

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

JAY GREENE

PLAINTIFF

v.

CASE NO. 4:25-cv-1132-JM

**TIM GRIFFIN, in his official capacity as
Attorney General of the State of Arkansas;
SARAH HUCKABEE SANDERS, in her official
capacity as Governor of the State of Arkansas;
LESLIE RUTLEDGE, in her official capacity as
Lieutenant Governor of the State of Arkansas;
BRIAN S. EVANS, in his official capacity as
Speaker of the House of Representatives of the
State of Arkansas; BART HESTER, in his official
capacity as President Pro Tempore of the Senate
of the State of Arkansas**

DEFENDANTS

JOINT MOTION FOR ENTRY OF JUDGMENT

Pursuant to Federal Rules of Civil Procedure 57 and 58(b)(2)(B), Plaintiff Jay Greene and Defendants Tim Griffin, Sarah Huckabee Sanders, Leslie Rutledge, Brian S. Evans, and Bart Hester, each in their official capacities, jointly move for entry of judgment.

In support of this motion, the parties state as follows:

1. Plaintiff Jay Greene brought this lawsuit to challenge the requirement that the Arkansas Ethics Commission must include “at least one . . . member of a minority race.” Ark. Code Ann. § 7-6-217(b)(1) (the “challenged requirement”).

2. Mr. Greene has alleged that the challenged requirement is a racial quota that violates the Fourteenth Amendment’s Equal Protection Clause. Compl. ¶¶ 27–37, ECF No. 1. Mr. Green has sought a declaration to that effect. *Id.* at 9 (request for relief).

3. Defendants are the officials responsible for appointing the members of the Arkansas Ethics Commission. Compl. ¶¶ 11–15; Answer ¶¶ 11–15, ECF No. 11.

4. In their Answer, Defendants agreed that the challenged requirement is an unconstitutional race quota in violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. Compl. ¶ 7; Answer ¶ 7.

5. Defendants further agreed that the challenged requirement “does not serve a compelling government interest,” Compl. ¶ 31, Answer ¶ 31, “does not remediate any specific instances of racial discrimination that violated the Constitution or statutes,” Compl. ¶ 33, Answer ¶ 33, and that even if the challenged requirement “served a compelling government interest, it is not narrowly tailored to remediate past intentional discrimination,” Compl. ¶ 34; Answer ¶ 34.

6. As both parties agree that the challenged requirement is unconstitutional, the Court should issue a declaration stating that the challenged requirement violates the Equal Protection Clause. It should also issue a final judgment in favor of Mr. Greene. The parties agree that such a declaration and judgment would resolve this case.

7. The parties have further agreed that Mr. Greene is entitled to an award of reasonable attorney’s fees pursuant to 42 U.S.C. § 1988, which Mr. Greene will submit to the Court by separate motion.

WHEREFORE, the parties respectfully request that the Court issue a declaration and final judgment in favor of Mr. Greene. A proposed order is provided for the Court’s consideration.

Respectfully submitted,

/s/ Aaron S. Newell

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