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U. S. DISTRICT COURT
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CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HUMAN RIGHTS PARTY,
DAVID F. BLACK, and
MARK DICKMAN, Plaintiffs

V.

File No. 37852

CITY OF ANN ARBOR, and
HAROLD SAUNDERS, City Clerk of Ann Arbor, Defendants/

ORDER GRANTING MOTION FOR SUMMARY JUDGEMENT

FOUNDER STAR
COMMUNICATIONS
SOUTH BOSTON MASS
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At a session of said court held in the
Federal Building in Detroit, Michigan,
on the 29 day of March, 1972.

PRESENT: HONORABLE Ralph Freeman
U.S. District Court Judge

This matter came on to be heard on the plaintiffs' and defendants' Cross-Motion for Summary Judgement. The proceedings had thereon, the factual findings of the court and its conclusions of law are as set forth in its opinion issued on March 17, 1972. Pursuant thereto,

IT IS ORDERED that the plaintiffs' Motion for Summary Judgement be, and it hereby is, granted and that defendants Motion for Summary Judgement be denied.

IT IS FURTHER ORDERED and declared that the portion of Section 12.2 of the Ann Arbor City Charter which requires all candidates for the office of councilman to have been registered electors of the City of Ann Arbor for at least one year immediately preceding their election violates the equal protection clause of the Fourteenth Amendment to the U.S. Constitution and is, therefore, unconstitutional and void.

IT IS FURTHER ORDERED and declared that the plaintiff David F. Black is therefore qualified to be a candidate for councilman of the City of Ann Arbor.

IT IS FURTHER ORDERED and declared that defendant City of Ann Arbor and defendant Harold Saunders, Ann Arbor City Clerk, take all steps necessary to insure that the name of plaintiff David F. Black is properly on the ballot for the April 3, 1972 election.

dated - mar. 29, 1972.

Ralph M. Freeman
HONORABLE Ralph Freeman
U.S. District Court Judge

Approved as to form:

Jerold Lax
Jerold Lax
City Attorney

Jules M. Fried
Jules M. Fried
Attorney for the Plaintiffs

Dated: