

Exhibit 15

Third Supplemental Sam Brooke Declaration and Attachments

Third Supplemental Declaration of Sam Brooke

I, Sam Brooke, 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") v. 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 attempted to renew a mobile home decal in Gadsden, Alabama, at the Etowah County Probate Office. She was told that she would have to produce a valid driver's license to renew the decal. She responded by asking whether that part of the law had been enjoined by a court until 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 Revenue's 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 Revenue Department office. She was told she could not renew their manufactured home decal without showing an Alabama drivers' license or a green card. She was not able to renew her decal.
6. On November 28, 2011, my organization was contacted by a woman who attempted to renew a mobile home decal in Bessemer, Alabama, at the Probate Office. While waiting in line, she was approached by a staff member and asked if she had identification. She

responded that she had a foreign passport; she was told she would need to also have a U.S. birth certificate or an Alabama driver's license. She was not able to renew her decal.

7. On November 29, my co-counsel at LatinoJustice / PRLDEF were contacted by a woman who attempted to renew her mobile home decal in Hartselle, in Morgan County, at the Crestwood Shopping Center. The caller was asked for her and her husband's Alabama driver's license or his birth certificate, to prove that they had U.S. citizenship or lawful immigration status. She informed them about the TRO, but the office claimed to have no knowledge of it and refused to permit her to renew her decal.

8. Through my co-counsel I am aware of similar problems were occurring in Columbiana (Shelby County); Dothan (Houston County Revenue Department); and Clanton (Chilton County).

9. Based on the surnames and languages spoken by these callers, I believe all those who have been denied the ability to renew their mobile home decals are Latino/Hispanic.

10. On November 28, at approximately 2:00 p.m., I contacted counsel for Defendant Commissioner Magee via email, alerting them that we were aware that offices in the following locations, who were charged with registering manufactured homes, were not complying with the TRO order entered in *CAFHC v. Magee* on October 23, 2011: Columbiana (Shelby County); Gadsden (Etowah County); Dothan (Houston County Revenue Department); Bessemer (Jefferson County); and Birmingham (Jefferson County). I asked that they immediately contact these offices, ensure compliance with the TRO, and inform me so that I could notify affected putative class members that they could now return to get their manufactured home decals renewed.

11. On November 28, at approximately 6:04 p.m., I contacted counsel for Defendant Commissioner Magee via email, alerting them that we were aware that offices in Clanton County (Chilton County Tax Collector's Office), were also not complying with the TRO.

12. On November 29, at approximately 9:44 a.m., I received a response from counsel for Defendant Commissioner Magee, stating that it was counsel's "understanding that all of the referenced offices have received Commissioner Magee's November 24 Memo."

13. I responded seeking further clarification on when the November 24 memo was sent, how it was sent, and whether they could confirm these offices were now in compliance.

14. Counsel for Defendant Commissioner Magee responded at approximately 11:06, stating that "We filed the Notice of Compliance yesterday. If you provide specific allegations, I will do my best to address them."

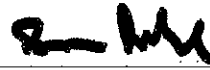
15. I responded to counsel for with an email providing additional specifics about the prior violations, and also raising a new violation in Hartselle (Morgan County) at approximately 3:01 pm.

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 Magee's November 24 Memo. If you would notify me of an office unaware of the Memo, I 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, Josh <JPayne@ago.state.al.us>
Sent: Tuesday, November 29, 2011 4:33 PM
To: Samuel Brooke
Cc: tumlin@nilc.org; jcrook@relmanlaw.com; Kristi Graunke; Davis, Jim; Fleming, Margaret; Fairbanks, Misty; Parker, Will
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 Memo. If you would notify me of an office unaware of 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 3:01 PM
To: Payne, Josh; 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 asked me for specific allegations of non-compliance. This is my third email itemizing violations of which we are aware, but I am including them all in this one email for your convenience.

We ask that you, or an agent of Commissioner Magee, speak directly with these offices to inform them there are allegations they are not in compliance with the court's TRO, 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 collecting the requisite fees/taxes that they are aware of the requirements of the TRO, and that you notify us when, and between whom, these communications occurred. The specific allegations we have learned of are as follows:

1) We have been informed that in the morning of November 28, at the Crestwood Shopping Center in Hartselle (Morgan County), the office demanded either an Alabama identification or a birth certificate to renew a manufactured home decal;

- 2) We have been informed that in the morning of November 28, at the Jefferson County Revenue Department in Birmingham, individuals were told that unless they had an Alabama license or a green card, they would not be able to renew their manufactured home decal;
- 3) We have learned in the morning of November 28 that the Houston County (Dothan) Probate Office is still requiring a driver's license to renew a manufactured home decal;
- 4) We have been informed that around 11:30 am on November 28 that an office in the Gadsden Courthouse (Etowah County) is continuing to demand an Alabama Driver's License to renew a manufactured home decal;
- 5) We have been informed that around 12:00 pm on November 28 a person was turned away in Columbiana (Shelby County) because he did not have an Alabama identification;
- 6) We have been informed that around 10:00am on November 28 in Clanton (Chilton County Tax Collector's Office), a person was turned away because he had only a foreign passport without a valid visa, and a matricula;
- 7) We have been informed by two individuals, one in the morning of November 28 and the second around 3:30 pm on November 28 that an office in Bessemer (Jefferson County) is continuing to demand a U.S. Passport or Alabama Driver's License to renew a manufactured home decal.

We need to have confirmation that you have addressed these issues by noon tomorrow. If we do not have your assurances that these offices have been specifically contacted and informed about the requirements of the TRO, we will consider filing a motion tomorrow to enforce the TRO. Please advise us whether 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) | 334.956.8360 (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
Cc: tumlin@nilc.org; jcrook@relmanlaw.com; Kristi Graunke; Davis, Jim; Fleming, Margaret; Fairbanks, Misty; Parker, Will
Subject: RE: CAFHC v. Magee - Notice of TRO Noncompliance

Dear Sam,

We filed the Notice of Compliance yesterday. If you provide specific allegations, I will do my best to address them.

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 10:21 AM
To: Payne, Josh; Davis, Jim; Fleming, Margaret; Fairbanks, Misty; Parker, Will
Cc: tumlin@nilc.org; jcrook@reimanlaw.com; Kristi.Graunke@splcenter.org
Subject: Re: CAFHC v. Magee - Notice of TRO Noncompliance

Thanks for getting back to me Josh. But this doesn't fully resolve my questions. Can you tell me:

- 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 or else we will have to consider taking further enforcement action, 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

On 11/29/2011 9:44 AM, Payne, Josh wrote:

Dear Sam,

It is my understanding that all of the referenced offices have received Commissioner Magee's November 24 Memo.

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: Monday, November 28, 2011 6:04 PM
To: Davis, Jim; Payne, Josh; Fleming, Margaret; Fairbanks, Misty; Parker, Will
Cc: tumlin@nilc.org; jcrook@reimanlaw.com; Kristi.Graunke@splcenter.org

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

Importance: High

Counsel:

We are aware of another location which is continuing today to demand proof of U.S. citizenship or lawful 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 Judge Thompson's order, and to 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); 'mflaming@ago.state.al.us'; 'mfairbanks@ago.state.al.us'; 'wparker@ago.state.al.us'

Cc: Karen Tumlin (tumlin@nilc.org); Jamie Crook; Kristi Graunke

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

Importance: High

Counsel:

We are aware that the following counties and towns have been turning people away today when they attempted to renew their mobile home decals without proof of citizenship or lawful immigration status, in violation of the TRO order entered by Judge Thompson:

- Columbiana (Shelby County)
- Gadsden (Etowah County)
- Dothan (Houston County Revenue Dep't)
- Bessemer (Jefferson County)
- Birmingham (Jefferson County)

We ask that you take action to ensure compliance with Judge Thompson's order by immediately:

- Contacting these offices;
- Ensuring their compliance with the TRO; and
- Informing us of the same, including with whom you spoke, so we can inform the affected putative class members who contacted us that they can now return to those 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 of the TRO today are significant and make it extremely difficult for individuals to comply with the registration process.

I will notify you of additional violations as we learn of them.

Sam Brooke

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