

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

GOLDEN BETHUNE-HILL, et al.,)	
)	
Plaintiffs,)	
)	
v.)	
)	
VIRGINIA STATE BOARD OF)	Civil Action No. 3:14-cv-00852-REP-AWA-
ELECTIONS, et al.,)	BMK
)	
Defendants,)	
and)	
)	
WILLIAM J. HOWELL, SPEAKER OF)	
THE HOUSE OF DELEGATES, and THE)	
HOUSE OF DELEGATES,)	
)	
Intervenor-Defendants.)	

DEFENDANTS’ STATEMENT OF POSITION

Defendants, the Virginia State Board of Elections *et al.*, state the following in response to the Court’s order of April 6, 2017 (ECF No. 136).

1. As this Court has noted, “Defendants are ‘administrative agencies that implement elections’ but ‘[did] not draw the districts’” whose constitutionality is at issue in this case. (ECF No. 108 at 6 (quoting Trial Tr. 12:14-25).)

2. Throughout this case Intervenor-Defendants have asserted, and they continue to assert, the constitutionality of the challenged districts. Both in this court and the Supreme Court, they have “carr[ied] the burden of litigation.” *Id.* See also *Bethune-Hill v. Va. State Bd. of Elections*, No. 15-680, slip op. at 5 (U.S. Mar. 1, 2017).

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CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the counsel of record for all parties.

By: /s/
Stuart A. Raphael