

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION

INDIA LYNCH, by her parent, SHAWN KING *
LYNCH; WENDELL PRIDE, JR., by his parent, *
WENDELL PRIDE; IVY ROSE BALL, by her *
parent, MIRANDA BALL; SLADE BERRYMAN *
and CANNON BERRYMAN, by their parent, *
TYLER BERRYMAN; ROCHESTER *
ANDERSON and CEZANNE ANDERSON, by *
their parent, STELLA ANDERSON; SHARNAY *
BROOKS, by her parent, MICHAEL BROOKS; *
ZEKEIAH ORMOND, by his parent, BARBARA *
L. ORMOND; ADRIAN WIDEMON, by his *
parent, ADA WIDEMON JONES, individually *
and on behalf of others similarly situated, *

Plaintiffs, *

v. *

Civil Action No.
CV-08-S-0450-NE

THE STATE OF ALABAMA; BOB RILEY, in his *
official capacity as Governor of Alabama; and *
TIM RUSSELL, in his official capacity as *
Commissioner of Revenue, *

Defendants. *

**AMENDMENT TO
PLAINTIFFS' BRIEF OPPOSING
DEFENDANTS' MOTIONS TO DISMISS**

Plaintiffs India Lynch et al., through undersigned counsel, submit the following amendment to their brief filed June 6, 2008, Doc. 31, opposing the defendants' motions to dismiss.

The table on page 10 of plaintiffs' brief erroneously overstates the current school revenues in Lawrence County and Sumter County, and thus overstates the school revenues that would be received with a 100% assessment ratio. The error was made by undersigned counsel, who included in current school revenues the amounts listed on Exhibits A and B to the affidavit of Susan Pace Hamill as "additional property tax collections for public schools." In fact, as undersigned counsel had already been informed by opposing counsel, the "additional" tax collections are not current revenues but the amounts by which revenues could be increased without exceeding the "lid" for each classification of property. The following table contains the corrected figures:

County	Class	Current School Revenue 2007	Current Assessment Ratio	School Revenue with 100% Assessment Ratio
Lawrence	I	\$267,806.58	30%	\$892,688.60
Lawrence	II	\$1,797,441.12	20%	\$8,987,205.60
Lawrence	III	\$881,946.66	10%	\$8,819,466.60
Lawrence	IV	\$537,071.60	15%	\$3,580,477.33
Lawrence	Total	\$3,484,265.96		\$22,279,838.13
Sumter	I	\$371,765.38	30%	\$1,239,217.93
Sumter	II	\$822,012.03	20%	\$4,110,060.15
Sumter	III	\$698,648.55	10%	\$6,986,485.50
Sumter	IV	\$324,522.45	15%	\$2,163,483.00
Sumter	Total	\$2,216,948.41		\$14,499,246.58

Undersigned counsel apologizes to the Court and to opposing counsel for the error he made.

Plaintiffs also call to the Court's attention *Young Apartments, Inc. v. Town of Jupiter*, __ F.3d __, 2008 WL 2277521 (11th Cir., June 5, 2008), which provides authority for the Article III standing of the white plaintiffs in this action, independent of their ability to piggyback on the standing of the black plaintiffs.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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