

A List of Inactive Voters in Lawrence, Massachusetts

¿OÍSTE? v. City of Lawrence
(Nathaniel M. Gorton, D. Mass. 1:05-cv-12218)

At 5:01 p.m. on the Friday before the November 8, 2005, election in Lawrence, Massachusetts, two voters and a political organization filed a federal complaint in the District of Massachusetts seeking relief from a recent notification to a large number of potential voters that they had been placed on an inactive list.¹ With their complaint, the plaintiffs filed a motion for a temporary restraining order.² The case was docketed on Monday morning.³

Because of the unavailability of Judge William G. Young, who signed a 1999 consent decree concerning the rights of Latino voters in Lawrence,⁴ Judge Nathaniel M. Gorton presided over a hearing at 4:20 p.m. on the day before the election.⁵ At 5:10, Judge Gorton recessed proceedings for 23 minutes for the parties to agree on a statement to voters in both English and Spanish to be broadcast and printed in the media.⁶

On July 12, 2006, after three filings stating that the parties were working to resolve matters without litigation,⁷ Judge Young dismissed the action without prejudice.⁸

1. Complaint, *¿OÍSTE? v. City of Lawrence*, No. 1:05-cv-12218 (D. Mass. Nov. 7, 2005), D.E. 1; Transcript at 19, *id.* (Nov. 7, 2005, filed Dec. 14, 2005), D.E. 11.

2. Temporary Restraining Order Motion, *id.* (Nov. 7, 2005), D.E. 5.

3. Docket Sheet, *¿OÍSTE?*, No. 1:05-cv-12218 (D. Mass. Nov. 7, 2005); Transcript, *supra* note 1, at 4–5 (noting that the judge received the matter at 8:49 a.m.).

4. *See* Docket Sheet, *United States v. City of Lawrence*, No. 1:98-cv-12256 (D. Mass. Nov. 5, 1998).

5. Transcript, *supra* note 1.

6. *Id.* at 38–42; Docket Sheet, *supra* note 3.

7. Stipulation, *¿OÍSTE?*, No. 1:05-cv-12218 (D. Mass. June 5, 2006), D.E. 17; Stipulation, *id.* (Apr. 14, 2006), D.E. 16; Stipulation, *id.* (Mar. 23, 2006), D.E. 15.

8. Order, *id.* (July 12, 2006), D.E. 19.