

## **Exhibit 15**

### **Third Supplemental Sam Brooke Declaration and Attachments**

I, Sam Brooké, state as follows:

1. I am over the age of 18 years.
2. I am a staff attorney of the Southern Poverty Law Center, and am an attorney of

record for plaintiffs in the matter of *Central Alabama Fair Housing Center ("CAFHC")*

*Magee*, No. 11-982. I am the lead attorney on this case for my organization.

3. On November 28, 2011, my organization was contacted by a woman who

Office. She was told that she would have to produce a valid driver's license to renew the decal.

December 7, 2011, like she had heard in the news. She was told that nothing had changed and

that she had to produce a driver's license. She was not able to renew her decal.

4. I called the Etowah County Probate Office at approximately 2:00 p.m. I was not

able to reach a person, but left a message asking for them to review the Department of

website, and to call me back. I did not receive a call back from their office.

5. On November 28, 2011, my organization was contacted by a woman who

attempted to renew a mobile home decal in Birmingham, Alabama, at the Jefferson County

Department of Public Safety. She was told that she would have to produce a valid driver's license to

6. On November 29, 2011, my organization was contacted by a woman who

attempted to renew a mobile home decal in Decatur, Alabama, at the Jefferson County

Department of Public Safety. She was told that she would have to produce a valid driver's license to

certificate or an Alabama driver's license. She was not able to renew her decal.

woman who attempted to renew her mobile home decal in Hartselle, in Morgan County, at the

refused to permit her to renew her decal

(Chilton County).

who have been denied the ability to renew their mobile home decal are Etowah/Chilton.

locations, who were charged with registering manufactured homes, were not complying with the

Gadsden (Etowah County); Dothan (Houston County Revenue Department); Bessemer

representative class members that they could now return to get their manufactured home decals

renewed.

(Chilton County Tax Collector's Office) were also not complying with the TRO.

On November 22, at approximately 9:44 am, I received a response from counsel

for Defendant Commissioner Magee, stating that it was counsel's understanding that all of the

14. Counsel for Defendant Commissioner Magee responded at approximately 11:06

will do my best to address them."

15. I responded to counsel for with an email providing additional specifics about the prior violations and also raising a new violation in Hartselle (Morgan County) at approximately

5:01 pm.

16. Counsel for Defendant Commissioner Magee responded by email at

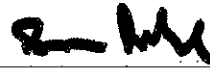
approximately 4:33 pm: "As I did earlier, I am representing to you that the referenced offices I see you added Morgan County and this statement includes it) have received Commissioner

would appreciate it."

17. A true and correct copy of the emails referenced in paragraphs 10-16 are attached as Exhibit A.

I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 30th day of November, 2011.



\_\_\_\_\_  
Sam Brooke

# **Exhibit A**

**(to Sam Brooke Second Supplemental Declaration)**

**Samuel Brooke**

**From:** Payne, Joshua [Payne@ago.state.al.us]  
**Sent:** Tuesday, November 29, 2011 4:33 PM  
**To:** Samuel Brooke  
**Subject:** RE: CAFHC v. Magee - Notice of TRO Noncompliance

Dear Sam,

As I did earlier, I am representing to you that the referenced offices (I see you added Morgan County, and this statement includes it) have received Commissioner Magee's November 24<sup>th</sup> Memo, and in response to the Memo, I would appreciate it.

Joshua K. Payne  
Assistant Attorney General  
State of Alabama  
501 Washington Avenue  
Montgomery, AL 36130  
(334) 353-1473  
jpayne@ago.state.al.us

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**From:** samuel.brooke@splcenter.org [mailto:samuel.brooke@splcenter.org]  
**Sent:** Tuesday, November 29, 2011 5:01 PM  
**To:** Payne, Joshua; Davis, Jim; Fleming, Margaret; Fairbanks, Misty; Parker, Will  
**Cc:** tumlin@nilc.org; jcrook@relmanlaw.com; Kristi.Graunke@splcenter.org  
**Subject:** RE: CAFHC v. Magee - Notice of TRO Noncompliance

Josh:

You informed me that you filed your Notice of Compliance with the Court yesterday, and noted that you were off-put by the allegations of non-compliance. This is my third email regarding this matter, and I am writing to you for your convenience.

We ask that you, or an agent of Commissioner Magee, speak directly with these offices to inform them of what it requires to ensure that they are aware of the TRO and what it requires to ensure that they have notified all staff tasked with registering manufactured homes and

follows:

2) We have been informed that in the morning of November 29, at the Jefferson County Revenue Department in Birmingham, individuals were told that unless they had an Alabama Driver's License, they would not be able to renew their manufactured home deed.

3) We have learned in the morning of November 29 that the Houston County (Dahlway) District Office (Houston County) is continuing to demand an Alabama Driver's License to renew a manufactured home deed.

(Fowah County) is continuing to demand an Alabama Driver's License to renew a manufactured home deed.

5) We have been informed that around 12:00 pm on November 29, an individual in Ocala (Shelby County) because he did not have an Alabama identification.

6) We have been informed that around 10:00 am on November 29, at the District Office, a person was turned away because he had only a foreign passport, a valid visa, and a matricula;

7) We have been informed by two individuals, one in the morning of November 29, at 3:30 pm on November 29 and an office in Bessemer (Jefferson County) is continuing to demand a U.S. Passport or Alabama Driver's License to renew a manufactured home deed.

We need to have confirmation that you have addressed these issues by the end of the day. If you will consider filing a motion for summary judgment on the TRO, please let us know by the end of the day. We will consider the motion if you will agree to take the steps outlined above before noon tomorrow.

Thank you,  
Sam Brooke

Sam Brooke | Staff Attorney  
Immigrant Justice Project | Southern Poverty Law Center  
400 Washington Avenue | Montgomery, Alabama 36104  
404.521.6700 (office) | 334.956.9260 (direct)  
334.956.8481 (facsimile) | sam.brooke@splcenter.org

**From:** Payne, Josh [mailto:JPayne@ago.state.al.us]  
**Sent:** Tuesday, November 29, 2011 11:06 AM  
**To:** Samuel Brooke  
Curtis.Li@ilco.com; Kati.Cramer@redmud.com; Kristi.Cramer@redmud.com; Kristi.Cramer@redmud.com; Kristi.Cramer@redmud.com  
**Subject:** RE: CAFHC v. Magee - Notice of TRO Noncompliance

Dear Sam,

We filed the Notice of Compliance yesterday. If you provide specific citations, I will demand that you comply with the TRO by the end of the day.

Joshua K. Payne



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From: [samuel.drooke@spicenter.org](mailto:samuel.drooke@spicenter.org) [mailto:[samuel.drooke@spicenter.org](mailto:samuel.drooke@spicenter.org)]

Sent: Tuesday, November 29, 2011 10:21 AM

Subject: Re: CARR, a Mississippi member of the Immigration

Thanks for getting back to me last. But this doesn't fully answer my questions. "

- When they received the Nov. 24 Memo?
- How they received the Memo? and
- Whether they are now in compliance?

We need clarification on these points by 1pm today as we will have to make a decision on whether to file a writ of habeas corpus given that the deadline for registering is tomorrow.

Sincerely,

Sam Brooke

Sam Brooke | Staff Attorney  
Immigrant Justice Project | Southern Poverty Law Center  
400 Washington Avenue | Montgomery, Alabama 36104  
404.521.6700 (office) | 334.956.8360 (direct)  
334.956.8481 (facsimile) | [sam.brooke@splcenter.org](mailto:sam.brooke@splcenter.org)

On 11/29/2011 9:41 AM, Payne, Josh wrote:

Dear Sam,

Joshua K. Payne  
Assistant Attorney General  
State of Alabama  
501 Washington Avenue  
Montgomery, AL 36130  
(334) 555-1475  
[jpayne@ago.state.al.us](mailto:jpayne@ago.state.al.us)

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Subject: RE: CAFHC v. Magee - Notice of TRO Noncompliance

Importance: High

Counsel:

We are aware of the following counties and have attempted to renew their mobile home decals with out success:

Immigration status:

Clanton City (Chilton County Tax Collector's Office)

Again, we ask that you take action to ensure this county is in compliance with the TRO order.

notify us of the same.

Sincerely,

Sam Brooke

From: Samuel Brooke

Sent: Monday, November 28, 2011 2:00 PM

To: jimdavis@ago.state.al.us; Payne, Josh (JPayne@ago.state.al.us); 'mfleming@ago.state.al.us'; 'mfairbanks@ago.state.al.us'; 'wparker@ago.state.al.us'

Car Karen Tunlin (ktunlin@chiltonco.gov); Jamie Crook; Kristi Crank

Subject: RE: CAFHC v. Magee - Notice of TRO Noncompliance

Importance: High

Counsel:

We are aware that the following counties and have attempted to renew their mobile home decals with out success:

attempted to renew their mobile home decals with out success:

violation of the TRO order entered by Judge Thompson:

- Columbiana (Shelby County)
- Dothan (Houston County Revenue Dept)
- Bessemer (Jefferson County)
- Birmingham (Jefferson County)

We ask that you take action to ensure compliance with the TRO order.

- Contacting these offices;
- Ensuring their compliance with the TRO, and
- Informing us of the same, including with whom you speak so we can inform the affected members who contacted us that they can now return to these offices to renew their decals.

As you are aware, given that the deadline to renew mobile home decals is only 2 days away, these violations

process.

Sam Brooke

Sam Brooke, Staff Attorney

Immigrant Justice Project, Chilton County, Alabama