Houston County school system. Map of attendance areas filed by school board as required by order of 2/4/70.		
"	Clarke County school system. ORDER approving, with certain modifications and supplements set out in the order, the desegregation plan filed by Clarke County School Board and ordering same, as modified and supplemented, placed into effect not later than commencement of 1970-71 school year. Board required to report certain information on agreements, etc., between it and Thomasville City School System within 15 days.		
2/20/70	Calhoun County school system. ORDER enlarging the order entered in this case on Feb. 10, 1970, so as to require the Calhoun County school authorities to show cause not only why they should be allowed to close the Calhoun County Training School but also why they should be allowed to close the Thankful School. The Board and its superintendent are hereby allowed until Feb. 27, 1970, to respond to said show cause order.		
"	Colbert County school system's objections to alternative plan proposed by H.E.W.		
"	Desegregation plans filed, as ordered by the Court, by H.E.W. for the following school systems:		
	Baldwin County City of Eufaula City of Linden		
2/23/70	Russellville School Board's response to order of Feb. 17, 1970.		
2/24/70	Tusculumbia City School system. Map filed in compliance with order of 2/12/70.		
"	Tuscaloosa City School System. School board's response to order of 2/10/70 that it show cause why implementation of H.E.W.'s. alternative plan should not be ordered.		
"	Elmore County school system. Motion of U.S. for extension of time to file plan.		
"	Pickens County School System. Response of U.S. to show cause order of 2/14/70.		
"	Pickens County School System. Plaintiffs' objections to the amendments proposed by the school system to the HEW plan.		
2/25/70	City of Auburn school system. School board's response to order of Feb. 17, 1970. Plan of desegregation attached as a part of this response.		
"	ORDER--City of Troy School System and Troy State University. The Board of Education of City of Troy ordered to show cause within 10 days why it should not be enjoined from receiving from State of Alabama and transmitting to Troy		

DATE	PROCEEDINGS	Date Order or Judgment Noted
	State University the ADA funds and textbooks which State of Alabama furnishes for operation of Troy Laboratory School. Troy State University and its trustees ordered to show cause within 10 days why the Court should not enjoin further operation of Troy Laboratory School on a segregated basis and why the State University officials should not be required to file complete plan of desegregation.	91
5/70	Pike County School System. School Board's motion for amendment to order of Feb. 12, 1970.	
	ORDER--Elmore County School System. Motion of U.S. for extension of time to March 2, 1970, to file desegregation plan for this school system granted.	
5/70	ORDER--Tuscaloosa City school system. Objections of school board to the alternative plan of desegregation filed by Office of Education set for hearing at 9:30 a.m., March 13, 1970.	
7/70	City of Troy School System and Troy State University. Marshal's return on service of order to show cause filed 2/25/70. Troy State University served 2/26/70 by service on L. C. Stabler, Vice President for Finance.	
	Calhoun County school system. Response of Board of Education to show cause orders of Feb. 10 and 20, 1970.	
	Randolph County school system. Board of Education's objections to the desegregation plan filed by H.E.W.	
	Marion City school system. Board of Education's suggested modifications to plan of desegregation filed by H.E.W.	
	ORDER--Pickens County school system. Hearing in connection with suggested desegregation plans filed by H.E.W. and school board and objections set for March 13, 1970, at 9:30 a.m.	
	Pickens County school system. School Board's reply to Justice Department's "response to show cause order of Feb. 14, 1970."	
	Geneva County school system. Map of attendance areas filed by school board in accordance with order of 2/14/70.	
	ORDER--City of Auburn school system. U.S. and N.E.A., as plaintiff-intervenors, and the plaintiffs ordered to show cause within 15 days why Court should not approve and order implemented the plan of desegregation filed Feb. 25, 1970, by Board of Education.	
12/70	Limestone County school system. Board of Education's counter-proposal for desegregation of Limestone County schools.	
"	ORDER--Pike County school system. U.S., N.E.A., and plaintiffs ordered to show cause within 15 days why Court should not allow the proposed amendment to order of 2/12/70 presented by Pike County Board of Education on 2/24/70.	
"	ORDER--City of Russellville school system. Plan presented by school system on 2/23/70 for disestablishment of its dual system effective with 1970-71 school year, as supplemented as set out in this order, ordered approved and placed into effect not later than commencement of 1970-71 school year.	

DATE	PROCEEDINGS	92	Date Order or Judgment Note
3/2/70	Conecuh County school system. School system's objections to proposed plan of desegregation filed by U.S.		
"	Conecuh County school system. School system's recommended plan of desegregation.		
3/3/70	Elmore County school system. Proposed desegregation plan filed by U.S. Office of Education, H.E.W.		
"	State trade schools and junior colleges. Desegregation plan filed by U.S. Office of Education, H.E.W.		
3/3/70	Chilton County school system. Board of Education's alternative to H.E.W.'s. plan filed in accordance with order of 12/3/69.		
"	City of Dothan school system. School board's alternative plan of desegregation filed in accordance with order of 12/10/69.		
"	ORDERS (2 separate orders) setting desegregation plans, alternative plans, objections thereto, etc., for hearing on March 27, 1970, at 9:30 a.m., for these school systems: Calhoun County Randolph County		
"	ORDER--Marengo County school system. Hearing scheduled for March 6, 1970, continued to March 27, 1970, at 9:30 a.m. U.S. ordered to file by March 26, 1970, its further plan for disestablishment of this school system's dual system. Board of Education ordered to have prepared forthwith an up-to-date pupil-locator map, or provide some source for ascertainment of present pattern of residence of students by race in this school system.		
"	ORDER--City of Marion school system. Plaintiff-intervenors and plaintiffs ordered to show cause in writing within 10 days why the Court should not accept the modifications proposed by this school board in its motion filed Feb. 27, 1970.		
3/4/70	Calhoun County school system and City of Oxford school system. Motion of U.S. to add as parties defendant the members of the Board of Education of the newly formed Oxford City school system and for order to show cause.		
3/4/70	Anniston City school system. School board's suggested alternative to H.E.W. plan.		
3/5/70	Troy State University. Response to show cause order of 2/25/70.		

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PROCEEDINGS

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/70

ORDER--Conecuh County school system. Hearing set for March 27, 1970, at 9:30 a.m., on objections of Conecuh County Board of Education to HEW plan and for consideration of alternate plan filed by Conecuh County Board.

ORDER--Limestone County school system. Hearing set for March 27, 1970, at 9:30 a.m., on counterproposals of Board to the alternative proposal of U.S. Office of Education filed 2/16/70 to the desegregation plan filed by the Board on 12/15/69.

ORDER--Monroe County school system. School board allowed 10 days from date of this order to submit alternative plan to that filed by Office of Education on 2/16/70.

Plaintiffs' objections to desegregation plans proposed by U.S. Office of Education and response to defendants' replies to said plans filed in connection with the following school systems:

Butler County
Colbert County
Anniston City

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City of Troy school system. School board's response to show cause order of 2/25/70.

Clarke County school system. School board's filing, in response to order of 2/19/70, of map of attendance areas and agreements with City of Thomasville school system, etc.

Phenix City school system. Stipulation of parties.

Colbert County school system. United States' amendment to plan of desegregation prepared by U.S. Office of Education to correct four typographical errors.

Phenix City school system. United States' amendment to desegregation plan prepared by Office of Education to correct typographical errors.

Macon County school system. Response of U.S. to amendment filed by school board on 2/5/70.

Eufaula City school system. School board's response to alternate plan filed 2/20/70, by HEW.

Demopolis City school system. School board's alternate plan of desegregation.

Demopolis City school system. Objections to HEW's desegregation plan.

DATE	PROCEEDINGS	94 Date Order or Judgment Note
3/6/70	ORDER--Calhoun County and City of Oxford school systems. The Board of Education of the City of Oxford, its members, and its superintendent, added as parties defendant to this cause. The Calhoun County Board of Education and the City of Oxford Board of Education ordered to show cause within 15 days why the Calhoun County and City of Oxford school systems should not be considered and treated as one system for purpose of desegregating the Calhoun County Training School, the Oxford Elementary School, and the Oxford High School.	
"	ORDER--Chilton County school system. Hearing set for March 27, 1970, at 9:30, on plans of desegregation filed by H.E.W. and the Board of Education.	
"	ORDER--City of Dothan school system. Hearing set for March 27, 1970, at 9:30, on plans of desegregation filed by H.E.W. and Board of Education.	
"	ORDER--Sumter County school system. Board of Education allowed until March 19, 1970, to file alternative plan to that filed by H.E.W. on 12/1/69 and amended on 12/22/69.	
"	ORDER--Washington County school system. That part of order entered on Jan. 22, 1970, requiring school authorities to establish fixed neighborhood school zone lines is stricken; transportation map filed this date and attached to original of this order incorporated in and made a part of Washington County school board plan as now approved by the Court.	
3/7/70	Shelby County school system. Map and description of attendance areas filed in accordance with order of 2/13/70.	
"	Baldwin County school system. Objections of school board to desegregation plan filed by H.E.W. on 2/20/70.	
"	ORDER--Baldwin County school system. School board's objections set for hearing on March 13, 1970, at 9:30 a.m.	
3/9/70	City of Linden school system. Objections of school board to desegregation plan filed by Office of Education.	
"	City of Linden school system. School system's alternative plan of desegregation.	
"	City of Tuscumbia school system. School board's motion to set aside order of Feb. 12, 1970.	
"	City of Opelika school system. Report in accordance with order of Jan. 22, 1970.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
70	ORDERS (2 separate orders) setting school boards' objections to desegregation plans filed by U.S. Office of Education for hearing March 13, 1970, at 9:30 a.m., in these school systems: City of Demopolis City of Eufaula	95
	ORDER--Macon County school system--setting hearing on March 13, 1970, at 9:30 a.m., on objections of U.S. to amended desegregation plan filed by school system on 2/5/70. ORDER--Phenix City school system. School system allowed 10 days from date of this order to present an amended plan for disestablishment of its dual school system based upon race effective commencement of 1970-71 school year.	
3/70	Colbert County school system. School board's motion to be allowed to operate school system under a freedom-of-choice plan.	
/70	ORDER--Demopolis City school system. Hearing continued from its present setting of March 13, 1970, to Friday, March 27, 1970, at 9:30 a.m. ORDER--Linden City school system. Hearing set for March 27, 1970, at 9:30 a.m., on proposals and objections of school board to the plan of desegregation filed 2/20/70 by HEW. ORDER--Butler County school system. School board allowed until March 17, 1970, to present an amended plan for disestablishment of its dual school system based upon race effective commencement of 1970-71 school year. Set 3/27 at 9:30 a.m. ORDER--Escambia County school system. School board allowed until March 17, 1970, to present an amended plan for disestablishment of its dual school system based upon race effective commencement of 1970-71 school year. Set for hearing in chambers at 9:30 a.m., March 27, 1970.	
70	Elmore County school system. School board response to order of 2/4/70. ORDER--Tuscumbia City school system. Motion denied as filed 3/9/70 by the Superintendent of Education asking this Court to set aside its order of 2/12/70 and to allow the City of Tuscumbia Board of Education to continue operating under a freedom-of-choice plan.	
/70	ORDER--Russell County school system. Plan of desegregation as filed 1/14/70, by the Russell County Board of Education, as hereinafter ordered supplemented and modified, is ordered to be placed into effect not later than the commencement of the 1970-71 school year. Russell County Board of Education ordered to file with this Court, in writing, on or before August 1, 1970, a projection of the enrollment in each of the schools to be operated in this system for the 1970-71 school year, and the racial composition of the student body and faculty and staff members in each of said schools. Said Board is further ordered to file with this Court on or before September 30, 1970, a written report on the actual enrollment in each school and the racial composition of the student body and the faculty and staff members in each of said schools. Map of amended zone lines, shown by amendment of 1/16/70, filed by U.S.--City of Anniston school system.	

DATE	PROCEEDINGS	96	Date Order of Judgment Not
3/12/70	ORDER--Tallapoosa County school system. Plan of desegregation filed 1/12/70 by the Tallapoosa County Board of Education, as hereinafter ordered supplemented, is ordered placed into effect not later than the commencement of the 1970-71 school year. Said plan to contain the supplemental provisions as set out in this order. Said Board is ordered to file with this Court, in writing, on or before August 1, 1970, a projection of the enrollment in each of the schools to be operated by the system for the 1970-71 school year, and the racial composition of the student body and the faculty and staff members in each school. Said Board is further ordered to file with this Court on or before September 30, 1970, a written report on the actual enrollment in each of the schools operated by said system, and the racial composition of the student body and the faculty and staff members in each of said schools.		
3/13/70	Marion City school system. United States' response in accordance with court order of March 3, 1970.		
"	Dallas County school system. Map of attendance areas filed in accordance with order of 2/13/70.		
"	ORDER--Talladega County school system. Set for hearing in chambers on March 27, 1970, at 9:30 a.m.		
"	Tuscaloosa City school system. Amendment to desegregation plan.		
"	ORDER--Colbert County school system. Terminal plan filed by U.S. Jan. 30, 1970, with certain modifications suggested by school board, as set out in the order, together with supplemental provisions as set out, ordered placed into effect not later than commencement of 1970-71 school year.		
"	Butler County school board's notice of taking deposition of Dr. E. V. Stabler.		
3/14/70	Monroe County school system. School board's alternative proposal to that heretofore filed by U.S.		
3/16/70	Shelby County school system. School board's petition for modification of order of 2/13/70.		
3/16/70	Thomasville City school system. Alternative plan filed by H.E.W. in accordance with order of February 17, 1970.		
"	Elba City school system. Desegregation plan filed by H.E.W.		
"	Auburn City school system. Alternative plan filed by H.E.W. in accordance with order of 2/12/70.		
"	ORDER--Anniston City school system. School board's terminal plan, insofar as student attendance areas for junior and senior high schools approved; Office of Education plan for elementary schools approved. Supplemental provisions on desegregation of faculty and other staff, etc., as set out in order added to plan. Maps of attendance zones attached to original of order made a part thereof.		
"	ORDER--Colbert County school system. School board's motion to continue under freedom of choice plan denied.		

DATE	PROCEEDINGS	Date Order or Judgment Note
6/70	Thomasville City Board of Education. School board's "terminal plan" filed in accordance with order of 2/17/70. Henry County school system. Map of attendance areas filed in compliance with "terminal" order of 1/22/70.	97
7/70	Auburn City school system. United States' response to order to show cause entered February 27, 1970. Escambia County school system. Request of school board for reconsideration of its plan filed Jan. 13, 1970, and notice that it will be present to present its argument in support thereof on March 27, 1970.	
/70	ORDER--Marengo County school system--continuing hearing from March 27, 1970, to 9:30 a.m., April 3, 1970. ORDER--Selma city school system. U.S. ordered to file within 10 days its alternative proposals to the school board's plan, filed Jan. 13, 1970, as it relates to attendance areas for junior high schools. Board of Education granted 20 days from this date to file objections to any proposals made by U.S. concerning junior high schools and alternative plans. ORDER--Marion city school system. Hearing set for April 3, 1970, at 9:30 a.m., on terminal plan filed by U.S. on Feb. 16, 1970, proposed modifications filed by school board on Feb. 27, 1970, and response of U.S., filed March 13, 1970. ORDER--Talladega city school system. Board of Education granted 10 days to file amendment to its desegregation plan filed Dec. 19, 1970.	
"	Oxford school system. Marshal's returns, motion of U.S. filed 3/4/70 and order of 3/6/70. Board members each served 3/13/70. Returned un-executed as to superintendent.	
8/70	Decatur city school system. School board's alternative attendance area plan for use in event that proposed construction is not completed prior to commencement of 1970-71 school year. Butler County school system. School board's recommended plan for establishment of unitary school system. (Filed in compliance with order of March 11, 1970.) Pike County school system. United States' response to show cause order entered March 2, 1970. Shelby County school system. Plaintiffs' motion for modification of order. ORDER--City of Auburn school system. Board's plan, alternate plan of U.S., and response of U.S. to show cause order set for hearing at 9:30 a.m., April 3, 1970.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
3/18/70	ORDER--Elmore County school system. Desegregation plan as filed by Elmore County Board of Education on March 11, 1970, as modified and supplemented by this order, ordered implemented effective not later than commencement of 1970-71 school year.	
3/19/70	Sumter County school system. School board's amended plan for disestablishment of dual school system based upon race.	
"	City of Oxford school system. Response of superintendent and school board to show cause order of March 6, 1970.	
"	City of Decatur school system. Alternative plan (school system's plan adopted) for use in event proposed construction is not completed filed by U.S., as required by order of Feb. 4, 1970.	
"	City of Anniston school system. Motion of U.S. for amendment to order of March 16, 1970.	
"	Phenix City school system. School board's amended desegregation plan.	
"	ORDER--Macon County school system. Desegregation plan filed by school board, as herein ordered modified and supplemented, ordered placed into effect not later than commencement of 1970-71 school year.	
"	ORDER--City of Elba school system. School board ordered to show cause within 10 days why alternative plan filed by U.S. for use provided proposed construction is not completed should not be placed into effect contingent upon the failure of school board to complete its proposed construction.	
"	ORDER--Shelby County school system. U.S. and school board ordered to show cause within 10 days why plaintiffs' motion for modification of order of Feb. 13, 1970, should not be granted.	
"	ORDER--Sumter County school system. Hearing set for 9:30 a.m., April 3, 1970, on plan filed by U.S., alternative plan filed by school board, and plaintiffs' objections to plan of U.S.	
3/20/70	ORDER--City of Tuscaloosa school system. As to student assignment, the school board's plan for elementary schools is adopted; the school board's plan for senior high schools, with a modification set out in the order, is adopted; the plan of the U.S. for junior high schools is adopted. These plans for the assignment of students, supplemented by the provisions on desegregation of faculty and other staff, majority to minority transfer, transportation, school construction, attendance outside system of residence, and services, facilities, activities and programs as set out in the order, ordered implemented not later than commencement of 1970-71 school year.	

DATE	PROCEEDINGS	99	Date Order or Judgment Noted
20/70	ORDER--Baldwin County school system. Desegregation plan filed by U.S. on 2/20/70, approved and ordered placed into effect not later than commencement of 1970-71 school year as to Sections I, II, III, IV, V, and VII thereof. Alternative proposals of U.S. ordered placed into effect if proposed construction is not completed. Modifications requested by school board in its proposal of March 7, 1970, approved as to paragraphs 2 A, 2 B, 2 C and 2 D. Supplemental provisions on faculty and staff desegregation, majority to minority transfer, and services, facilities, activities and programs added to plan to be placed into effect.		
"	State trade schools and junior colleges. Defendants' motion for extension of time to file alternative plan to that filed by the U.S. on 3/2/70.		
"	City of Talladega school system. School system's revised desegregation plan.		
"	State trade schools and junior colleges. ORDER, upon defendants' motion, extending time for filing alternative plan to May 2, 1970.		
23/70	ORDER--City of Anniston school system. Order of March 16, 1970, amended to adopt school board's attendance zones for elementary schools instead of the plan as filed by U.S. Copy of map showing these zones and the projected enrollments attached and made a part of the order.		
"	ORDER--Monroe County school system. School board's motion contained in its "alternative proposal" filed March 14, 1970, to be allowed to operate under freedom of choice plan denied. School board allowed until April 1, 1970, to file such further alternative plan as it may desire.		
"	ORDER--Pike County school system. Upon the motion of the school board filed Feb. 25, 1970, and the response of U.S. to effect that it has no objections (no response filed by NEA and plaintiffs) the order of Feb. 12, 1970, is amended in accordance with the school board's motion. All other provisions of order of Feb. 12, 1970, remain in full force and effect.		
"	ORDER--Shelby County school system. School board's request, filed March 16, 1970, for amendments to order of Feb. 13, 1970, denied.		

DATE	PROCEEDINGS	Date Order or Judgment Noted
3/23/70	ORDER--City of Troy school system and Troy State University. Troy City Board of Education and Troy State University ordered to file on or before April 1, 1970, an amendment to desegregation plan filed Jan. 15, 1970, whereby the Laboratory School will be considered and treated as part of the Troy city school system and will be effectively and completely desegregated. Hearing on the plan to be filed on or before April 1 and the plan filed by school system on Jan. 15, 1970, response thereto of U.S. filed 2/4/70, set for hearing at 9:30 a.m., April 3, 1970.	100
"	Tallapoosa County school system. Motion of U.S. for amendment to order of March 12, 1970.	
"	City of Dothan school system. Objections of plaintiffs to desegregation plans filed by U.S. and by school system.	
"	City of Oxford school system. Marshal's return of show cause order of March 6 and motion of U.S. Service on Bill Cassity, Supt. of Oxford City Schools, on 3/18/70.	
3/24/70	State trade schools and junior colleges. Defendants' notice of taking certain depositions.	
"	ORDER--City of Eufaula school system. School board's plan for student assignment ordered placed into effect at commencement of 1970-71 school year. In the event that the proposed construction upon which school board's plan is contingent is not completed, the alternative plan of the U.S. as to student assignment ordered placed into effect. Board ordered to file within 15 days projected enrollment by race of students who are to attend McCoo Vocational School and to outline in detail the criteria to be used for assignment of students to this vocational school. Supplemental provisions relating to desegregation of faculty and staff; majority to minority transfers; transportation; school construction and site selection; attendance outside system of residence; services, facilities and programs, as set out in order, ordered implemented.	
"	ORDER--City of Decatur school system. School board's alternative plan, filed March 18, 1970, and concurred in by U.S. on March 19, 1970, for use in event proposed construction is not completed prior to 1970-71 school year, approved and ordered implemented not later than commencement of 1970-71 school year provided said construction is not completed.	

ATE	PROCEEDINGS	101	Date Order or Judgment Noted
5/70	Talladega City school system. Response of U.S. to alternative plan filed by school system on 3/20/70.		
"	City of Elba school system. School system's concurrence in alternate plan filed by H.E.W. for use in event construction is not completed by commencement of 1970-71 school year.		
"	City of Anniston school system. Plaintiffs' notice of appeal to Fifth Circuit from orders of March 16, and March 23, 1970.		
"	City of Anniston school system. Appeal bond filed by plaintiffs (\$250 deposited in registry fund.)		
"	City of Demopolis school system. Plaintiffs' objections to school board's alternative plan.		
"	Chilton County school system. Plaintiffs' objections to HEW and school board's desegregation plans.		
"	Conecuh County school system. Plaintiffs' objections to school board's plan.		
6/70	Calhoun County and Oxford city school systems. Plaintiffs' objections to Oxford's response to show cause order of 3/6/70.		
"	Randolph County school system. Plaintiffs' objections to school board's proposals.		
"	Linden city school system. Plaintiffs' objections to school board's proposals.		
"	ORDER--Tallapoosa County school system. "Terminal" order entered on 3/12/70 amended to require school board to file map and verbal description of attendance zones, to file alternative plan in collaboration with H.E.W. for use if proposed construction is not completed; to file criteria and enrollment projection in connection with its proposed vocational school.		
"	Thomasville city school system. School board's filing of schedules of classes and courses to be offered for attachment to its desegregation plan.		
"	Tuscaloosa city school system. Plaintiffs' notice of appeal from "terminal" order of March 20, 1970, to U.S. Court of Appeals for Fifth Circuit.		
7/70	Selma school system. Submission by U.S. of alternate plan for grades 7 and 8.		
/70	Shelby County school system. Response to show cause order of March 19, 1970, filed by school board.		
"	Phenix City school system.. Response of U.S. to amended proposal of Phenix City Board of Education.		
1/70	✓ ORDER transferring to the Northern District of Alabama the cases against the following school boards: Bibb, Blount, Cherokee, Clay, Cleburne, Colbert, Cullman, DeKalb, Etowah, Fayette, Franklin, Greene, Jackson, Lamar, Lauderdale, Marion, Marshall, Morgan, St. Clair, Tuscaloosa, Walker, and Winston Counties, and		

DATE	PROCEEDINGS	Date Order or Judgment Noted
	Anniston, Athens, Attalla, Carbon Hill, Cullman, Decatur, Fort Payne, Guntersville, Jacksonville, Jasper, Mountain Brook, Muscle Shoals, Oneonta, Piedmont, Russellville, Scottsboro, Sheffield, Sylacauga, Tarrant City, Tuscaloosa, Tuscumbia, and Winfield cities; and to the Southern District of Alabama the cases against the following school boards: Baldwin, Clarke, Dallas, and Washington Counties, and Brewton city. (Copies mailed to counsel and to superintendents of the school systems involved.)	102
3/31/70	Files--with exception of City of Anniston and City of Tuscaloosa, which are retained for certification of appeal record--ordered transferred to Northern District of Alabama mailed by certified mail to Clerk of said Court.	
"	Files ordered transferred to Southern District of Alabama mailed by certified mail to said Court.	
"	Anniston City school system. Court reporter's transcript of proceedings on March 6, 1970.	
"	Monroe County school system. School board's alternate plan to disestablish dual school system.	
4/1/70	City of Troy school system and Troy State University: Troy State University's answer as required by order of March 23, 1970. City of Troy school system's alternate plan as required by order of March 23, 1970.	
"	Sumter County school system. Plaintiffs' objections to amended desegregation plan proposed by Sumter County Board of Education.	
4/3/70	Marengo County school system. Additional desegregation plan filed by U.S. Pupil locator maps attached.	
"	Terminal-type orders, effective commencement 1970-71 school year, entered in connection with following school systems: Chilton County. Plan filed by U.S. through its Office of Education, with the supplements and modifications enumerated in the order, ordered implemented. Conecuh County. Plan of U.S., with the supplements and modifications enumerated in the order, ordered implemented. Phenix City. Plan of U.S., with the supplements and modifications enumerated in the order, ordered implemented. Thomasville. Joint plan of U.S. and Thomasville Board of Education ordered implemented, with modifications and supplements enumerated in this order.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
3/70	ORDER--Calhoun County and Oxford School Systems. The two boards allowed 10 days to reduce to writing the oral proposals made at hearing March 27, 1970; U.S. and plaintiffs allowed 30 days from date of this order to file written objections to the amended proposals ordered reduced to writing. ORDER--City of Demopolis school system. U.S., through educational experts of College of Education, University of South Alabama, Mobile, Alabama, ordered to formulate and present within 30 days a plan of desegregation following generally the observations made in this order and is educationally and economically sound. Demopolis board and superintendent ordered to cooperate in this formulation. ORDER--City of Dothan school system. School board allowed 20 days from date of this order to redraw zone lines it proposes for junior high and elementary schools. ORDER--Escambia County school system. School board allowed until May 10, 1970, to file amendment to its proposal filed Jan. 13, 1970, relating to zoning and student assignments in Western or Atmore-Huxford area; U.S. ordered to cooperate in same. ORDER--Limestone County school system. U.S. ordered, within 30 days from date of this order, to conduct survey of student population in Tanner attendance area and to formulate and present new plan of desegregation for this area. School board and U.S. ordered jointly to formulate and present to Court within 30 days a revised plan for Tanner attendance area that will substantially delimitate the excessing busing of students in this area. ORDER--Monroe County school system. School board allowed 15 days from date of this order to file written projection of courses to be taught, which of said courses are required courses, and student enrollment by grade and race in Monroe County High School, Union High School, Frisco City High School, and Mary Gardner Elementary School. U.S. and plaintiffs allowed 10 days from filing of same to file their written responses to Board's proposed amendments filed Mar. 31, 1970, to plan filed by U.S. Feb. 16, 1970. ORDER--Shelby County school system. Plaintiffs' motion filed March 18, 1970, for amendment and modification of order of Feb. 13, 1970, denied. ORDER--Talladega City school system. Plan of desegregation filed Dec. 19, 1969, by school board, as amended and revised March 20, 1970, as ordered supplemented and modified by order of Jan. 23, 1970, ordered placed into effect not later than commencement of 1970-71 school year. ORDER--Talladega County school system. School board's proposed amendments to order of Feb. 3, 1970, denied with exception that board is authorized to allow students scheduled to graduate in May 1971 to attend same schools they attended in 1969-70 if they furnish their own transportation.	103

DATE	PROCEEDINGS	Date Order or Judgment Noted
4/3/70 " "	ORDER--City of Troy school system. School board allowed 20 days to submit alternate plan for disestablishment of dual system effective commencement 1970-71 school year. U.S. ordered to assist in same; U.S. and plaintiffs allowed 10 days from date school system files its alternate plan to respond to same. City of Troy. Map of schools filed by U.S. State trade schools and junior colleges. Motion of U.S. to quash notice of taking depositions filed by defendants on 3/27/70.	104
4/4/70 " "	City of Selma school system. School board's objections and its alternative plan to that proposed by U.S. for 7th and 8th grades. Map attached. City of Tuscaloosa school system. Court reporter's transcript of proceedings had on March 13, 1970. City of Oxford school system. School board's written proposals filed as directed by order of April 3, 1970.	
4/6/70 " " " " "	Calhoun County school system. School board's written proposals filed as directed by order of April 3, 1970. City of Anniston school system. Notice of appeal from orders of March 16 and March 23, 1970, filed by U.S. City of Anniston school system: Clerk's certificate as to record. City of Tuscaloosa school system. Notice of appeal from order of March 20, 1970, filed by U.S. ORDER--State trade schools and junior colleges. Motion of U.S. filed April 3, 1970, to quash defendants' notice, filed March 24, 1970, of taking depositions, granted. However, U.S. to make available each of employees listed in notice at time and place agreed upon by parties for interrogation by deposition. If agreement not reached by parties, they are to be made available April 15, 1970, at 9:30 a.m., Washington, D. C., etc. ORDER--City of Selma school system--setting hearing at 9:30 a.m., May 8, 1970.	
4/7/70	City of Anniston school system. Record mailed by certified mail to Clerk, U.S. Court of Appeals, New Orleans, La.	

DATE	PROCEEDINGS	Date Order or Judgment Noted
/70	City of Tuscaloosa school system. Clerk's certificate as to record.	105
	City of Tuscaloosa school system. Appeal record mailed by certified mail to Clerk of CCA, New Orleans, La.	
/70	City of Eufaula school system. School board's report in accordance with order of March 24, 1970.	
/70	to ORDER transferring/the Northern District of Alabama the cases against the following school boards: Shelby County, Talladega County, and Talladega City; and to the Southern District of Alabama the cases against Conecuh County and Thomasville City. (Copies mailed to counsel and to superintendents of school systems involved.)	
	Files ordered transferred to Northern District of Alabama mailed by certified mail to said Court.	
	Files ordered transferred to Southern District of Alabama mailed by certified mail to said Court.	
1/70	City of Dothan school system. School board's modified plan filed in accordance with court order entered April 3, 1970.	
3/70	Calhoun County school system. School board's written description of zone lines.	
	City of Oxford school system. School board's amendment to its plan to eliminate dual school system--adoption of verbal description of zone lines and maps and projection of enrollment for Oxford Elementary and High Schools as filed by Calhoun County Board of Education.	
	Shelby County school system. Plaintiffs' notice of appeal to U.S. Court of Appeals for the Fifth Circuit from the order entered on April 3, 1970, denying plaintiffs' motion to amend and modify the court's order of Feb. 13, 1970. (Copies mailed by Clerk to U.S. Dept. of Justice; U.S. Attorney; Wales W. Wallace and Karl Harrison, attorneys for Shelby County school board, on 4/14/70.)	
	ORDER--City of Dothan school system. U.S., N.E.A., as plaintiff-intervenors, and plaintiffs ordered to show cause in writing within 10 days from date of this order as to why this Court should not accept the zone lines proposed by Dothan City Board of Education in its modified plan filed April 11, 1970.	
14/70	City of Demopolis school system. Motion of U.S. for amendment to order of April 3, 1970.	

DATE	PROCEEDINGS	106	Date Order or Judgment Noted
4/15/70	Monroe County school system. School board's submission of projection of courses to be taught and student enrollment by race in compliance with order of April 3, 1970.		
"	Tallapoosa County school system. Report of U.S. Office of Education in connection with an alternative plan for use in the event proposed construction is not completed.		
"	✓ORDER--City of Marion school system. Plan of desegregation as filed by the United States on Feb. 16, 1970, as the same is supplemented and modified by this order, ordered placed into effect not later than commencement of 1970-71 school year.		
"	ORDER--City of Auburn school system. Plan of desegregation filed by Auburn City Board of Education on Feb. 25, 1970, as supplemented by this order, ordered placed into effect not later than commencement of 1970-71 school year.		
4/20/70	Tallapoosa County school system. Response of school board to order of March 26, 1970. Map of attendance zones and verbal description thereof; alternative plan for use if construction is not completed, and statement relative to use of Council School for year 1970-71 attached.		
4/20/70	Clerk's certificate as to record as it applies to Shelby County school system.		
"	Shelby County school system--appeal record mailed to CCA, New Orleans.		
"	Court file on Shelby County mailed back to Clerk, U.S. District Court, Northern District of Alabama, Birmingham, Alabama.		
4/21/70	State trade schools and junior colleges. Motion of certain patrons of Bessemer State Technical Institute, Bessemer, Alabama, for leave to intervene as defendants. Proposed answer in intervention attached.		
"	City of Troy school system. Alternate plan developed, formulated and recommended by U.S. Office of Education, Dept. of HEW, for operation of schools in City of Troy school system.		
"	ORDER--Tallapoosa County school system. Response of Tallapoosa County Board of Education to order of March 26, 1970, and objection of U.S. thereto set for hearing at 9:30 a.m., May 8, 1970.		
"	ORDER--City of Demopolis school system. Order of April 13, 1970, amended on motion of U.S. filed April 14, 1970. School board allowed 30 days from date of this order to submit plan of desegregation; U.S. through use of educational experts of Office of Education ordered to assist in formulating plan; U.S. and plaintiffs ordered to file any objections or alternative proposals not later than 10 days after plan filed by school system.		

PROCEEDINGS

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Date Order or
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DATE	PROCEEDINGS	Date Order or Judgment Noted
22/70	City of Dothan school system. Response of U.S. to show cause order of April 3, 1970.	
23/70	City of Troy school system. School board's alternate plan filed in compliance with order of 4/3/70.	
3/70	Trade schools and junior colleges. Petition of certain "patrons" of Jefferson State Junior College for leave to intervene as defendants. Proposed answer in intervention attached.	
/70	ORDER--City of Dothan school system. Objections of U.S. to modified plan of school system set for hearing on May 8, 1970, at 9:30 a.m.	
	City of Dothan school system. Response of plaintiffs to show cause order of April 13, 1970.	
3/70	ORDER--trade schools and junior colleges--denying motion filed April 21, 1970, of certain citizens for leave to intervene in connection with Bessemer State Technical Institute and motion filed April 23, 1970, of certain citizens for leave to intervene in connection with Jefferson State Junior College. (Copies mailed to counsel.)	
	Trade schools and junior colleges. Motion of defendant Ernest Stone for postponement of time for filing desegregation plan.	
9/70	Monroe County school system. Response of U.S. to projection filed by school system on April 15, 1970.	
0/70	Trade schools and junior colleges. Depositions of Dr. Preston Valien, Dr. Thomas Carter, John N. Orcutt, Sherrill D. McMillen, George Wallace, Mrs. Marion Watkins, Charles I. Griffith, Dr. Jacob E. Hershman, Robert E. Berls, William A. Dennis, Charles W. Moore, Johnny W. Browne.	
/70	ORDER--trade schools and junior colleges--granting State Superintendent of Education and State Board of Education until June 15, 1970, to file plan for desegregation of trade schools and junior colleges. (Copies mailed to counsel.)	
	Monroe County school system. Plaintiffs' response to projection filed by school system on April 15, 1970.	
'70	Limestone County school system. Response of U.S. to order of April 3, 1970. Map attached.	
'70	Limestone County school system. School system's amendments to its counterproposals.	

DATE	PROCEEDINGS	168	Date Order or Judgment Noted
5/4/70	ORDER--Limestone County school system. Response of U.S. to order of April 3, 1970, and proposed amendments filed by school system on May 4, 1970, set for hearing at 9:30 a.m., May 8, 1970.		
"	ORDER--Monroe County school system. Report of Monroe County Board of Education filed April 15, 1970, and responses of U.S. and plaintiffs set for hearing at 9:30 a.m., May 8, 1970.		
"	City of Troy school system. Plaintiffs' response to further alternate plans of school board.		
"	City of Troy school system. Response of U.S. to revised desegregation plan of City of Troy school system.		
"	Tallapoosa County school system. Statement of U.S. on report filed by school system on April 20, 1970.		
"	Calhoun County school system, and City of Oxford school system. Objections of U.S. to revised plan filed by these school systems. Copies of slip opinion from 8th Circuit case of Kemp v. Beasley, March 17, 1970, and appendix to memorandum of U.S. filed in the Fifth Circuit <u>Singleton</u> case attached.		
5/8/70	City of Troy school system. Map filed by school board.		
5/5/70	ORDER--City of Troy school system. Hearing set for 9:30 a.m., May 8, 1970.		
"	ORDER--Calhoun County and City of Oxford school systems. Hearing set for 9:30 a.m., May 8, 1970.		
5/8/70	Escambia County school system. School board's response to order of April 3, 1970.		
"	Escambia County school system. Response of Office of Education to order of April 3, 1970.		
5/19/70	Deposition of J. F. Ingram and Dr. Frank T. Speed.		
5/21/70	Demopolis City school system. Motion for extension of time to comply with 4/21 order.		
5/21/70	ORDER--Demopolis City school system. Motion of Demopolis City Bd. of Education filed this date, seeking an extension of five days from 5/21/70 within which to comply with this Court's order of April 21, 1970, and seeking authority to submit within this five-day period an alternate plan of desegregation is granted.		
5/21/70	Demopolis City school system. U.S.' alternative proposals for desegregation.		
5/23/70	Lee County school system. Board's motion to amend plan for desegregation.		
5/25/70	ORDER--Lee County school system. U. S. and plaintiffs ordered to show cause, if they have any, in writing, within twenty days from the date of this order, as to why the order entered on 2/4/70, should not be amended as requested by the Lee County Board of Education on 5/23/70.		
5/27/70	City of Demopolis school system. Alternate plan of desegregation filed by Demopolis City Board of Education.		

ATE

PROCEEDINGS

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1/70 Coosa County school system--report on dismissal and/or demotion of personnel.

3/70 Reports on dismissal or demotion of personnel received from:
Alexander City school system

1/70 Enterprise City school system--report on dismissal of personnel.

70 Russell County school system--report on dismissal or demotion of personnel.

70 City of Demopolis school system. Plaintiffs' objections to
defendants' alternate plan of desegregation.
City of Andalusia school system. Order substituting Fred Price,
as a member of Andalusia City School Board, as a defendant
in place of Griffin Sikes.

0/70 Demopolis City school system. ORDER setting alternative plan'
of desegregation filed May 27, 1970, by school board and
plaintiffs' objections thereto for hearing at 9:30 a.m.,
June 19, 1970. (Copies mailed to counsel and to State Supt.
of Education.)

1/70 ORDER--Escambia County school system: Hearing set for June 19,
1970, at 9:30 a.m., on Board's amended plan and alternative
plan of U.S.

70 ORDER--Limestone County school system. U.S., through Office of
Education, ordered to present within 20 days a new desegregation
plan for Limestone County.

Terminal ORDERS filed:

Dothan City school system. School board's plan filed March 3,
1970, as modified on April 11, 1970, as modified and supplemented
by this order, ordered placed into effect not later than com-
mencement of 1970-71 school year.

Monroe County school system. Desegregation plan filed by
Office of Education, Dept. of H.E.W. on Feb. 16, 1970, ordered
implemented effective not later than commencement of 1970-71
school year, with the exceptions that those portions of the
plan, "Instructional Programs" under Section VIII and all of
Section IX are stricken and that the plan of the school board
as filed on March 31 and April 15, 1970, as to Frisco City
High School and Mary Gardner Elementary School is ordered
implemented. Supplemental provisions relating to desegregation
of faculty and other staff, majority to minority transfer policy,
and services, facilities, activities and programs added.

DATE	PROCEEDINGS	110	Date Order or Judgment Note
6/11/70	Terminal order--Sumter County school system. Plan filed by U.S. on Dec. 1, 1969, and amended Dec. 22, 1969, approved as to Sections I, II, III, IV, V and VII and ordered implemented not later than commencement of the 1970-71 school year; plan ordered modified and supplemented in the respects set out in the order.		
6/12/70	Terminal orders filed: Marengo County school system. Plan filed by U.S. on April 3, 1970, as to Sections I, II, III, IV, V, and VII approved and with the modifications and supplements set out in the order ordered implemented not later than commencement of 1970-71 school year. Pickens County school system. Plan filed by U.S. on Dec. 1, 1969, as to Sections I, II, III, IV, V, and VII approved and with the modifications and supplements set out in the order ordered implemented not later than commencement of 1970-71 school year. City of Troy school system. School board's desegregation plan filed April 23, 1970, which incorporates in part portions of a plan the board had filed on Jan. 15, 1970, as modified and supplemented by this order, ordered implemented not later than commencement of 1970-71 school year. Calhoun County school system and City of Oxford school system. Plan filed by Calhoun County Board of Education on April 6, 1970, except to extent that it proposes closing of Calhoun County Training School, as modified and supplemented by this order, ordered implemented not later than commencement of 1970-71 school year. (Oxford Board on April 18, 1970, adopted zone lines for Oxford schools as prepared and filed by Calhoun County Board.)		
6/15/70	State trade schools and junior colleges. Defendants' brief, objections to plan filed by U.S., and two alternate plans.		
6/16/70	Lee County school system. Response of U.S. to show cause order of May 25, 1970.		
"	Terminal orders filed: Butler County school system. Plan filed by U.S. on Jan. 26, 1970, with exception of provisions set out, and as modified and supplemented by this order, ordered implemented not later than the commencement of the 1970-71 school year.		

- 6/70 Terminal orders filed (continued):
- Randolph County. Plan filed by U.S. on Feb. 16, 1970, with exception of provisions set out in this order, as modified and supplemented by this order, ordered implemented not later than commencement of 1970-71 school year.
- City of Linden. Plan of U.S. filed Feb. 20, 1970, as ordered modified and supplemented, ordered placed into effect not later than commencement of 1970-71 school year.
- City of Selma. School board's plan filed Jan. 13, 1970, for senior high school grades 10-12, as modified and supplemented by this order; school board's plan for elementary schools presented March 9, 1970, as modified and supplemented by this order; school board's plan for junior high schools filed April 4, 1970, as modified and supplemented by this order, ordered implemented not later than commencement of 1970-71 school year. Objections of U.S. and plaintiffs to the school board's proposals as adopted and approved by this order overruled. Map of elementary school zones attached as Exhibit A; map of junior high school zones attached as Exhibit B.
- " Tallapoosa County school system. Order. Attendance areas for Dadeville, Reeltown, and Camp Hill areas reflected by map and verbal description filed by school board on April 20, 1970, conditionally approved. This approval is contingent upon board's refusing to permit students living in areas served by existing bus routes to attend any school other than the school served by these existing bus routes where the effect will be a transfer from a minority to majority situation. School board's alternate plan of desegregation using presently existing facilities filed April 20, 1970, to be implemented if construction not completed, approved; school board's proposal on use of Council School approved; objections of plaintiffs and U.S. to Board's proposals overruled.
- 7/70 Escambia County school system. Map of attendance zones contained in Office of Education plan for Western Area of Escambia County filed May 8, 1970.
- 9/70 ORDER--Alabama State Trade Schools and Junior Colleges. Hearing on plans filed by U.S. and defendants set for July 2, 1970, at 9:30 a.m. (Copies mailed to counsel and State Supt. Stone.)
- " ORDER transferring to the Northern District of Alabama the files on the Calhoun County, Pickens County, Sumter County, Florence City and Oxford City School Systems and to the Southern District of Alabama the files on the Marengo County, Monroe

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	County, Linden City, Marion City and Selma City School Systems. (Copies of this order mailed to counsel, the school superintendents and board members involved , and State Supt. Stone.)	112
6/19/70	Files on the Calhoun County, Pickens County, Sumter County, Florence City and Oxford City systems mailed to Clerk, U.S. District Court, Northern District of Alabama, Birmingham, Alabama.	
"	Files on Marengo County, Monroe County, Linden City, Marion City and Selma City systems mailed to Clerk, U.S. District Court, Southern District of Alabama, Mobile, Alabama.	
6/19/70	Randolph County School System. Plaintiffs' ^{intervenor NEA's} motion for temporary restraining order.	
6/22/70	ORDER--Limestone County school system. Any objections that school board and/or plaintiffs may have to desegregation plan for Tanner and Trinity school attendance areas to be formulated by U.S. pursuant to order of June 11, 1970, set for hearing at 9:30 a.m., July 2, 1970.	
6/23/70	ORDER--Randolph County school system. Superintendent and school board temporarily restrained from demoting or dismissing teachers until further order. Board ordered to file within 5 days nonracial objective criteria to be used in selecting staff members for dismissal or demotion, etc. Motion for preliminary injunction set for hearing at 9:30 a.m., July 1, 1970.	
6/24/70	ORDER--Cases against the following school systems transferred to jurisdiction of single judge or judges of U.S. District Court for Middle District of Alabama: Autauga, Butler, Chambers, Chilton, Coffee, Coosa, Covington, Dale, Elmore, Geneva, Henry, Houston, Lee, Macon, Pike, Randolph, Russell, and Tallapoosa Counties, and the city systems of Alexander City, Andalusia, Auburn, Daleville, Dothan, Elba, Enterprise, Eufaula, Florala, Lanett, Opelika, Opp, Ozark, Phenix City, Roanoke, Tallasee, and Troy. Clerk ordered to assign separate number to each individual case.	
6/29/70	ORDER--Lee County. See docket sheet for CA No. 845-E.	
6/29/70	City of Demopolis school system. Terminal order. School board ordered to implement, effective not later than the commencement of the 1970-71 school year the desegregation plan set out in the order.	
"	Escambia County school system. Terminal order. Plan filed by U.S. on Jan. 29, 1970, except as it relates to Atmore-Huxford attendance area and as modified by this order, ordered placed	

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into effect not later than the commencement of the 1970-71 school year. For the western area of Escambia County, designated on the map attached to this order, the U.S. plan designated "HEW Plan II May 8, 1970" approved and ordered placed into effect not later than commencement of 1970-71 school year.

Limestone County school system. Recommendation of U.S. for attendance zone for Trinity School. Map attached.

ORDER transferring to the United States District Court for the Southern District of Alabama the cases against the Escambia County and City of Demopolis Boards of Education.

Trade schools and junior colleges. Stipulation of parties.

Escambia County and Demopolis files mailed to Clerk, U.S. District Court, Southern District of Alabama, Mobile, Alabama.

ORDER--Limestone County school system. Plan of desegregation filed by U.S. on May 1, 1970, as modified and supplemented by this order, ordered implemented effective with commencement of 1970-71 school year. This cause ordered transferred to U.S. District Court for the Northern District of Alabama. (Copies mailed by certified mail to Superintendent of Education of Limestone County and members of Limestone County Board of Education; copies mailed by regular mail to counsel, to State Superintendent of Education and to Superintendent of Athens City Schools.)

Plaintiffs' motion for temporary restraining order and further injunctive relief against Alabama High School Athletic Association.

ORDER to show cause. Alabama High School Athletic Association ordered to show cause in writing at or before 12 noon, Aug. 17, 1970, why relief prayed for by plaintiffs should not be granted.

Marshal's return of service of motion of 8/12/70 and order to show cause. Personal service on Herman L. Scott, Director of Alabama High School Athletic Association, on 8/13/70.

Alabama Trade Schools and Junior Colleges. Memorandum opinion of three-judge court.

Alabama Trade Schools and Junior Colleges. ORDER pursuant to memorandum opinion enjoining the defendants to take the action set out in the order to desegregate student bodies and faculties of these schools and to eliminate duplication of courses at the two schools located in each of the cities of Gadsden, Montgomery, Birmingham, Tuscaloosa, and Mobile, etc. U.S. ordered to file within 15 days a motion to make Alabama Junior College and Trade School Authority and its individual members defendants; this Authority is allowed 20 days from the date it is made a defendant to show cause why it should not be enjoined from further expenditure of capital outlay funds until Mobile State Junior College has been made equal in facilities and curriculum to James H. Faulkner Junior College.

DATE	PROCEEDINGS	114	Date Order or Judgment Note
8/14/70	Writ of injunction issued in accordance with memorandum opinion and order.		
"	Copies of writ of injunction and opinion and order delivered to Marshal for service on defendants; copies handed or mailed to counsel.		
8/17/70	"Athletics." Response of Alabama High School Athletic Association to show cause order of Aug. 13, 1970.		
8/18/70	ORDER--athletics. Plaintiffs' motion filed Aug. 12, 1970, for temporary restraining order and further injunctive relief denied. (Copies mailed to counsel.)		
"	Marshal's returns of service of writ of injunction and opinion and decree of 8/14/70. Governor Albert Brewer and Dr. Ernest Stone, State Supt. of Education, served 8/14/70.		
8/19/70	Marshal's additional return of service of writ of injunction, etc. Service on Ed Dannelly, Member, Alabama State Board of Education, on 8/18/70.		
8/24/70	Trade schools and junior colleges. Marshal's returns of service of opinion and order and writ of injunction of 8/14/70. Service on Board Members Harold C. Martin and Cecil Word on Aug. 19, 1970. Service on Board Members Fred L. Merrill, Victor P. Poole, and Dr. James D. Nettles on 8/20/70.		
8/25/70	Trade schools and junior colleges. Alabama Junior College and Trade School Authority's answer to show cause order (in decree of 8/14/70) of Aug. 14, 1970.		
8/28/70	Motion of U.S. for entry of an order ex parte adding as parties defendant the Alabama Trade School and Junior College Authority, its President, Honorable Albert P. Brewer, Governor of Alabama; its Vice President, Dr. Ernest Stone, State Superintendent of Education; and its Secretary, Robert B. Ingram, Director of Finance of the State of Alabama.		
8/28/70	Marshal's additional returns of service of memorandum opinion, decree and writ of injunction of 8/14/70. Service on W. M. Beck, Sr., on 8/24/70 and on W. C. Davis on 8/26/70.		
8/31/70	Marshal's additional return of service of memorandum opinion, decree and writ of injunction of 8/14/70. Service on Mrs. Carl Strang on 8/27/70.		
9/1/70	ORDER granting motion of U.S. for addition of Alabama Trade School and Junior College Authority and its President, Vice President and Secretary as defendants.		

115

/70

ORDER that plan for equalization of physical facilities and curriculum of the Mobile State Junior College with the James H. Faulkner Junior College filed as part of the answer of the Alabama Trade School and Junior College Authority on Aug. 25, 1970, is approved and ordered immediately implemented. Alabama Trade School and Junior College Authority ordered to report to Court within 6 months as to its implementation of said plan. (Copies mailed to counsel and to State Superintendent of Education.)

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Defendants' motion for modification of order of Aug. 14, 1970.

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ORDER that plaintiffs and U.S. show cause within 15 days why defendants' motion for modification should not be granted.

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Report of State Superintendent of Education as to the 69 school systems which had not completely abolished their dual school systems prior to beginning of 1970-71 school year and formerly a part of this case, on:

- Student enrollment--1969-70 and 1970-71
- Faculty and staff assignments, 1970-71
- Faculty vacancies and transfers occurring from beginning of 1969-70 school year to beginning of 1970-71 school year.

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United States' response to show cause order entered 9/23/70.

3/70

Report of defendant Trade Schools and Junior Colleges in accordance with the Court order entered on August 14, 1970, reflecting the faculty and staff, by race, the racial composition of the student body, the revised transportation and attendance areas as ordered, and the curriculum offered in each trade school located in Gadsden, Birmingham, Tuscaloosa, Montgomery, and Mobile. The following reports submitted:

- Form CO-4-70 --- Reports from all 17 state junior colleges.
- Form CO-5-70(a)- Reports from the 10 trade schools located in Gadsden, Birmingham, Tuscaloosa, Montgomery and Mobile, which contain information on curriculum offerings
- Form CO-5-70(b)- Reports from the remaining 17 state trade schools.

ORDER (1) that the order of this Court dated 8/14/70 be modified so as to allow the trade schools to retain duplicate courses that have been commenced that are now in progress, for a period of time beyond the deadline of ninety days, set by this Court in its order of 8/14/70, and to the termination of said courses. (2) that the order made and entered 8/14/70 be amended so as to allow the defendants to file the reports required on or before October 15, 1971, rather than September 15, 1971; (3) that the defendants' motion for modification of the August 14, 1970, order so as to allow each of the trade schools in Gadsden, Tuscaloosa, Montgomery, Birmingham and Mobile to retain

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	permanently a course in auto mechanics, be denied; and (4) that the defendants' motion for modification of paragraph 7 of the August 14, 1970, order so as to permit students from Mobile County who furnish their own transportation to attend the James H. Faulkner Junior College, be denied. (Copies mailed to counsel and to State Superintendent of Education.)	116
10/16/70	Defendants' motion to modify order of Aug. 14, 1970.	
10/26/70	ORDER denying defendants' motion filed 10/16/70 to modify order of 8/14/70. (Copies mailed to counsel.)	
10/29/70	Alabama State Board of Education's notice of appeal to the U.S. Court of Appeals for the Fifth Circuit, from this Court's orders of October 13, 1970, and October 26, 1970. (Copies mailed by the Clerk 10/30/70 to Edward W. Wadsworth, Clerk, U.S. Court of Appeals; Gray, Seay & Langford; Ira DeMent; Craig Crenshaw; Dr. Ernest Stone.)	
11/13/70	Clerk's certificate as to record.	
"	Record mailed to Clerk of CCA.	
"	Addendum to report of State Supt. of Education on trade schools and junior colleges.	
3/8/71	ORDER amending order entered 8/14/70, so as to require the assignment of teachers, instructors and other staff members employed in each of the trade schools and junior colleges in the State of Alabama so that the teachers, instructors, and other staff members in each of the trade schools and junior college in the State of Alabama are substantially desegregated as of September, 1971. Defendants are required to file with this Court in writing on or before 9/15/71, and furnish copies to counsel for the United States and for plaintiffs, a map and a designation by county of the geographical area served by each of the junior colleges and trade schools in the State of Ala. (Copies mailed to counsel.)	
4/5/71	Defendants' report (filed by State Supt. of Education) on equalization of physical facilities and curriculum of Mobile State Junior College with James H. Faulkner Junior College.	
6/15/71	Alabama Trade Schools and Junior Colleges. Report of defendant Alabama State Board of Education as to Mobile State Junior College and the equalization of its curriculum with that of Faulkner State.	
7/17/71	Opinion-ORDER of U.S. Court of Appeals for the Fifth Circuit. (Filed in that court on July 15, 1971.) That portion of the district court's order of August 14, 1970, requiring the establishment of definite attendance areas, as set out in the order, for Mobile State and Faulkner Junior Colleges not later than commencement of the 1971-72 school year stayed until commencement of the 1972-73 school year or until further order of C.C.A. All other provisions of district court decree remain in full force and effect. Copies of reports required by district court decree ordered also filed with Clerk of C.C.A.; jurisdiction retained for further consideration.	

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. 25

Plaintiffs' motion to reconvene three-judge court, to substitute parties, and for an order to show cause why certain parties should not be held in contempt of court and/or further relief.

27

ORDER entered by Judges Rives, Grooms and Johnson denying plaintiffs' motion filed Aug. 25, 1971. (Copies to counsel)

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14

Report of State Board of Education pertaining to junior colleges and trade schools. Letter supplement to report filed this date.

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r. 10

Interrogatories to defendants, filed by United States. (Trade Schools and Junior Colleges)

13

Motion of plaintiff-intervenor, NEA, for preliminary and permanent injunction, and further relief.

ay 5

ORDER (Judges Rives, Grooms and Johnson, dated May 3, 1972) that the motion filed April 13, 1972, by plaintiff-intervenor, National Education Association, is dismissed without prejudice. (Copies mailed to counsel.)

16

Petition to intervene and complaint filed by John E. Deloney, and others, against Board of Trustees of Livingston University, and others. (Copies furnished Judges Rives, Grooms and Johnson.)

24

Defendant Alabama State Board of Education's motion to dismiss petition to intervene. (Copies furnished Judges Rives, Grooms and Johnson.)

26

Received notice of plaintiff Robert Wright's withdrawal.

29

ORDER of three-judge court transferring jurisdiction over the state colleges, junior colleges and trade schools in this case to the United States District Court for the district within which each is geographically located, i.e., Northern or Southern District of Alabama; and conferring jurisdiction over those institutions located in the Middle District of Alabama upon the judges of that district. Further, that jurisdiction over Livingston University having been transferred, the Court has not authority to grant the relief sought by John E. Deloney; and dissolving the three-judge court convened for this case. (Copies mailed to counsel.)

t. 18

Received copy of opinion-order of Court of Appeals, entered Oct. 16, 1972, remanding case to the United States District Court for the Southern District of Alabama, with directions to enter such orders as may be necessary to comply with specific requirements of this order and to provide for full implementation of the stipulation of the parties approved and attached.

174

ay 21

Petition of Andalusia City Board of Education for change of school zoning plan. Referred to Judge Varner.

DATE 1974	PROCEEDINGS	118	Date Order or Judgment Note
June	3 Motion of Alabama High School Athletic Association to amend order of April 1, 1968. (In letter form.)		
	3 ORDER to show cause. Counsel for plaintiffs and counsel for the United States to show cause in writing, within 10 days from this date, as to why the order of this Court entered in this case April 1, 1968, should not be amended as proposed in the letter to the Court of May 29, 1974. (Copies of order and letter mailed to Hon. Ira DeMent and Gray, Seay & Langford [certified mail, return receipt requested], T. W. Thagard, Oakley Melton, Jr., and Herman Scott.)		
	13 Response of the United States to Court's order of June 3, 1974. Referred to Judge Johnson.		
	17 Response of the plaintiffs to the Court's order of June 3, 1974. Referred to Judge Johnson.		
	18 ORDER that the order made and entered herein April 1, 1968, be amended so as to permit the Alabama High School Athletic Association to increase its membership dues \$50.00 per school and further that the said Alabama High School Athletic Association be empowered to alter the Plan of Merger so as to provide that the Central Board of Control have authority to set membership dues as necessary to fund the operation of the association. All remaining provisions in the order of this Court of April 1, 1968, shall remain in force and effect. (Copies mailed to counsel.)		
1975			
Jan.	7 Plaintiff-Intervenor National Education Association, Inc.'s motion for further relief. Referred to Judge Johnson.		
	9 Plaintiff-Intervenor National Education Association, Inc.'s motion for leave to amend motion for further relief. Referred to Judge Johnson.		
	13 ORDER granting plaintiff-intervenor National Education Association, Inc.'s motion for leave to amend motion for further relief; defendants and the U.S. to file written responses to plaintiff-intervenor's motion for further relief as amended within 20 days of this date. (Copies mailed to Gray, Seay & Langford; Ira DeMent, certified mail, return receipt requested; T. W. Thagard, certified mail, return receipt requested; Jones, Murray, Stewart & Yarbrough, certified mail, return receipt requested; J. Stanley Pottinger, Asst. Atty. Gen., Washington, D. C.; Dr. LeRoy Brown, certified mail, return receipt requested.)		
	13 Plaintiff-Intervenor National Education Association, Inc.'s amended motion for further relief.		
	14 Received return receipt signed by T. W. Thagard, Jr.'s agent. (1/14/75)		

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- 1. 15 Received return receipts showing receipt by Ira DeMent and Dr. LeRoy Brown.
(Ira DeMent received 1/14/75.)
- 16 Received return receipt showing receipt by Joel Dubina 1/15/75.
- 16 Plaintiff-intervenor National Education Association, Inc.'s interrogatories to defendant Dr. LeRoy Brown.
- 16 Plaintiff-intervenor National Education Association, Inc.'s motion to shorten time for answering interrogatories. Referred to Judge Johnson.
- 17 ORDER denying motion of plaintiff-intervenor National Education Association, Inc. to shorten time for answering interrogatories. (Copies mailed to Donald V. Watkins, Joel F. Dubina, T. W. Thagard, Jr., J. Stanley Pottinger, Ira DeMent and Dr. LeRoy Brown.)
- . 3 Response to defendant Alabama State Board of Education to amended motion for further relief. Referred to Judge Johnson.
- 3 Response of the United States to amended motion for further relief filed by the National Education Association, Inc. Referred to Judge Johnson.
- 3 United States of America's interrogatories to defendants.
- . 7 ORDER for disbursement of security for costs on appeal. (Check issued as directed; copies mailed to Smith, Bowman, et al., and Solomon Seay.)
- y 10 ORDER setting plaintiff-intervenor National Education Association, Inc.'s amended motion for further relief for hearing on its merits commencing at 9 a.m. Thursday, 8/7/75, in Montgomery, Alabama. (Copies mailed to counsel.)
- . 40 ORDER that defendants be permanently enjoined from engaging in any act which has the purpose or effect of discriminating on the basis of race in the employment, assignment, promotion, demotion, salary and dismissal of faculty, staff and other employees of junior colleges and technical schools operated by defendants. Further ORDERED that (1) defendants direct the presidents of each predominantly white state junior college and technical school in Alabama to initiate affirmative recruitment and placement programs designed to increase the number of black faculty and staff personnel in the respective schools as set out in order; (2) defendants shall adopt and submit to the Court for its approval, within 30 days, uniform non-discriminatory written standards and procedures for evaluating applicants for faculty and staff positions at all state junior colleges and technical schools as set out in order; (3) defendants shall forthwith conduct a survey of the State and geographic area actually being served by each predominantly white state junior college and technical school to ascertain the number and/or percentage of black faculty and staff employed by each said institution as compared with the availability of black persons for these positions as set out in order; (4) defendants shall award Mrs. Gladys Laster

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PLAINTIFF		DEFENDANT	DOCKET NO. 604-E
ANTHONY T. LEE; ET AL.		TRADE SCHOOLS AND JUNIOR COLLEGES	PAGE ____ OF ____ PAGES
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Aug. 4		a cosmetology position commensurate with her qualifications and experience at the salary level for cosmetology instructors with similar experience; defendants shall also give Mrs. Laster first option at any opening in cosmetology at the John Patterson School and, upon her return to Patterson, Mrs. Laster shall acquire the tenure status previous held at Patterson; (5) defendants, shall, until further order of this Court, direct all state junior college and technical school presidents (and directors) to maintain written records, which parties may inspect and copy upon reasonable notice as set out in order; (6) defendants shall, on 10/31/75 and on 10/31 of each year, until further order of this Court, file and serve on all parties a report containing the information as set out in this order; and (7) costs relating to the proceedings on the present motion for further relief of the intervenor NEA, be taxed against the defendants. <u>Jurisdiction retained.</u> (Copies mailed to counsel; and to State Jr. College presidents and directors in the Middle District)	
6		WRIT OF INJUNCTION issued. (Copies of writ, together with copies of consent decree served by certified mail, return receipts requested to Geo. C. Wallace, Mrs. S. A. Cherry, Charles Carmichael, Harold C. Martin, H. Ray Cox, James D. Nettles, Ralph D. Higginbotham, Victor P. Poole, Isabelle B. Thomasson, and Dr. LeRoy Brown)	
6		Deposition of Dr. LeRoy Brown.	
Sept. 3		Defendants' report of "Uniform Non-discriminatory Written Standards and Procedures for Evaluating Applicants for Faculty and Staff Positions at all State Junior Colleges and Technical Schools." (Referred to Judge Johnson)	
Oct. 31		Defendants' report filed in accordance with order of 8/4/75, giving the number of students enrolled Oct. 1 (current fall enrollment), instructional personnel employed Oct. 1, applications for instructional positions received in the 12 months prior to Oct. 1, and instructional personnel employed Oct. 1 who were not employed the previous Oct. 1. Referred to Judge Johnson.	
1976			
Jan. 19		Defendants' motion for extension of time. (Referred to Judge Johnson)	
20		ORDER granting defendants motion seeking until 5/1/76 to complete the formulation of the employment goals and timetables required by the decree of this Court entered 8/4/75. (Copies mailed to counsel)	
Apr. 30		Defendants' report filed in accordance with order of 8/4/75, which formulates the employment goals and time tables called for by paragraph 3.b. of said order. Referred to Judge Johnson.	
July 20		Deposition of Dr. Clyde Martin Zeanah.	
Nov. 1		Alabama State Board of Education's report in accordance with Court's order of 8/4/76 with Exhibit "A" attached. (Referred to Judge Johnson)	
11		Plaintiff-intervenor NEA's motion for supplemental relief. (Referred to Judge Johnson)	
27		(regarding City of Demopolis School System) COURT REPORTER'S TRANSCRIPT OF PROCEEDINGS at Montgomery, Al., 3/27/70. (Forwarded to Clerk, U.S. District Court, So. District of Al.)	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>604-E</u>
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DATE	NR.	PROCEEDINGS	
1976			
Dec. 4		COURT REPORTER'S TRANSCRIPT OF PROCEEDINGS at Montgomery, Alabama, June 19, 1970 regarding City of Demopolis School System. (Forwarded together with Exhibits Nos. 1-9) to Clerk, U. S. District Court, Southern District of Alabama.)	
20		Plaintiff-intervenor and amicus curiae United States' first interrogatories to defendant Alabama State Board of Education.	
1977			
Jan. 12		Defendants' motion for extension of time in which to answer U. S.'s first interrogatories. (Referred to Judge Johnson)	
12		ORDER granting defendants' motion for an extension of time until 3/1/77, within which to respond to interrogatories propounded by U.S. on 12/20/76. (Copies mailed to counsel)	
Feb. 4		Motion of Jacqueline Morrow McNeil for leave to intervene as party plaintiff. (Referred to Judge Johnson) (Set on Judge Johnson's 2/25/77 motion docket; notices mailed 2/8/77)	
10		Defendant Alabama State Board of Education's motion to deny intervention by Jacqueline M. McNeil and, in the alternative, for a change of venue of action brought by Jacqueline M. McNeil. (Referred to Judge Johnson)	
22		Jacqueline M. McNeil's response to defendant Alabama State Board of Education's motion to deny intervention by Jacqueline M. McNeil and, in the alternative, for a change of venue of action brought by Jacqueline M. McNeil. (Referred to Judge Johnson)	
22		Jacqueline M. McNeil's interrogatories to defendant Harold Wade, President, Walker State Technical College.	
28		ORDER denying motion of Mrs. Jacqueline M. McNeil for leave to intervene. (Copies mailed to counsel)	
Mar. 1		Defendants' answers to interrogatories.	
3		State Board of Education's reports reflecting racial makeup of the faculties at the junior colleges and trade schools.	
May 26		ORDER denying motion of plaintiff-intervenor for supplemental relief filed 11/11/76, to the extent that said motion asks this Court to grant relief as to the trade schools and junior colleges located in the Northern and Southern Districts of Alabama; to the extent that said motion seeks further relief as to the trade schools and junior colleges situated in the Middle District of Alabama, it is ordered that said motion for supplemental relief be scheduled for hearing on its merits for 9:30 a.m., 8/4/77. (Copies mailed to counsel.)	
July 28		Plaintiff-intervenor NEA's motion for continuance of hearing on motion for supplemental relief scheduled for 8/4/77. Referred to Judge Johnson.	

PLAINTIFF		DEFENDANT	DOCKET NO. 604-E
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DATE	NR.	PROCEEDINGS	
1977			
Aug. 1		ORDER granting plaintiff-intervenor's motion to continue filed 7/28/77; continuing the hearing on plaintiff-intervenor's motion for supplemental relief until further order of this Court. (Copies mailed to counsel.)	
	1	Defendant Alabama State Board of Education's submission of interrogatory responses to NEA's interrogatories filed 12/20/76. Exhibits filed in separate envelope.	
	30	Plaintiffs' motion for further relief. Referred to Judge Johnson.	
	30	Affidavit of Solomon S. Seay, Jr.	
	30	Plaintiffs' motion for temporary restraining order. Referred to Judge Johnson.	
Sept. 1		(Judge Varner) ORDER/setting plaintiffs' motion for temporary restraining order for hearing on 9/15/77 at 1:00 p.m. in Montgomery, Alabama. (Copies mailed to counsel.)	
	2	Plaintiffs' notice to take deposition of Ms. Virgil Anderson.	
	13	Plaintiffs' motion to transfer their motion for further relief and motion for temporary restraining order to the U. S. District Court for the Southern District of Alabama. Referred to Judge Varner.	
	15	ORDER (Judge Varner) granting plaintiffs' motion to transfer. (Copies mailed to counsel.)	
	16	Plaintiffs' motion for further relief filed 8/30/77 and all pleadings and all orders filed since that date transferred to U. S. District Court for the Southern District of Alabama by certified mail.	
Nov. 1		Report of the Alabama State Board of Education pursuant to the order of this Court filed 8/4/75. Referred to Judge Johnson.	
<u>1978</u>			
Jan. 27		The United States' second interrogatories to the defendant Alabama State Board of Education.	
Feb. 10		Motion of the Alabama State Board of Education for extension of time to answer the United States' interrogatories filed 1/27/78. Referred to Judge Johnson. (This motion refers to schools not in this district.)	
Nov. 1		Report of the Alabama State Board of Education pursuant to the order of this Court filed 8/4/75. Referred to Judge Johnson.	
Nov. 7		Report of the Alabama State Board of Education pursuant to the order of this Court filed 8/4/75. Referred to Judge Varner.	

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1980			
Nov. 5		CASE ASSIGNED TO JUDGE VARNER.	
10		Report of Alabama State Board of Education filed pursuant to this Court's order of 8/4/75. Referred to Judge Varner.	
1981			
Nov. 4		Report of Alabama State Board of Education filed pursuant to this Court's order of 8/4/75. Referred to Judge Varner.	
1982			
Nov. 2		Report of Alabama State Board of Education filed pursuant to this Court's order of 8/4/75. Referred to Judge Varner.	
1983			
Oct. 18		Report of Alabama State Board of Education filed pursuant to this Court's order of 8/4/75. Referred to Judge Varner.	
1984			
Oct. 30		Report of Alabama Board of Education filed pursuant to this Court's order of 8/4/75. Referred to Judge Varner.	
1985			
Oct. 31		Report of Alabama State Board of Education filed pursuant to Court's Order of 8/4/75. Referred to Judge Varner.	
Nov. 4		Notice of appearance of Jeffery A. Foshee as counsel for defendant the Alabama State Board of Education.	
1986			
Oct. 30		Report of Alabama State Board of Education filed pursuant to Court's Order of 8/4/75. Referred to Judge Varner.	
1987			
May 4		Motion of Charles S. Coody to withdraw as attorney of record for defendant, Alabama State Board of Education.	
Oct. 30		Compliance report pursuant to Order of 8/4/75. Referred to Judge Varner.	
1988			
Oct. 31		Compliance report pursuant to Order of 8/4/75 w/attachments.	
Nov. 2		Supplemental response to compliance report of 10/31 w/attachments.	
1989			
Oct. 31		Compliance report pursuant to Order of 8/4/75. Referred to Judge Varner.	
1990			
Oct. 30		Compliance report pursuant to Order of 8/4/75. Referred to Judge Varner.	
1991			
Oct. 25		Compliance report pursuant to Order of 8/4/75. Referred to Judge Varner.	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>604-E</u>
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<u>1992</u>			
Nov 2		Compliance report pursuant to Order of 8/4/75. Referred to Judge Albritton.	
<u>1993</u>			
Oct 29		Alabama State Board of Education's compliance report (w/attachments). Referred to Judge Albritton.	
<u>1994</u>			
Oct 31		Alabama State Board of Education's compliance report (w/attachments). Referred to Judge Albritton.	
<u>1995</u>			
Oct 31		Alabama State Board of Education's compliance report (w/attachments). Referred to Judge Albritton.	
<u>1996</u>			
3/12/96		Covington County School District semi-annual report (tTtAttachments A-F). Referred to Judge Albritton.	
<u>1997</u>			
10/21		MOTION for extension of time to file compliance report; referred to Judge Albritton GRANTED 11/3/97 (Copies mailed to counsel)	
11/14		Notice of Appearance by Larry E. Craven as counsel for State Dept. of Education	
11/14/		MOTION for Permission to Withdraw As Counsel by Ashley H. Hamlett ; referred to Judge Albritton. GRANTED 11/17/97 (Copies mailed to counsel; furnished to	
Nov. 26		Alabama State Board of Education's compliance report (w/attachments). Referred to Judge Albritton.	
<u>1998</u>			
NOct. 29		Alabama State Board of Education compliance report (w/attachments) referred to Judge Albritton	
Dec. 29		ORDER status conf. set for 2/17/99 @ 8:15 a.m. in chambers; directing clerk to send copies of order to attorney filing most recent Compliance Rpt on behalf of AL State BOE and to everyone shown in certificate of service; all attys expected to appear on behalf of any party shall file a Notice of appearance on or before 2/10/99; directing attorney for the AL State BOE to consult w/counsel for all other parties and submit to the court 2/10/99 a proposal as to how the parties and the court should proceed in this case toward a determination and declaration of unitary status for each trade school and junior college located in the Middle District of AL and the eventual termination of this litigation as to each such institution; referring all non-dispositive, pretrial matters to Mag. Judge Carroll for resolution as appropriate. (Copies mailed to counsel. Furnished to EL, TCC)	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____
		PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
1999		
1/27		Notice of Appearance for Alabama State Board of Educaion (Attorneys Anthony A. Joseph, William D. Jones, III and D. Eugene Hayes)
2/2		Notice of Appearance for Plaintiffs (Anthony T. Lee, et al. (Attorneys Fred D. Gray and Stanley F. Gray)
2/4		Notice of Appearance for USA (Attorneys Thomas E. Perez, Michael Maurer Lisa Evans)and K. Hesmima White)
2/11		Proposal For further Proceedings, referred to Judge W. H. Albritton, III cc: Mag. Judge Charles S. Coody
2/17		Conference held before Judge W. H. Albritton, III re: initiate the development of an orderly procedure through which the state technical colleges (previously called trade schools), junior colleges, and community colleges in MDAL may achieve unitary status so that control over these colleges may be returned to the State of AL operating in complaiance w/the Constitution
2/18		ORDER 1) that this aspect of this long-standing school desegregation case is severed from Civil Action No. 604-E; directing clerk to establish a separate file, with separate case number, without payment of any filing fee, for each affected college with the MDAL, style as set forth in order; 2) that the separate files shall be established for Central Alabama Comm College, Chattahoochee Valley Comm College, Southern Union State Comm College, George C. Wallace Comm College, Enterprise State Junior College, Lurleen B. Wallace State Junior College, Douglas MacArthur State Tech College, John M. Patterson State Tech College, Chauncey Sparks State Tech College, and H. Counsill Trenholm State Tech College, the plaintiffs and plaintiff-intervenor are given 30 days from date of this order to file motion w/court to include additional institutions which they contend should be included; 3) directing clerk to advise parties in writing as to appropriate style and number of each case, thereafter all filing by attorneys shall be made separately in each case, showing only the style and number of that case; 4) that within 60 days from this order, the plaintiff parties shall prepare and serve defendant a joint info request in each case; 5) that within 60 days of receipt of joint info request, the defendant shall prepare and serve plaintiff parties a response; 6) that within 14 days of defendant's response to info request the parties shall file a joint statement With the court in each case advising of status of that case; 7) that within 60 days from the date of Defendant's response to info request the plaintiff parties shall analyze the Defendant's responses and, if required, issue additional info request; Defendants shall respond with 30 days to any additional info requests; 8) that within 60 days of the date of Defendants to the info request and again 120 days from date of Defendant's response to infor request, the parties shall file joint state statements with the court in each case advising of status; 9) that within 90 days of Defendant's resposne to info request the parties shall confer to determine if there are any areas where the comm colleges, cont.

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>604-E</u>
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DATE	NR.	PROCEEDINGS	
1999			
2/18	cont.	junior colleges, and technical colleges have achieved unitary status or the parties could amicably develop a procedure through which they could achieve unitary status; 10) that within 14 days of the conclusion of the above negotiations, but in no event later than 30 days after the initial conference referred in 9 above, the parties shall file a joint statement with the court in each case advising of the results of negotiations and suggesting how that case should proceed in the future as to any remaining issues; 11) that all non-dispositive, pretrial matters are referred to US Mag Judge John L. Carroll for resolution as appropriate. (Copies mailed to counsel. Furnished to EL, SL, Civil Docket Clerks)	
2/25		Motion to Appear Pro Hac Vice and Entry of Appearance for Plaintiffs, Anthony T. Lee, et al. by Attorney <u>Dennis D. Parker</u> , referred to Judge W. H. Albritton, III	
3/1		ORDER granting M/Appear Pro Hac Vice (signed by Judge W. H. Albritton, III), copies mailed to counsel.	
6/11		Motion for Extension of Time to Respond to Discovery Request by Defendants', referred to Judge W. H. Albritton, III [Alabama St Brd of Educ] cc: Mag. Judge Charles S. Coody	
6/28		STAMPED ORDER granting Defendants' Motion for Extension of Time to Respond to Discovery Request; Response due on or before 8/14/99 (Judge John L. Carroll), copies mailed to counsel.	
7/12		Motion for Leave to Withdraw As Counsel for Plaintiff by Solomon S. Seay, Jr., referred to Judge W. H. Albritton, III; cc. Mag. Judge Charles S. Coody	
7/14		STAMPED ORDER granting Motion for Leave to Withdraw as Counsel by Solomon S. Seay, Jr. (Judge W. H. Albritton, III), copies mailed to Counsel	
10/29		COMPLIANCE REPORT pursuant to Order of 8/4/75, referred to Judge W. H. Albritton, III. cc. Mag. Judge Charles S. Coody	
11/5		NOTICE OF APPEARANCE for Alabama State Board of Education by Attorney Bethany Ray Griffin	
2000			
10/30		COMPLIANCE REPORT pursuant to Order of 8/4/75 by Alabama State Brd of Educ., referred to Judge W. H. Albritton, III; cc: Mag. Judge Charles S. Coody	
2001			
10/31		Compliance Report by the Alabama State Board of Education in compliance with previous Orders of the Court. Referred to Judge W. H. Albritton, III; cc: Mag. Judge Charles S. Coody	
2002			
10/31		Compliance Report by the Alabama State Board of Education in compliance with the previous Orders of the Court. Referred to Judge W. H. Albritton cc: Mag. Judge Charles S. Coody	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
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DATE	NR.	PROCEEDINGS
2003		
April	24	Motion for Permission to Withdraw as Counsel. Referred to Judge Coody -- Albritton; cc; Judge Coody.
May	2	STAMPED ORDER granting the Motion for Dennis Parker to withdraw as counsel. (copies furnished to counsel)
October	30	Compliance Report (with attachments) Referred to Judge Albritton; cc: Judge Coody
2004		
October	29	Compliance Report (with attachments). Referred to Judge Albritton cc: Judge Coody